INFORMATION TO USERS

This manuscript has been reproduced from the microfilm master. UMI films the text directly from the original or copy submitted. Thus, some thesis and dissertation copies are in typewriter face, while others may be from any type of computer printer.

The quality of this reproduction is dependent upon the quality of the copy submitted. Broken or indistinct print, colored or poor quality illustrations and photographs, print bleedthrough, substandard margins, and improper alignment can adversely affect reproduction.

In the unlikely event that the author did not send UMI a complete manuscript and there are missing pages, these will be noted. Also, if unauthorized copyright material had to be removed, a note will indicate the deletion.

Oversize materials (e.g., maps, drawings, charts) are reproduced by sectioning the original, beginning at the upper left-hand corner and continuing from left to right in equal sections with small overlaps.

ProQuest Information and Learning
300 North Zeeb Road, Ann Arbor, MI 48106-1346 USA
800-521-0600

UMI®

NOTE TO USERS

Page(s) not included in the original manuscript are unavailable from the author or university. The manuscript was microfilmed as received.

498

This reproduction is the best copy available.

UMI®



Université d'Ottawa · University of Ottawa

THE SACRAMENT OF RECONCILIATION AND GENERAL ABSOLUTION

by
Brian LIMBOURN

A dissertation submitted to the Faculty of Canon Law, Saint Paul University, Ottawa, Canada, in partial fulfillment of the requirements for the degree of Doctor of Canon Law

Ottawa, Canada
Saint Paul University
2002

National Library of Canada
Acquisitions and Bibliographic Services
395 Wellington Street
Ottawa ON K1A 0N4
Canada

Bibliothèque nationale du Canada
Acquisitions et services bibliographiques
395, rue Wellington
Ottawa ON K1A 0N4
Canada

Your file Votre référence

Our file Notre référence

The author has granted a non-exclusive licence allowing the National Library of Canada to reproduce, loan, distribute or sell copies of this thesis in microform, paper or electronic formats.

The author retains ownership of the copyright in this thesis. Neither the thesis nor substantial extracts from it may be printed or otherwise reproduced without the author's permission.

L'auteur a accordé une licence non exclusive permettant à la Bibliothèque nationale du Canada de reproduire, prêter, distribuer ou vendre des copies de cette thèse sous la forme de microfiche/film, de reproduction sur papier ou sur format électronique.

L'auteur conserve la propriété du droit d'auteur qui protège cette thèse. Ni la thèse ni des extraits substantiels de celle-ci ne doivent être imprimés ou autrement reproduits sans son autorisation.

0-612-76474-5

Canada

ABSTRACT

The ability to isolate several distinct models of reconciliation from the diverse materials left by past generations suggests that the history of this sacrament has been a continued search for a pastoral, meaningful, effective and human expression of the graced encounter between the Lord Jesus and repentant sinners celebrating the forgiveness of God and peace with the Church. When approached with objectivity and respect, the evidence supporting this modular reconstruction also provides a basis to identify and think on certain essential theological values of reconciliation, namely, Eucharistic, ecclesial, communal, process and personal, which a community might appropriate to become a body of reconciliation in the world, instruct investigation of contemporary sacramental modes, and serve the genuine and comprehensive renewal authorized and informed by Vatican II Council.

Having successfully captured these theological values, this Council proposed the sacrament of reconciliation as an indispensable part of the ongoing penitential spirit that permeates the entire Christian life in its personal and social dimensions. Nevertheless, the process to reform the sacrament proved a complicated and even contentious labour for those responsible, a significant feature of which emerged in general confession and absolution, an alternative mode officially approved and previously introduced in response to certain grave necessities, but evidently incorporated into the *Rite of Penance* published early 1974 with the expectation of further study and possible development in relation to relevant aspects of theology, canon law and pastoral practice.

Although marked by a somewhat unimaginative similarity in their style, structure and perception of sin, the new rituals of reconciliation reflect the teaching of Vatican II Council faithfully enough to allow penitents remember and celebrate the activity of the Spirit-filled community serving as the place and presence of Jesus' saving mystery. At the same time, however, what seemed a dissonant mix of theologies ultimately bled the document of its necessary harmony so that the rituals did not attend the process of reconciliation central to the life of every faithful and reinforced the ambiguity already apparent in the regulations for general confession and absolution then in force.

Consequently, as work to rewrite the *Code of Canon Law* gathered momentum, the Church experienced a sustained period of development and controversy about the meaning and practice of reconciliation which accompanied and deeply influenced the members of the responsible sub-commission with the result that, notwithstanding a number of crucial and still maturing issues, the final form of the canons examined in this dissertation largely reflected an official policy of pragmatic concern to eliminate possible abuses in the celebration of general absolution and arrest further decline in the use of rites with individual auricular confession. As a fitting conclusion to this turbulent period, the Synod of Bishops which assembled to discuss reconciliation and penance in the mission of the Church succumbed to the disparate and confused state of contemporary knowledge and experience of the subject and the impact of a new *Code* already promulgated so that, impotent before key matters and questions for which delegates had the competence at least to debate and give orientations, produced the prickly fruit of compromise by accepting for the present those principles and regulations about to take effect.

At once a cause for concern and hope, the blend of materials making cc. 959-963 lack the proper foundation to reflect in an authentic and credible way the awesome depth of the paschal mystery and its complex of implications for the sacrament of reconciliation which recent scholarship and pastoral experience have discovered and continue to explore and propose, suggesting that until loosed from a function that appears predominately associated with the need to maintain and control a particular theoretical understanding

and form of discipline, these texts will remain an unstable platform for the essential theological values of reconciliation men and women might learn and embrace for accepting from God and living their call to holiness. Nevertheless, constructive and honest debate on certain substantial yet unresolved questions and allied matters indicates that identifying the purpose of the sacrament with celebration of the reconciliation process that Christ's faithful know from their diverse relationships in daily life and the possibilities for grace, conversion and healing the Holy Spirit constantly reveals to them personally and through the mediation of the Church, may advance our understanding how the relevant parts of theology, canon law and pastoral practice should be formulated, applied and renewed for the spiritual welfare of all God's people.

4 May 2002

TABLE OF CONTENTS

ABBEVIATIONS vii

INTRODUCTION 1

CHAPTER 1 THE CHURCH'S MINISTRY OF RECONCILIATION 4

1.1 New Testament Foundations 4

1.1.1 The Mission of Jesus Christ 5

1.1.2 The Christian Communities of the New Testament 10

1.2 Historical Models of Reconciliation 16

1.2.1 The Model of Communal or "Public" Reconciliation 17

1.2.1.1 The Sub-Apostolic Church 17

1.2.1.2 The Third Century 19

1.2.1.3 The Fourth to the Sixth Centuries 25

1.2.1.4 The Seventh to the Sixteenth Centuries 30

1.2.2 The Model of Private, Repeatable, and Tariffed Reconciliation 33

1.2.2.1 Origins and Early Development 33

1.2.2.2 Missionary Extension and Further Development 35

1.2.2.3 Corruption and Reform 38

1.2.2.4 Universal Acceptance and the Elimination of Tariffs 39

1.2.2.5 Theological Debate and Universal Legislation 42

1.2.3 The Model of "Judicial" or Modern Confession 47

1.2.3.1 Theological and Legislative Activity Following Lateran IV Council 48

1.2.3.2 The Council of Trent 52

1.2.3.3 Liturgical Renewal and Postconciliar Developments 57

Conclusion 60

CHAPTER 2 THEOLOGICAL VALUES AND THE PATH TO RENEWAL 63

2.1 Theological Values Essential to Reconciliation 63

2.1.1 The Eucharistic Value 65

2.1.2 The Ecclesial Value 75

2.1.3 The Communal Value 81

2.1.4 The Process Value 87
2.1.5 The Personal Value 93
2.2 Confession on the Eve of the Second Vatican Council 101
2.2.1 The Path to Renewal is Opened 101
2.2.2 Reflections and Insights from Theology and Canon Law 104
2.2.2.1 Jesus Christ, the Primordial Sacrament 104
2.2.2.2 The Church, Fundamental Sacrament of Christ 105
2.2.2.3 The Sacraments, Signs and Celebrations of Unity 106
2.2.2.4 Penance, Individual Sacrament of Repentance and Forgiveness 108
2.2.2.5 Penance, Sacrament of Ecclesial Union 110
2.2.2.6 Towards a Communal Sacrament of Reconciliation 116
Conclusion 120
CHAPTER 3 VATICAN II AND BEYOND: THE EVOLUTION OF GENERAL ABSOLUTION AS A FORM OF SACRAMENTAL RECONCILIATION 123
3.1 The Second Vatican Ecumenical Council 124
3.1.1 The Person and Work of Jesus Christ 125
3.1.2 The Nature and Mission of the Church 128
3.1.3 The Sacraments of the Church 130
3.1.4 The Sacrament of Penance 132
3.1.4.1 First Reform Criterion: The Meaning and Effect of Sin 135
3.1.4.2 Second Reform Criterion: A Twofold Reconciliation 136
3.1.4.3 Third Reform Criterion: How the Church Works for Reconciliation 138
3.1.5 The Sacrament of Penance and Christian Maturity 139
3.2 The Legacy of Vatican II 140
3.2.1 A Re-assessment of Grave Sin 142
3.2.2 A Fresh Approach to Sacramentality 147
3.2.3 A Phenomenon of Pastoral Creativity 150
3.3 The Origin and Initial Development of General Absolution 154
3.3.1 An Historical Context for General Absolution 155

3.3.2 Fundamental Issues Affecting General Absolution 161
3.3.2.1 Issues Pertaining to Church Doctrine 162
3.3.2.2 Issues Pertaining to Canon Law 171
3.3.2.3 Issues Pertaining to Pastoral Practice 175
3.4 The Official Reform Process for the Sacrament of Penance 178
3.4.1 The First Committee, 1967-1969 179
3.4.2 Pastoral Norms for General Absolution, 1972 183
3.4.3 The Second Committee, 1972-1973 192
Conclusion 195
CHAPTER 4 THE *ORDO PÆNITENTIÆ*, 1974 200
4.1 The Theology of Reconciliation 201
4.1.1 Jesus Christ, Reconciler 201
4.1.2 The Church, Place of Reconciliation 204
4.1.3 The Sacraments, Signs Which Effect and Challenge 206
4.1.4 The Sacrament of Reconciliation 208
4.1.4.1 The Meaning of Sin in the *Ordo pœnitentiæ* 209
4.1.4.2 Reconciliation and the Penitential Life 212
4.1.4.3 Reconciliation as an Act of Worship 215
4.1.4.4 The Nature and Effect of Reconciliation 223
4.2 The Rituals of Reconciliation 227
4.2.1 Rite for Individual Reconciliation 228
4.2.2 Rite for Several Penitents with Individual Reconciliation 231
4.2.3 Rite for Several Penitents with General Confession and Absolution 234
4.3 The *Ordo pœnitentiæ* and the Pastoral Norms 240
Conclusion 243

CHAPTER 5 TEN YEARS OF DEVELOPMENT AND CONTROVERSY, FROM THE *ORDO PÆNITENTIÆ* UNTIL THE 1983 SYNOD OF BISHOPS 246

5.1 Preparation of the New *Codex iuris canonici* 247

5.1.1 *Schema de Sacramentis, Titutus* IV, 1975 248

5.1.1.1 The Introductory Canon, 130 249

5.1.1.2 The Ordinary Mode of Reconciliation, Canon 131 251

5.1.1.3 The Conditions for General Absolution, Canon 132 §§1-2 255

5.1.1.4 The Judgement About the Conditions, Canon 132 §3 259

5.1.1.5 The Disposition Required of Penitents, Canon 133 §1 261

5.1.1.6 Other Obligations of Penitents, Canons 133 §2 and 134 262

5.1.2 From Expectation to Confrontation, 1976-1981. 264

5.1.2.1 Episcopal Initiatives of Lent and Advent, 1976 265

5.1.2.2 Official Response and Subsequent Negotiation 269

5.1.2.3 Meeting of the *Coetus Studiorum de Sacramentis* 272

5.1.2.4 Sacramental Renewal and a Second Response 279

5.1.2.5 The Ministry of Pope John Paul II, 1978-1981 285

5.1.2.6 The Plenary Session of the Code Commission, 1981 289

5.1.2.7 The Personal Intervention of Pope John Paul II 293

5.2 The 1983 Synod of Bishops 300

5.2.1 Preparation for the Synod 301

5.2.1.1 Document 1: *Lineamenta* 302

5.2.1.2 Document 2: *Instrumentum laboris* 315

5.2.1.3 Document 3: Report of the International Theological Commission 327

5.2.2 The Assembly of Bishops 335

5.2.2.1 A Mosaic of Situations, Experiences, Problems and Proposals 336

5.2.2.2 An Uneven and Fragmentary Theology 341

5.2.2.3 A Convergence of Thought amid Signs of Hope 347

Conclusion 350

CHAPTER 6 TOWARD THE FUTURE UNCERTAIN: THE 1983 CODE OF CANON LAW 353

6.1 Canon 959: The Description of the Sacrament 354

6.1.1 Doctrinal Foundations 355

6.1.2 Canonical Elements 358

6.1.3 Towards a Canon in Harmony with Established Theological Values 361

6.2 Canon 960: The Modes of Reconciliation 368

6.2.1 Doctrinal Foundations 369

6.2.2 Canonical Elements 372

6.2.3 Towards a Canon in Harmony with Established Theological Values 373

6.3 Canon 961: The Conditions for General Absolution and the Judgement of the Diocesan Bishop 382

6.3.1 Doctrinal Foundations 383

6.3.2 Canonical Elements 385

6.3.3 Towards a Canon in Harmony with Established Theological Values 390

6.4 Canon 962: Disposition and Instruction of the Faithful 399

6.4.1 Doctrinal Foundations 400

6.4.2 Canonical Elements 402

6.4.3 Towards a Canon in Harmony with Established Theological Values 403

6.5 Canon 963: Satisfying the Obligation for Individual Confession After General Absolution 408

6.5.1 Canonical Elements 409

6.5.2 Towards a Canon in Harmony with Established Theological Values 410

Conclusion 413

CHAPTER 7 SERVING THE TRUTH: SELECT ASPECTS INSTRUCTING THE CONTEMPORARY DEBATE ON GENERAL ABSOLUTION AS A SACRAMENTAL FORM OF RECONCILIATION 418

7.1 The Social-Structural and Personal Dimensions of Sin 418

7.2 Mature Discipleship in Christ 435

7.3 A New Evangelization 441
7.4 The Question of Justification 448
7.5 The Sacrament of Penance 459
7.5.1 A Bold and Lively Debate 460
7.5.2 The *Catechism of the Catholic Church* 467
7.5.3 The Impact of Liturgical Study 471
7.5.4 General Absolution: A Stone Rejected by the Builders? 483
Conclusion 493
GENERAL CONCLUSION 499
APPENDICES
1 Criteria for General Absolution Established by the CCCB 510
2 Archdiocese of Perth: Guidelines for the Use of the Third Rite of Reconciliation 512
3 Archdiocese of Adelaide: Pastoral Guidelines for the Celebration of the Sacrament of Penance 514
4 Letter of the Congregation for Divine Worship and the Discipline of the Sacraments on the Sacrament of Penance, 19 March 1999 519
5 Circular Letter of the Congregation for Divine Worship and the Discipline of the Sacraments Concerning the Integrity of the Sacrament of Penance, 20 March 2000 522
BIBLIOGRAPHY 528
BIOGRAPHICAL NOTE 568

ABBREVIATIONS

AA	*Apostolicam actuositatem*, Vatican Council II, Decree on the Apostolate of the Laity.
AAS	*Acta Apostolicæ Sedis.*
AG	*Ad gentes*, Vatican Council II, Decree on the Missionary Activity of the Church.
Catechism	*Catechismus Catholicæ Ecclesiæ*, editio typica, 1997.
CCCB	Canadian Conference of Catholic Bishops.
CCEO	*Codex canonum Ecclesiarum Orientalium*, fontium annotatione auctus, 1995.
CD	*Christus Dominus*, Vatican Council II, Decree on the Pastoral Office of Bishops in the Church.
CIC 17	*Codex iuris canonici*, 1917.
CIC 83	*Codex iuris canonici*, fontium annotatione et indice analytico-alphabetico auctus, 1989.
CLD	*The Canon Law Digest.*
CLSA	The Canon Law Society of America.
Denz	H. Denzinger, *Enchiridion symbolorum definitionum et declarationum de rebus fidei et morum*, 35th edition, 1973.
DOL	*Documents on the Liturgy 1963-1979: Conciliar, Papal, and Curial Texts.*
DV	*Dei verbum*, Vatican Council II, Dogmatic Constitution on Divine Revelation.
GS	*Gaudium et spes*, Vatican Council II, Pastoral Constitution on the Church in the World of Today.
ITC	International Theological Commission.
LG	*Lumen gentium*, Vatican Council II, Dogmatic Constitution on the Church.
Mansi	G.D. Mansi (ed.), *Sacrorum conciliorum nova et amplissima collectio.*
NDSW	P.E. Fink (ed.), *The New Dictionary of Sacramental Worship.*
OE	*Orientalium ecclesiarum*, Vatican Council II, Decree on the Eastern Catholic Churches.
OP	*Ordo pœnitentiæ.*
PG	J.-P. Migne (ed.), *Patrologiæ cursus completus, series græca.*
PL	J.-P. Migne (ed.), *Patrologiæ cursus completus, series latina.*
PO	*Presbyterorum ordinis*, Vatican Council II, Decree on the Ministry and Life of Priests.
RP	*The Rite of Penance.*
SC	*Sacrosanctum Concilium*, Vatican Council II, Constitution on the Sacred Liturgy.
SCDF	Sacred Congregation for the Doctrine of the Faith.
Tanner	N.P Tanner (ed.), *Decrees of the Ecumenical Councils*, 1990.

INTRODUCTION

"While he was still a long way off, his father saw him and was moved with pity. He ran to the boy, clasped him in his arms and kissed him tenderly..."[1] Practically synonymous with the liturgy of the word celebrated during sacramental rites for reconciliation of several penitents in some places, this familiar and inspirational parable has assumed the status of a paradigm whenever Pope John Paul II teaches the superabundant, liberating mercy of the Father towards humankind revealed in the life, death and resurrection of our Lord Jesus Christ.

God accepts all who repent and enter the reconciling friendship of Jesus. Nevertheless, the sacrament of this encounter with the One who has once and for all relativised the dominion of sin and constantly draws disciples to a richer and more fulfilling experience of their new life in Christ, that empowers believers in knowledge, faith and witness in their everyday existence of God's work of reconciliation in them, today exhibits what some assess as a crisis of participation in its ordinary mode that has now persisted for several decades.[2] Apparently symptomatic of many factors Pope John Paul says range from the diminished sense of sin to an inadequate realisation of the sacramental economy of God's salvation, this "temporary" crisis currently embracing a third generation of Catholic faithful who show little enthusiasm for rites with individual confession effectively untouched in common practice by the postconciliar reform process, represents the primary motivation for an objective, balanced study of the sacrament of reconciliation and proper canonical expression of the meaning and pastoral application such work might credibly discern.

To be sure, one who receives the Father's embrace of welcome and forgiveness gives the entire household a cause for celebration and has in that very experience both the example and challenge for passing such a profound and transforming grace to others. Given the dynamic, social nature of this evangelical promise, it is perhaps a significant reflection on the contemporary crisis, notwithstanding some allusion to the necessary

---

[1] Lk 15:20

[2] The most recent example of this opinion found is the comment in a letter of Pope John Paul II to priests for Holy Thursday, 25 March 2001, in *L'Osservatore Romano*, weekly ed. in English, 4 April 2001, p. 1.

proclamation of God's word which floods penitent faithful with mercy and renews their reality as members together of a saved people, that the present official theological perspective and corresponding legal norms – designed to guarantee the "best possible" liturgical celebration – apparently conceive the sacrament of reconciliation in terms no more sophisticated than an instrument of personal sanctification which can pardon the sins of individuals alone – identified as "reconciliation with God and the Church" – and somehow effect in them a process of purification and humanization that makes each one less unworthy of the mysteries they celebrate.[3] Any communal aspect this mentality admits into the definition and approved ordinary practice of the sacrament, which Pope John Paul II thinks faithful can "appreciate better" in the form of so-called community penance services, seems altogether derived from the present understanding of sin and something described as a mystery of supernatural solidarity that renders it quite secondary in nature.[4]

Arguably one of the most controversial and suspect elements in the sacramental worship of the Church reformed since Vatican II Council and never far from the centre of work devoted to the renewal of the Church's penitential discipline is the rite for reconciliation of several penitents with general confession and absolution. In treating the question whether this "third form" of the sacrament, that 1983 *Code of Canon Law* c. 960 permits and cc. 961-963 regulate when for competent authority the circumstances specified exist, has a certain and possibly normative future in the Church's ministry of reconciliation, the impact and interpretation of the present crisis of participation, together with the theological opinion and practical exercise officially proposed still the subject of widespread discussion, demand from this study an examination conducted not only in the limited framework of its historical development related to pertinent doctrinal, canonical and pastoral factors but also in broader terms of what the sacrament of reconciliation is and means to express in the lives of Christ's faithful, for which c. 959 provides the existing legal description.

---

[3] See ibid., p. 2. Although written to priests, the ideas in the letter to which this sentence refers seem applicable to all members of the Church.

[4] Ibid., rather than the primacy of the human community, according to which God creates men and women brothers and sisters of one family, that instructs these elements and in turn obtains from them a deeper meaning and some form of concrete expression.

The nature and object of this task indicates that a suitable presentation might emerge with the assistance of a multidisciplinary, thematic and partially intercalated diachronic method that first of all presents the historical models of reconciliation isolated and documented in responsible and authoritative scholarship from the diverse materials left by past generations. The data supporting the reconstruction of these models provides a basis for the second chapter to identify and think on certain essential theological values of reconciliation; namely, Eucharistic, ecclesial, communal, process and personal which a community of faith might appropriate to become *koinonia* or a " body of reconciliation" in the world and instruct investigation of contemporary sacramental modes, beginning with reflections and insights from theology and canon law on the sacrament as understood and practised about the eve of the Second Vatican Ecumenical Council.

Mindful of the comprehensive preparation and significant legacies associated with each of the subjects they examine, the following three chapters picture general confession and absolution as part of the total reform and renewal process for the sacrament incorporating respectively Vatican II Council, the new *Rite of Penance* published early 1974 and revision of the 1917 *Code of Canon Law*, that proceeds to examine the 1983 Synod of Bishops culminating a decade of controversy and development for the meaning and practice of penance and reconciliation in the mission of the Church.

Served by the foregoing research, a sixth chapter presents some analysis of cc. 959-963 in the 1983 *Code of Canon Law* according to an orderly pattern that firstly identifies and explains what doctrinal and canonical aspects the blend of materials old and new used to write the norms make known, before proposing how such texts could achieve greater harmony with the established theological values. The study concludes with orientations in chapter seven derived from substantial yet unresolved questions and allied subjects to regain a theology of reconciliation that takes seriously what God has done in Christ and reflects the depth and richness of its meaning and effect for the members of the Church and indeed for the whole world.

CHAPTER 1: THE CHURCH'S MINISTRY OF RECONCILIATION

"The time has come: let us forgive and let us ask for forgiveness. If Christ is to be our advocate with the Father, we cannot fail to utter these words ... to undertake the difficult but necessary pilgrimage of forgiveness, which leads to a profound reconciliation."[1] With this moving exhortation, delivered at the conclusion of the Sunday homily during his historic visit to Sarajevo on 12-13 April 1997, Pope John Paul II echoed the words of our Lord Jesus Christ who, sent by the Father for the salvation of the world, proclaimed: "The time is fulfilled and the kingdom of God is close at hand. Repent, and believe the Gospel."[2]

This exemplary act of the Pope in faithful service of God's great message of peace to the world indicates a twofold purpose for the opening chapter of this thesis. Firstly, the ministry of Jesus and the experience of the earliest Christian communities as presented in the New Testament will be outlined, since these provide the essential foundation for subsequent Church practice and understanding of reconciliation. This will be followed by an examination of the various sacramental models by which the Church has consistently embraced its sinful members, accompanied them through penance and conversion, and welcomed them back to communion with itself, the entire created order, and with God.

1.1 NEW TESTAMENT FOUNDATIONS

The forgiveness of sin exemplified in the life of Jesus and definitively effected for all people by means of his passion, death and resurrection, established a state of reconciliation between God and humankind, with the intention that the whole human

---

[1] Pope John Paul II, Homily, 13 April 1997, in *Insegnamenti di Giovanni Paolo II*, XX, part 1 (1997), p. 679. English trans. published under the title "Symbol of the 20th Century," in *Origins*, 26 (1996-1997), p. 719. The context of this statement was the Pope's desire that Sarajevo become a model of co-existence and peaceful co-operation between peoples of different ethnic origin and religions for the whole of Europe.

[2] Mk 1:15.

family should come to live as brothers and sisters in unity and peace. In response to the word and example of Jesus, the first disciples faithfully carried on this mission and endeavoured to be an example of reconciliation for their own upbuilding and as an invitation to those among whom they lived. In doing so, these earliest communities experienced the imperfect nature of their example and recognized the need for a constant renewal and repentance if they were to witness more faithfully in a deeper commitment to Jesus the Lord.

1.1.1 THE MISSION OF JESUS CHRIST

In the first letter of St Paul to Timothy, the author, reflecting on the circumstances of Paul's apostolic calling, describes in most succinct fashion the mission of Jesus: "Here is a saying that you can rely on and nobody should doubt: that Christ Jesus came into the world to save sinners."[3] This saying, probably borrowed from a primitive Christian creed, was cherished as a rich, deep insight into the person and work of Jesus, embodying a wealth of faith experience and communal discernment in the Holy Spirit.[4] The context of the saying shows that St Paul considered himself to be the greatest of all sinners. This led him to conclude that he must also be the supreme beneficiary of this saving work. Applied to his personal encounter with the risen Jesus (Acts 9:1-18), Paul's life manifested the unlimited mercy and patience of God (1 Cor 15:8-10; Gal 1:13-16, 23-24). Consequently, the author employs the life of Paul to interpret the saying, presenting him as the prime example of one acceptable to God for all who would come to believe in Jesus as their Lord and Saviour.[5]

Although created by God in his own image for a life of peace and harmony in communion with him, human beings disrupted that relationship through an act of

---

[3] 1 Tim 1:15.

[4] R.J. Karris, *The Pastoral Epistles*, New Testament Message, 17, Wilmington, DE, M. Glazier, 1979, pp. 53-54.

[5] A.T. Hanson, *The Pastoral Epistles*, New Century Bible Commentary, 32, Grand Rapids, MI, W.B. Eerdmans, 1982, pp. 61-62.

disobedience (Gen 3; Rom 5:12-14). Its result was a state of alienation from God, which accounted for the evil and hostility found in human life affecting all people.[6] Typically, biblical authors employed the word "sin" to name the cause, state or result of this disturbing, complex situation (Rom 3:9; 1 Jn 3:4-10).[7] God, tender and compassionate, slow to anger, rich in faithful love and constancy (Ex 34:6; Ps 86:5), consistently sent prophets and other holy people to proclaim a conversion of heart and return to a life of fidelity with him (Joel 2:12-14; Is 55:6-8; Hos 5:15-6:1). This initiative of a loving God effected a process of reconciliation between himself and humanity which achieved its perfect expression and fulfilment in the life, death and resurrection of Jesus (Rom 5:19; 1 Cor 15:3,17; Col 2:13-14; Heb 9:26, 10:10; 1 Pet 1:18-21).

As this unique intervention, "who [though] being in the form of God [became] as human beings are,"[8] Jesus could effectively mediate God and humanity (Jn 3:16-17, 14:6-7; 1 Tim 2:5-6; Heb 4:14-16). Jesus began his mission of salvation with the announcement that his presence among the people signified the definitive arrival of God's time of favour (Lk 4:17-21). He called them to repent and believe in the Good News (Mk 1:15). Jesus declared himself in solidarity with people through his humble acceptance of the human condition, and by means of his ministry revealed himself as the place where God encounters sinful human beings (Jn 4:25-26). "In Jesus, we see what human life is intended to be in the image and likeness of God. Therefore, we have in

---

[6] C.E. Curran, "The Sacrament of Penance Today I," in *Worship*, 43 (1969), p. 519. Curran explains that in the Genesis account, the refusal of human beings to accept their covenant relationship of loving dependence on God is vividly depicted at three levels. In terms of their relation to God, Adam and Eve were expelled from the garden; with regard to each other, Adam, instead of defending and protecting his wife with whom he formed one body, placed the blame squarely on her shoulders; relative to the world or cosmos, Adam knows suffering, sweat and fatigue in working the fields whilst Eve experiences the pains of childbirth.

[7] Both communal and individual aspects of sin are included. Personal responsibility is recognized, alongside the understanding that considers people in solidarity with others. Sin could only be overcome by repentance, forgiveness, and ultimately, an inner transformation that eliminates the tendency to sin. See the comments by W.J. Woods, "Reconciliation and Priesthood," in P.E. Fink (ed.), *The New Dictionary of Sacramental Worship* (=*NDSW*), Collegeville, MN, The Liturgical Press, 1990, pp. 1034-1035 and R.J. Hater, "Sin and Reconciliation: Changing Attitudes in the Catholic Church," in *Worship*, 59 (1985), pp. 22-23.

[8] Phil 2:6a, 7a.

Jesus a revelation of what is sinful in the existing patterns of human life, values, and expectations."[9] By parables, miracles and everyday meetings with persons of diverse circumstance and culture, Jesus exercised a power to forgive sins (Mt 9:2-8; Lk 7:47-50) and taught that God's great joy is the return of a repentant sinner (Lk 15).[10] In so doing, Jesus gathered disciples around him and formed them into a reconciled community (Mt 23:8).[11]

The decisive action in God's plan of reconciliation was the death of Jesus on the Cross.[12] This event recapitulated and brought to a climax the entire history of salvation and blessing (Acts 3:18-26, 13:26-41). The Cross represents God's judgement upon the world (Jn 12:31-32; Rev 14:17-20). Through his death and resurrection, Jesus initiated a total change in the objective situation regarding the relationship between God and humanity, interpreted by the authors of the New Testament as an act of re-creation (Rom 6:1-4; 2 Cor 5:17). At its heart lies an unlimited forgiveness of sins and a restoration to unity with the Creator, whose power and effect is extended to all people in every age (Lk 24:46-48; Acts 11:18, 26:17-18; 1 Tim 2:4-7; 1 Jn 2:1-2).[13] The Cross reveals perfectly that Jesus loves us and has washed away our sins with his blood (Rev 1:5).

The reconciliation achieved by Jesus and its effect of peace with God had cosmic proportions (Col 1:20). Therefore, it embodied a double aspect: an eschatological hope

---

[9] M.K. Hellwig, *Sign of Reconciliation and Conversion: The Sacrament of Penance for Our Times*. Message of the Sacraments, 4, Wilmington, DE, M. Glazier, 1982, p. 22.

[10] To repent is to be forgiven, because the Father has been waiting only for a response that makes the outpouring of his compassion possible. One does not merit forgiveness and reconciliation since, as pure gift, it can only be accepted. Ibid., p. 25. This conclusion is appropriately illustrated in Lk 18:13-14. See also J. Gallen, "A Pastoral-Liturgical View of Penance Today," in *Worship*,45 (1971), pp. 142-143.

[11] F. Gómez, "The New Testament on Reconciliation," in *East Asian Pastoral Review*, 21 (1984), p. 298. Such a community is characterized by peace. Given by Christ, this gift is the opposite of disharmony and reveals a person's justified status that comes through faith in Christ (Rom 5:1-2). It overcomes division (Eph 2:14-18) and is the fruit of a morally upright life (2 Pet 3:14).

[12] Evident by its central place in early Christian preaching (1 Cor 1:30, 2:2; Acts 3:15, 10:39).

[13] R.P. Martin, *2 Corinthians*, Word Biblical Commentary, 40, Waco, TX, Word Books, 1986, p. 158. Again, Paul's personal experience is very much in evidence. See also K.B. Osborne, *Reconciliation and Justification: The Sacrament and Its Theology*, New York, Paulist Press, 1990, p. 49 for an explanation of the significance of the resurrection.

for a future, final restoration of all things in Christ (Eph 1:10b), and a tangible participation in the new creation inaugurated by Christ in this present age (Rom 6:12-14; 1 Cor 3:16-17; Gal 5:1; Eph 2:19-22).[14] Through Jesus, people are freed from their state of alienation from God to experience already something of the fullness of human life, strengthened in the journey of faith to the promise of eternal happiness (Eph 3:14-19). Through their membership in the Church, Christians are incorporated into the *mysterion* of God, "the goal of [which] is the complete unity, [in and through Christ], of all human beings with God and with one another, ... the creation of a just and reconciled humanity in which all divisive differences are abolished. The Church is the form in which this divine plan is to be further realized and made known."[15]

New Testament authors used various metaphors to describe the result of God's reconciling action.[16] For St Paul, who himself acknowledged such an intense and personal experience of reconciliation with God (Gal 1:11-24), the preferred metaphor for the newness of life he began to live in Christ was "justification" (Rom 3:23-26, 4:22-25, 5:1, 16-18, 21).[17] He attributed it completely to the work of God's grace (2 Cor 5:18a), and revealed it to all by the change in his entire being (Phil 3:7-11; 1 Tim 1:12-14). St Paul illustrated that those who confess Jesus as Lord have truly received the message of reconciliation and peace, and become people who manifest the righteousness of God.[18] Having heard the call of Christ to repentance and conversion they stand, as it were, in

---

[14] V. Miranda, "Reconciliation in the New Testament," in *East Asian Pastoral Review*, 21 (1984), p. 291.

[15] H. Vorgrimler, *Sacramental Theology*, trans. by L.M. Maloney, Collegeville, MN, The Liturgical Press, 1992, p. 44.

[16] For example, "freedom" (Gal 5:1, 13); "sanctification" (Heb 10:14); "bought" (Rev 5:9). Other terms used by St Paul are listed in Osborne, *Reconciliation and Justification*, p. 41.

[17] Gómez, "The New Testament on Reconciliation," p. 297. Since St Paul never thinks of the death of Jesus in isolation from his resurrection, "justification" is the entering into the life of the risen Christ. It may be equated with "peace" and is born of faith, as St Paul states in Rom 5:1.

[18] F.T. Fallon, *2 Corinthians*, New Testament Message, 11, Wilmington, DE, M. Glazier, 1980, p. 53.

right relationship to God, who pours his love into their hearts (Rom 5:5), and frees them for a life of Christian service (Rom 6:20-22).

St Paul was acutely aware that the Good News of reconciliation must be proclaimed on a continuing basis. "God reconciled us to himself through Christ and he gave us the ministry of reconciliation."[19] Jesus and his work of reconciliation were unique and effective for all people and all times (Acts 13:38-39; Rom 1:16-17), yet even in his earthly ministry, Jesus actively shared something of this with his disciples (Mk 6:12-13; Lk 5:27-32).[20] Accordingly, St Paul could express the conviction that the mission to preach the message that people are reconciled by faith in Christ could not be restricted to the person and time of Jesus (Acts 26:17-18; 2 Cor 5:20). Critical to this understanding was the significance of Christ's humanity. It was precisely in and through his humanity that Christ Jesus undertook and completed his mission according to God's loving plan (Gal 4:4-5).[21] He achieved reconciliation by the life, death and resurrection he experienced in his human body (Rom 8:3-4; Eph 1:7, 2:13, 16; Col 1:22).[22] Though he was no longer present in his human form, the call of Jesus to repentance, conversion and reconciliation had to issue from a human face. The reconciled community of disciples formed by Jesus was to become the place where all people could hear and experience the reconciliation of God (Eph 4:32; Col 3:13-15).[23]

---

[19] 2 Cor 5:18b. As Curran, "The Sacrament of Penance Today I," p. 517 notes, "the Gospel message clearly sees the mission of Christ Jesus in terms of redemption and victory over sin. The early Church was aware of its call to continue this mission, to free people from sin and bring them into the newness of life in Christ."

[20] Meal fellowship, as illustrated in the text from St Luke's Gospel, was a sign of acceptance and here includes a forgiving element. See E. LaVerdiere, *Luke*, New Testament Message, 5, Wilmington, DE, M. Glazier, 1980, pp. 84-85; Gallen, "A Pastoral-Liturgical View of Penance Today," pp. 143-144 and N. Mitchell, "The Table of the Eucharist: Christian Fellowship and Christian Forgiveness," in N. Mitchell (ed.), *Background and Directions*, The Rite of Penance: Commentaries, 3, Washington, DC, The Liturgical Conference, 1978, p. 71.

[21] R.N. Longenecker, *Galatians*, Word Biblical Commentary, 41, Dallas, TX, Word Books, 1990, p. 171.

[22] Other New Testament authors concur. For example, Heb 2:14-18; 1 Pet 3:18; 1 Jn 1:7; Rev 5:9.

[23] Miranda, "Reconciliation in the New Testament," pp. 290, 292.

1.1.2 THE CHRISTIAN COMMUNITIES OF THE NEW TESTAMENT

Descriptions of the belief and activity of the earliest Christian communities exemplify their search for the unity and peace fundamental to their nature. The ideal community lived in harmony, fellowship and sharing as "reconciliation in act," beyond division and separation (Acts 2:42-47, 4:32-35, 5:12-14). Having assumed the role of proclaiming the reconciling love of God, the Christian community was a key concept for New Testament authors. Its life had to be markedly different from the world surrounding it, with members modelling each thought and deed on the example of Christ Jesus (Jn 13:34-35; Eph 5:1-2; Phil 2:5-11, 14-16a; Col 2:6-7; 1 Pet 2:9-12).[24] Genuine Christian discipleship required both the desire and ability to live as reconciled persons and allow this reconciliation to penetrate every aspect of the community's life (Gal 5:13-15, 25-26; Eph 4:25-32). In this way, the members could effectively witness to what God had done in Christ and carry out their mission, extending an invitation and providing the opportunity for all to participate in the grace of God's forgiveness and peace.

The reconciling mission of these primitive Christian communities provided the foundation for their earliest cultic practices. The ritual of baptism was the celebration of welcome for all who entered the reconciled state with the community and God (Jn 3:5; Acts 2:38-41, 10:44-48).[25] It expressed their conversion and acceptance of Christ as Lord through union with his dying and rising, making them a new creature (2 Cor 5:15, 17; Col 3:1-4, 10-11). They had "a part" with Christ's victory over sin and death (Jn 13:8) and put their previous life of sin behind them, to live a new life in Christ as members of the community of disciples under the guidance and protection of the Holy Spirit (Jn 14:16-17, 26; Rom 6:1-11; 2 Tim 1:13-14). This activity of baptizing reveals the belief of these earliest communities that, in and through Christ, they possessed an authority over sin.[26]

---

[24] Vorgrimler, *Sacramental Theology*, p. 204.

[25] J. Mattam, "The Sacrament of Reconciliation," in *African Ecclesial Review*, 34 (1992), p. 298.

[26] J. Dallen, *The Reconciling Community: The Rite of Penance*, New York, Pueblo Pub. Co., 1986, p. 6.

From the perspective of the community's internal life, the celebration of the Eucharist was central to its cultic activity and self-understanding (Jn 6:53-58; 1 Cor 11:17-34). It expressed the reconciliation the community experienced and enjoyed as a communion with God and one another in the body and blood of Christ (Mt 26:26-28; 1 Cor 5:7b-8, 10:16-17).[27] Participation in the Eucharistic banquet signified one's status as justified before God and enabled Christians to grow more deeply in the reconciling love and grace brought about by Christ.[28] It was expected therefore that, once persons accepted Christ and were joined to him as members of his body, they would strive for a life of perfection, free of all sin (Rom 6:2; 1 Jn 3:9, 5:18). Yet there are indications that members did not live according to the standard expected, and whose behaviour was unbecoming to their status as God's new creation in Christ.[29] The first Christian communities were very conscious of both the possibility of sin and the forgiveness that had to be extended to all those who did sin and manifested sincere repentance (Mt 18:21-22; Lk 17:3-4; Col 3:13-14).[30]

This awareness was foundational to the community's understanding of its ministry of reconciliation. Every action of the members, good or bad, affected the whole body of believers (1 Cor 12:7; 2 Cor 2:5; Eph 4:15-16). Therefore, certain instances of postbaptismal sin were regarded very seriously because they were sufficiently disruptive in nature to affect the community generally (2 Tim 2:14-18).[31] In responding to the

---

[27] J.-M. Tillard, "The Bread and the Cup of Reconciliation," trans. by J. Griffiths, in *Concilium*, vol. 7, no. 1 (Jan. 1971), p. 41. He explains that "the participation – the *communion* – does not come about merely by virtue of the fact that one, unique 'body of Christ' is given to all: it originates in the reconciliatory power enclosed in that body."

[28] P.E. Fink, "Reconciliation, Liturgies of," in *NDSW*, p. 1044.

[29] Note especially the many exhortations to holiness (Rom 6:19, 12:1-2; 2 Cor 7:1; Gal 6:9-10; Phil 4:8-9), discussions of and solutions to various problems (1 Cor 5:1-5; Gal 2:11-21; 2 Thess 3:6-15), and the encouragement to maintain attitudes of forgiveness and mutual support (Lk 6:36-38; Gal 6:1-2; 1 Thess 5:14-15).

[30] Dallen, *The Reconciling Community*, pp. 18-19.

[31] This inspired the members to constantly strengthen each other to avoid sin by means of good example (Rom 12:6-13; 1 Pet 4:8-11, 18-19), prayer (Jas 5:16; 1 Jn 5:14-17) and, when required, some form or method of correction (Mt 18:15-17; Lk 17:3; 2 Thess 3:14-15; Jude 22-23).

presence of this sin, the remedies employed were intended to have a positive and medicinal effect upon the sinner (2 Cor 2:6-8).[32] Assuming that the Gospel stories and parables reflect the practices of the early communities,[33] it is apparent that the grace of God's unlimited forgiveness and reconciliation came to sinners in a gentle manner, knowing neither recrimination nor condemnation (Lk 15:20-24, 18:13-14; Jn 8:3-11).[34] This approach proved sufficient and effective in the great majority of situations the communities encountered, and enabled their status as reconciled people of God to be nourished and deepened.

The primitive Christian communities recognized that sin and reconciliation affected a member's relationship with both the community and with God.[35] This understanding was clearly evident in the situations that seriously threatened the peace and life of the community.[36] Although the type of sin had a part in defining the situation, the main difficulty was the scandal caused by the sinful member's determination to live as part of the community whilst perpetuating a style of life opposed to its standards (1 Cor 5:1; 2 Pet 2:13-15; Jude 11-12; Rev 2:20-23). The person was thus considered to have

---

[32] F. Courtney, "The Administration of Penance I. Ancient Public Penance," in *The Clergy Review*, 46 (1961), p. 12. He also mentions a retributive element, but see a contrary view in Martin, *2 Corinthians*, pp. 37-38.

[33] LaVerdiere, *Luke*, p. 85.

[34] L. Örsy, "General Absolution; New Law, Old Traditions, Some Questions," in *Theological Studies*, 45 (1984), p. 681 and R.C. Garafalo, "Reconciliation and Celebration: A Pastoral Case for General Absolution," in *Worship*, 63 (1989), pp. 451-452. Note however the "eternal sin" against the Holy Spirit (Mt 12:31-32; Mk 3:28-30; Lk 12:10). Though open to interpretation, the addressees no doubt knew what was this exceptionally serious sin. In the opinion of J. John, " 'Authority Given to Men': The Doctrinal Basis of Ministerial Absolution in the New Testament," in M. Dudley and G. Rowell (eds), *Confession and Absolution*, London, SPCK, 1990, p. 29, it consisted of that attitude of mind which never would acknowledge its own sinfulness or accept God's forgiveness.

[35] Vorgrimler, *Sacramental Theology*, pp. 47-48. The community of reconciled disciples is the experiential sign of humanity's reconciliation with God through the Christ event. Within this community, therefore, the reconciliation of repentant sinners may be understood as "sacramental" because the unique saving action of Jesus permeates every aspect of the community's life; hence, it is present and effective in the process of their conversion and restoration to the life of grace.

[36] There were three areas of particular concern: the promotion and effect of false teaching (Mt 24:4-5, 24-25; 1 Tim 4:1-3; Tit 1:10-14; 2 Pet 2:1-2), the development of divisions (1 Cor 1:10-16, 11:18-22; Jas 4:1-12), and undisciplined lifestyles (1 Cor 6:12-20; 2 Thess 3:6-9).

abandoned the commitment to imitate the example of the Lord Jesus, freely embraced at baptism and inherent to the Eucharistic life of the Christian community. The New Testament provides various examples of community responses, but they usually involved some form of isolation which exposed the person to the power God allows the Adversary.[37] The responsibility for deciding upon the appropriate course of action was normally reserved to the assembled community.[38] In such cases the whole community was considered at risk, since the protective barrier of good example against the value system of the world had been weakened. Hence, all had to be involved in the conscious eradication of the disruption to the community's life and witness as well as the repentance and conversion of the sinful member.[39]

The care and concern the communities expressed towards their sinful brothers and sisters called for serious reflection, experimentation, practical experience and sensitive attention in the interpretation of the teaching of Jesus, in order that the difficult challenges they faced might be effectively addressed.[40] Sophistication of procedure subsequently ensued as communities explored and deepened their understanding of the power received from Christ to direct, build up, and protect the life of grace to which they had been called. In Mt 18:15-17 this power embraced, in one sense, a broad meaning, enabling the community to make decisions and act with respect to the overall life of the members. Identified by the phrase "binding and loosing," it was a power capable of introducing people to the kingdom of God, setting forth and directing community moral

---

[37] This included temporary separation (2 Cor 2:6-7) and deliberate exclusion or avoidance (Tit 3:10). Even the more extreme practice of "handing over to Satan" (1 Cor 5:5; 1 Tim 1:20) did not extinguish hope of repentance and salvation. See also the relevant comments of J. Quinn, "The Lord's Supper and Forgiveness of Sin," in K.R. Seasoltz (ed.), *Living Bread, Saving Cup: Readings on the Eucharist*, Collegeville, MN, The Liturgical Press, 1982, p. 236.

[38] Later New Testament texts also indicate a role for certain community officials. For example, 1 Tim 5:19-21 and Tit 3:10-11. They may have acted on behalf of the whole body of believers.

[39] J. Murphy-O'Connor, *1 Corinthians*, New Testament Message, 10, Wilmington, DE, M. Glazier, 1979, pp. 42-43 and N. Mitchell, "The Many Ways to Reconciliation: An Historical Synopsis of Christian Penance," in Mitchell (ed.), *Background and Directions*, p. 22.

[40] Mitchell, ibid.

standards, and handing on and interpreting the Gospel.[41] The community believed itself to have the mind of Christ, and therefore such activity was seen to have approval in God's sight.[42]

More specifically, the power also included the authority to isolate those who sinned within the community and then reconcile and readmit them to community life and worship following their repentance.[43] For the excessively obdurate, the community committed itself to a radical re-conversion of the sinful member, an effort which required deliberation, prayer and generous Christian love. The community perceived that this specific power to isolate and restore was essential for the reconciling mission of Jesus with which it had been entrusted. Acting as one, and conscious of its unity with Christ the head, the community was convinced that decisions, once taken, were ratified in heaven. Therefore, a member's relationship to the community was recognized as a sure sign of their relationship with God.

One further witness of a Christian community's specific power over sin and its individual members is provided by Jn 20:20-23. In this text, Christ's gift of peace, the bestowal of the Holy Spirit and the power to forgive and retain sins are intimately linked, centred on the mission for which Christ had prepared them. In accordance with the example of Jesus himself, this involved the community making judgements between good

---

[41] L. Sabourin, *The Gospel According to St Matthew*, Bombay, St Paul Publications, 1982-1983, p. 678.

[42] See J.P. Meier, *Matthew*, New Testament Message, 3, Wilmington, DE, M. Glazier, 1980, pp. 205-206. It appears from the remote context that the apostle Peter may have had a certain pre-eminence in the application of this general power, but always in unity with the whole body of believers.

[43] D.J. Harrington, *The Gospel of Matthew*, Sacra Pagina Series, 1, Collegeville, MN, The Liturgical Press, 1991, p. 271. According to L. Hamelin, *Reconciliation in the Church: A Theological and Pastoral Essay on the Sacrament of Penance*, trans. by M.J. O'Connell, Collegeville, MN, The Liturgical Press, 1980, pp. 27-29, St Matthew seems to include both an individual and a communal aspect to reconciliation which act in a complementary way. If the passage in question is connected to the preceding parable of the lost sheep, then the community has someone whose duty is to bring the sinner back, namely the "good shepherd," the person in authority over the community. But this does not mean that each member of the community, and indeed the community as a whole, are without an obligation to come to the aid of sinners, and a part in restoring them to communion and peace.

and evil: some came to the light and received forgiveness, others turned away and were hardened in their sinfulness.[44]

The community understood that they possessed the authority to claim and exercise this power because the risen Lord Jesus had consecrated them with the Holy Spirit. The presence of the Spirit created a kind of unbreakable bond between Jesus, the first disciples, and the community contemporary with the evangelist.[45] Therefore, the application of the power to forgive or retain sins was accomplished in and through the Spirit, enabling the community to witness and extend God's reconciling love and gift of peace, leading all to greater holiness.[46] In this light, the power effectively touched both prospective and established followers of Christ, and challenged those who refused to believe or to change.[47]

There is broad New Testament evidence to suggest, therefore, that the earliest Christian communities acted with the conviction that they possessed a power from Christ which they were to exercise in a positive and discerning way to the presence of sin. In solidarity with the ministry of Jesus, the community could (and at times had to) determine that certain people were gripped by sin, deserving a pastoral intervention from their community which brought them through repentance and conversion to the peace of reconciliation with their brothers and sisters in Christ and with God. Generally speaking, the community acted together, with sincere prayer and deliberation, to undertake this reconciling work. The members of the community made flesh the human face of divine love revealed in Christ's life, death and resurrection, to be the place where God's

---

[44] R. Brown, *The Gospel According to John*, Anchor Bible, 29a, Garden City, NY, Doubleday, 1970, p. 1043.

[45] R. Schnackenberg, *The Gospel According to St John* 3, trans. by D. Smith and G.A. Kon, New York, Crossroad, 1982, p. 325.

[46] There is a firm correspondence here to the Pauline concept of the community as the new creation (1 Cor 5:7-8), which constantly strives toward freedom from sin and internal moral purity.

[47] Brown, *The Gospel According to John*, p. 1044. It was not a power to be used in isolation, but was intimately linked to the community's continuation of Christ's mission as a whole. This conclusion is affirmed by the missionary character of this passage: "As the Father sent me, so am I sending you."

message of reconciliation was proclaimed, experienced, and witnessed until the Day of the Lord's return in glory.

1.2 HISTORICAL MODELS OF RECONCILIATION

St Polycarp, writing to the Philippians in the context of reconciling sinful members to their community stated: "You must be considerate in this matter; do not treat such persons as enemies, but reclaim them as diseased or straying members, so that you may preserve the whole of your community intact."[48] His letter provides evidence that correction and forgiveness of postbaptismal sinners in the early Church continued upon the foundations of the teaching preserved in the New Testament.[49] Although this fundamental connection was constantly and consciously maintained, difficult and perplexing situations consistently challenged the Church with regard to serious sin and the appropriate ecclesial response.[50]

This experience ensured that the evangelical model of reconciliation presented in the New Testament underwent major historical development in both theoretical understanding and pastoral practice that was uneven and complex in character. Indeed, the history of the sacrament of reconciliation has been a continued search for a pastoral, meaningful, effective and human expression of the graced encounter between the Lord Jesus and the repentant sinner celebrating the forgiveness of God and peace with the

---

[48] St Polycarp, Epistle to the Philippians, 11, 4, in *PG* 5, 1013-1014. The Latin text reads: "Sobrii ergo estote et vos in hoc; 'et non sicut inimicos tales existimetis,' sed sicut passibilia membra et errantia eos revocate, ut omnium vestrum corpus salvetis." English trans. in *Ancient Christian Writers: The Works of the Fathers in Translation*, 6, trans. by J.A. Kleist, Westminster, MD, The Newman Press, 1948, p. 81.

[49] J.A. Favazza, *The Order of Penitents: Historical Roots and Pastoral Future*, Collegeville, MN, The Liturgical Press, 1988, p. 95.

[50] The denial of the faith in the face of persecution, for example, had a major impact on the reconciling ministry practised in many early Christian communities. It is important to note that the history of the sacrament of reconciliation is intimately connected with the history of what actions were considered at diverse times and places to be serious sins. See L. Örsy, "The Sacrament of Penance: Problem Areas and Disputed Questions," in *CLSA Proceedings*, 1986, p. 33 and Osborne, *Reconciliation and Justification*, pp. 69-70.

Church.[51] Although Christ Jesus had blessed the Church with a power to affirm performatively forgiveness and retention of sins, the prayerful and practical prudence of the Church has always been the basis for the ritual and legal expression of this power.[52] Whilst the sometimes localized nature of the textual evidence makes a general picture of the Church's ministry of reconciliation difficult to draw through time, certain approaches that have been identified by scholars are explained in the following pages.

1.2.1 THE MODEL OF COMMUNAL OR "PUBLIC" RECONCILIATION

The model of communal reconciliation of individuals who had fallen into serious postbaptismal sin emerged during the early centuries from the rudimentary forms contained in the New Testament. Although marked by the complex nature of its development and adaptation, this model consistently embodied the essential connection between the necessity of complete inner conversion manifested in genuine repentance, and a member's readiness for Eucharistic sharing in a community of persons who made visible to one another the mercy of God as revealed in the person of Jesus.

1.2.1.1 The Sub-Apostolic Church

Extant pieces of Christian literature from this period provide certain, albeit fragmentary and unsystematic, evidence concerning the correction and reconciliation of sinful Church members. An important example of these early penitential practices is

---

[51] In the opinion of R. Gallagher, "New Life for a 'Great Sacrament'," in *The Furrow*, 47 (1996), pp. 200-201, one way to interpret the varied ways in which the Church has celebrated the sacrament of reconciliation "is to see each major development as a pastoral response to a theological question. The core of each crisis was theological in the sense that the sacrament, being no longer widely celebrated, lessened the possibility of the Church being a sacrament of salvation: the response to each crisis was pastoral in the sense that the Church's answer to leaving people without the possibility of an experience of reconciliation was to offer new ways of doing so."

[52] See the explanation by Hater, "Sin and Reconciliation: Changing Attitudes in the Catholic Church," pp. 27-28. The author notes that performative statements are those which "effect, do, or accomplish what they say."

found in the text entitled the *Teaching of the Twelve Apostles*, where the author states: "On the Lord's own day assemble in common to break bread and offer thanks; but first confess your sins, so that your sacrifice may be pure. However no one quarrelling with his brother may join your meeting until they are reconciled; your sacrifice must not be defiled."[53] In counselling both collective prayer performed by all the community members, and a form of isolation as a corrective in serious matters,[54] the author emphasized that the Christian community in assembly, especially the Eucharistic assembly, was the primary place for reconciliation to be celebrated.[55] Therefore, the community's aim was to win back the sinful brother or sister, since the person's salvation depended upon their repentance and reincorporation into the body of Christ.[56] This preserved the community's cohesion and constancy, helping it to grow and be effective in its particular historical and social context.

It is difficult to determine whether the isolation of serious sinners was achieved through the withdrawal of the community or by an act of positive exclusion. However, as their status in relation to the community became more clearly defined in terms of public worship, this isolation tended to have a focus more liturgical than social. The stress was

---

[53] "The Teaching of the Twelve Apostles," 14, 1-2, in F.X. Funk (ed.), *Doctrina Duodecim Apostolorum*, Tubingæ, H. Laupp, 1887, p. 43. The Latin text reads: "Die dominica autem convenientes frangite panem et gratias agite, postquam delicta vestra confessi estis, ut sit mundum sacrificium vestrum. Omnis vero, cui est controversia cum amico suo, ne conveniat vobiscum, donec reconciliati sunt, ne inquinetur sacrificium vestrum." English trans. in *Ancient Christian Writers: The Works of the Fathers in Translation*, 6, p. 23. The text shows that reconciliation must be effected in the everyday life of those at odds with each other before it could be expressed and celebrated in a liturgical and communal setting.

[54] Certain situations and activities were deemed a great menace to the life of the community. See C. Vogel, "Sin and Penance," in P. Delhaye et al., *Pastoral Treatment of Sin*, trans. by C. Schaldenbrand, F. O'Sullivan and E. Desmarchelier, New York, Desclée, 1968, pp. 182-191 for a detailed table and commentary.

[55] G. Diekmann, "Reconciliation Through the Prayer of the Community," in Mitchell (ed.), *Background and Directions*, pp. 39-40. He explains that the reference to the confession of sins probably meant the mutual asking of forgiveness through the Lord's Prayer, which by that time had become a public liturgical prayer and an integral part of the Eucharistic celebration. See also Mitchell, "The Table of the Eucharist: Christian Fellowship and Christian Forgiveness," pp. 71 and 78.

[56] Dallen, *The Reconciling Community*, p. 24.

positive and coercive rather than punitive, making the isolation permanent only so long as they failed to respond to the community's reconciling ministry.[57]

At the time when the Christian communities had grown in size but also apparently lost something of their initial fervour, the apocalyptic text known as *The Shepherd of Hermas* appeared.[58] Whilst this text corroborates the witness to reconciliation contained in other Christian writings of the period, it also indicates the presence of individuals or groups in favour of limiting ecclesial forgiveness in certain circumstances. The author, in attempting to apply in a pastoral way the reconciling response of the community counsels, seemingly without precedent, a single opportunity for repentance available to all in serious postbaptismal sinfulness.[59]

Significantly, this teaching of a single repentance gained wide acceptance in the Church, having a lengthy and problematic effect on the procedure for reconciling serious sinners, once detached from its unique apocalyptic context.[60] It appeared at the dawn of an important period of transition for the understanding and practice of reconciliation in the lives of Christian men and women.

1.2.1.2 The Third Century

At this time, a more structured and organized Church presented itself to the contemporary society, and Church officials incorporated into these structures the thought

---

[57] Favazza, *The Order of Penitents*, pp. 89-90.

[58] The text is usually dated to the mid-second century.

[59] Hermas, *The Shepherd*, Man. 4.3, in *PG* 2, 919-922. English trans. in *The Apostolic Fathers*, The Fathers of the Church: A New Translation, 1, trans. by J.M.–F. Marique, New York, Cima Pub. Co., 1947, p. 264. This is not to say that the author himself introduced a novel teaching, but may simply be providing an explanation of why things were done this way. See P.F. Palmer (ed.), *Sacraments and Forgiveness: History and Doctrinal Development of Penance, Extreme Unction and Indulgences*, Westminister, MD, The Newman Press, 1959, p. 14. According to Gallagher, "New Life for a 'Great Sacrament'," p. 201, the theological belief that persons who embraced certain types of sinful behaviour after baptism could not be forgiven represented the first major crisis of reconciliation that entailed a pastoral response from the Church.

[60] B. Poschmann, *Penance and the Anointing of the Sick*, trans. and revd by F. Courtney, Montréal, Palm Publishers, 1964, p. 35.

and experience of reconciliation gained since the birth of the New Testament communities.[61] Generally speaking, a formal, public reconciliation procedure was made available, at least once, to those sinful members for whom it was judged necessary and capable of admittance so that, seriously having undertaken and fulfilled the requirements set down, they might be brought to complete conversion and reintegrated into the life of the community as fully reconciled persons.[62] The serious and public character of the sins in question made this procedure an exceptional experience in a Christian's spiritual journey.[63] The majority of faithful, who did not sin in a manner which fundamentally altered their relationship with God and their community, "heard and responded to the call to repentance in their everyday lives. Informal correction, a general confession, and community intercession enabled them to experience God's mercy in the community of salvation gathered for worship."[64]

Once admitted to this special process of reconciliation, these public penitents were constituted and recognized as a separate order, and a focus of particular care and pastoral attention.[65] Submission to the guidance and protection of the Church's official intervention showed that the penitents' return to God and the communal life of grace was

---

[61] Whilst promoting the importance and even necessity of following these structures, bishops did not regard them as unchangeable, but remained open to the possibility of adaptation and thereby ensured that the needs of both individuals and the community were maintained and respected. See the comments of J.G. Schaller, "The Order of Penitents: Theological and Pastoral Directions," in *Worship*, 64 (1990), pp. 214-215.

[62] The process began with the sinner's exclusion from the Church, an external act which corresponded to a deeper, inner reality of an internal split, followed by a period of supervised penitential works. The sinner then undertook the *exomologesis*, a public ritual manifestation of penance consisting of a confession of faith, praise of God and appeal for the community's prayerful support. When their conversion was judged complete, the process was concluded with the laying on of hands and admittance to the Eucharist as the sign of reconciliation. See Favazza, *The Order of Penitents*, p. 213.

[63] Immediate and critical pastoral problems, coupled with the influence of certain leading personalities impacted heavily upon the ongoing process of discernment regarding serious sin. See Osborne, *Reconciliation and Justification*, p. 79.

[64] Dallen, *The Reconciling Community*, p. 49.

[65] Numerous parallels have been drawn between this order and the order of catechumens. See J. Martos, *Doors to the Sacred: A Historical Introduction to the Sacraments of the Catholic Church*, Garden City, NY, Doubleday, 1981, pp. 316-317 and Mitchell, "The Many Ways to Reconciliation," p.31, where the author sets out these parallels by means of a convenient chart.

mediated by the entire community, each member having responsibility to help in some way according to their ability or position. The public exposure of sinfulness required those seeking forgiveness "to kneel before the beloved of God, making all the brethren commissioned ambassadors of [their] prayer for pardon... The body cannot rejoice at the suffering of a single one of its members; the whole body must needs suffer along with it and help in its cure."[66]

Within this community activity, the bishop had a special role. Through certain actions at key moments in the reconciling process – interviewing the sinful members, presiding over the Church's prayer for them, and judging the deeds by which repentance was made evident – the bishop exercised the power of the keys on behalf of the community, controlling the procedure and guaranteeing its effectiveness.[67] By the laying on of hands, the bishop welcomed the reconciled to full participation in the Eucharistic banquet so that they might assume the fruits of the reconciling process, the gift of the Holy Spirit and peace with the Church.[68]

Along with the bishop, the Christian community had an irreplaceable role in the ministry of reconciliation: "When, therefore, you stretch forth your hands to the knees of the brethren, you are in touch with Christ and you win the favour of Christ by your supplications. In like manner, when they shed tears for you, it is Christ who suffers, Christ who supplicates the Father. And what the Son requests is always easily

---

[66] Tertullian, On Penitence, 9, 10, in *PL* 1, 1244-1245. The Latin text reads: "... caris Dei adgeniculari, omnibus fratribus legationes deprecationis suæ injungere... Non potest corpus de unius membri vexatione lætum agere: condoleat universum, et ad remedium conlaboret, necesse est." English trans. in *Treatises on Penance*, Ancient Christian Writers: The Works of the Fathers in Translation, 28, trans. and annotated by W.P. Le Saint, Westminster, MD, The Newman Press; London, Longmans, Green, 1959, pp. 32-33.

[67] Dallen, *The Reconciling Community*, p. 35. There were emergency situations where presbyters and deacons reconciled repentant sinners. See St Cyprian, Epists. 18, 1; 19, 2, in *PL* 4, 259, 260-261. English trans. in *Letters (1-81)*, The Fathers of the Church: A New Translation, 51, trans. by R.B. Donna, Washington, DC, The Catholic University of America Press, 1964, pp. 51-53. Later, through the office of the priest penitentiary, bishops shared the task of interviewing those seeking enrolment in the public procedure. See Socrates, Ecclesiastical History, V, 19, in *PG* 67, 613-616. English trans. in *A Select Library of Nicene and Post Nicene Fathers of the Christian Church*, 2, trans. by A.C. Zenos, Oxford, Parker; New York, The Christian Literature Co., 1891, p. 128.

[68] The process of reconciliation was regarded therefore as a transitional experience, since upon completion, reconciled sinners were restored to full baptismal innocence. See Favazza, *The Order of Penitents*, p. 238.

obtained."[69] Motivated by the desire to heal sinful members, the community helped discern their conversion of spirit, offered intercessory prayer in the liturgy, and supervised the assigned penitential works, thereby guiding them through a thorough examination of life to recover their potential as fully alive for God in Christ Jesus.[70] The community's intention was to give the sinful person a true, effective, and lasting experience of forgiveness, and the reassurance of union with God signified by full reintegration into community life and worship.

Without exception, the public procedure required sufficient time for the community to offer the necessary guidance and formation and for the sinful person to give proof of the reformation of their Christian life and commitment.[71] The reason for this was the intimate link Church teaching forged between reconciliation and baptism, which provided the principal dogmatic basis for the public procedure and its celebration but once in a person's lifetime: "God has placed in the vestibule a second penitence so that it may open the door to those who knock; only once, however, because it is already a second time: never again, however, because the last time was in vain... When a disease recurs the medicine must be repeated. You have sinned, yet you can still be reconciled."[72] With dedication and sincerity, the Christian community brought the reconciling mercy of God revealed in Christ to tangible expression for people in great need. This ministry therefore involved the search for a delicate balance – flowing from a deep and profound reverence

---

[69] Tertullian, On Penitence, 10, in *PL* 1, 1245. The Latin text reads: "Ergo cum te ad fratrum genua protendis, Christum contrectas, Christum exoras. Æque illi cum super te lacrymas agunt, Christus patitur, Christus Patrem deprecatur. Facile impetratur semper, quod filius postulat." English trans. in *Treatises on Penance*, p. 33.

[70] J. Halliburton, " 'A Godly Discipline': Penance and Penitence in the Early Church," in Dudley and Rowell (eds), *Confession and Absolution*, p. 47.

[71] Dallen, *The Reconciling Community*, p. 36. The public *exomologesis* of the sinner was a central feature of this procedure.

[72] Tertullian, On Penitence, 7, in *PL* 1, 1241-1242. The Latin text reads: "[Deus] collocavit in vestibulo poenitentiam secundam, quæ pulsantibus patefaciat: sed jam semel, quia jam secundo. Sed amplius nunquam, quia proxime frusta ... iterate valetudinis iteranda medicina est: ... offendisti, sed reconciliari adhuc potes." English trans. in *Treatises on Penance*, p. 29.

for Christ – with regard to the availability of reconciliation. No sinful situation was to be treated lightly, but a response of extreme rigorism also had to be avoided.[73]

A major development in Church practice emerged from this policy, centred on those who had lapsed in the face of persecution. In general the lapsed were held to a long and severe time of public penance, for the Church regarded this sin and the degree of conversion it needed in a most serious way.[74] Nevertheless, circumstances did arise which mitigated the full penance so that the Eucharist could be extended to them, indicating forgiveness and reconciliation. The first of these was the danger of death due to illness, leading to the decision that "peace should be given to the lapsed who were sick and about to die."[75] The primary motivation for this pastoral response to a critical situation was the desire to strengthen the sick persons and assure them of the Church's care and love. This enabled the policy to be applied to others in relation to a particular emergency:

> But, now, when we see again that the day of another persecution has begun to draw near ... with necessity compelling we have decided that peace must be given to those who have not withdrawn from the Church of the Lord and have not ceased to do penance and to lament and to pray to the Lord from the first day of their fall, and that they ought to be armed and equipped for the battle which threatens.[76]

---

[73] A. Grillmeier, "Penance as Obligation or as Grace? The Decisive Developments in the Church's Practice of Penance," in *The Laity Today*, 29 (1983), pp. 138-140. The problem was exacerbated by rigorist groups of the time, and revealed an ecclesiology which grew up alongside, and provided a constant challenge to, the more generally held position of pastoral compassion for all sinners.

[74] Along with murder, adultery and, depending upon the policy of the particular community, certain other very serious offences, apostasy was one of the "capital" sins subject to the public reconciliation procedure. See Poschmann, *Penance and the Anointing of the Sick*, pp. 47, 67. According to Mitchell, "The Table of the Eucharist: Christian Fellowship and Christian Forgiveness," p. 72, the principle at work here was to categorize this sinful behaviour as such because it directly tore at the social fabric of the community itself. This view is supported by F.M. Mannion, "Penance and Reconciliation: A Systemic Analysis," in *Worship*, 60 (1986), pp. 110-111 and D.N. Power, "The Sacramentalization of Penance," in *The Heythrop Journal*, 18 (1977), p. 12.

[75] St Cyprian, Epist. 55, 5, in *PL* 3, 766. The Latin text reads: "... ut lapsis infirmis et in exitu constitutis pax daretur." English trans. in *Letters (1-81)*, p. 136.

[76] St Cyprian, Epist. 57, 1, in *PL* 3, 855. The Latin text reads: "Sed enim cum videamus diem rursus alterius infestationis appropinquare coepisse, ... necessitate cogente censuimus, eis qui de Ecclesia Domini non recesserunt, et poenitentiam agere et lamentari ac Dominum deprecari a primo lapsus sui die non destiterunt, pacem dandam esse; et eos ad prælium, quod imminet, armari et instrui oportere." English trans. in *Letters (1-81)*, p. 158.

This example reveals that whilst the usual procedure for lapsed Christians recognized the seriousness of the situation by its severity, there was also scope for mildness under certain conditions. The freedom to grant persons reconciliation according to the demands of a particular time or place was accepted, yet care for those in danger of death was pre-eminent, to the extent that it became a law for the entire Church.

This general pattern of the Church's reconciling ministry saw similar development and application in the various Eastern local Churches, although it was less influenced by critical pastoral problems.[77] A formally structured public procedure is detailed in the *Didascalia Apostolorum*, and Origen the theologian also mentions it.[78] Towards the end of the third century, there is evidence that some communities used a graded penitential system, each stage of which marked a sinner's progressive restoration to the Eucharist and their status of baptismal innocence.[79] Eastern practice also placed an emphasis on spiritual direction with a man of God, who would guide and correct the sinner to a complete conversion.[80]

---

[77] Favazza, *The Order of Penitents*, p. 122. Common elements included the central role and authority of the bishop, the single opportunity for penance for serious sin, forgiveness granted for all sins and the role of the community, especially their intercessory prayer.

[78] *The Didascalia Apostolorum in Syriac I, Chapters I-X*, trans. by A. Vööbus, Louvain, Secrétariat du Corpus S.C.O., 1979, Chaps 6, 7 and 10, pp. 64-65, 67, 76, 78, 113-114; Origen, On Leviticus, Hom. 15, 2, 6, in *PL* 12, 561. English trans. in *Homilies on Leviticus 1-16*, The Fathers of the Church: A New Translation, 83, trans. by G.W. Barkley, Washington, DC, The Catholic University of America Press, 1990, p. 258.

[79] Gregory Thaumaturgos, *Canonical Epistle*, cc. 7-9, 11, in *PG* 10, 1039-1044 and 1047-1048. English trans. in *Ante Nicene Fathers: Translations of the Fathers Down to AD 325*, 6, American reprint of the Edinburgh edition revised by A. Cleveland Coxe, Buffalo, NY, The Christian Literature Co., 1886, pp. 19-20.

[80] For example, Origen, On Psalm 37, Hom. 2, in *PG* 12, 1386. English trans. in Palmer (ed.), *Sacraments and Forgiveness*, pp. 38-39. The development of this practice may be seen from a homily delivered by Theodore of Mopsuestia around the year 400, summarized in E. de Bhaldraithe, "Another Look at General Absolution," in *The Clergy Review*, 72 (1987), p. 47. The author adds that "the purpose of the exercise was not to obtain God's forgiveness but to 'correct our faults' and after the penance was completed, the sinner returned to communion without any special rite."

1.2.1.3 The Fourth to the Sixth Centuries

From the beginning of this period the model of communal penance, already structured by the regulations of various local bishops, attained greater unity through the influence of synodal and conciliar legislation.[81] The varying nature and severity of the relevant canons provide a window to both the vitality of the local Churches and the rich diversity of the Church's heritage. The first stirrings of this legislation began to have an impact when the Church experienced a major sociological upheaval effected by the Peace of Constantine.[82] Through legislation which increased in amount and complexity, the Church achieved a greater level of consensus regarding its penitential practice, and underlined the necessity of the public process for overcoming serious sin.[83] However, desire to discourage the temptation to sin and regulate Christian life more closely invested the communal model of reconciliation with an inflexible and harsh character.[84]

The first Ecumenical Council of Nicæa, celebrated in 325, issued several canons for the penitential discipline of the Church.[85] In c. 13 it legislated for members in danger of death, stating "that those who are departing are not to be deprived of their last, most necessary viaticum."[86] Whilst not referring specifically in the text to the seriously sinful

---

[81] For example, the Synods of Elvira (305), Arles (314), Ancyra (314), and Neo Cæsarea (320). This period until the end of the sixth century is known as the time of "canonical penance." See J. Ramos-Regidor, " 'Reconciliation' in the Primitive Church and its Lessons for Theology and Pastoral Practice Today," trans. by P. Burns, in *Concilium*, vol. 7, no.1 (Jan. 1971), p. 78.

[82] A. Nicolas, "The Sacrament of Reconciliation: Theological Considerations," in *East Asian Pastoral Review*, 21 (1984), p. 304 and P. Fahey, "Reconciliation: Retrospect and Prospect," in *Angelicum*, 62 (1985), p. 170.

[83] This frequently occurred from the Church's response to specific, concrete cases. See Osborne, *Reconciliation and Justification*, pp. 70-71, together with the comments of Power, "The Sacramentalization of Penance," p. 13 and Schaller, "The Order of Penitents: Theological and Pastoral Directions," p. 215.

[84] Martos, *Doors to the Sacred*, pp. 322, 327.

[85] Of the four canons concerning the penitential discipline, numbers 11, 12, and 14 are somewhat time conditioned and limited in scope.

[86] N.P. Tanner (ed.), *Decrees of the Ecumenical Councils* (=Tanner), original text established by G. Alberigo et al., London, Sheed & Ward; Washington, DC, Georgetown University Press, 1990, p. 12. The Latin text reads: "... ut, si quis egreditur e corpore, ultimo et necessario viatico minime privetur."

or those currently undertaking the public penitential procedure, the canon affirmed the practice whereby local bishops, having examined each case, should not refuse participation in the Eucharist to anyone departing this life.[87] This rule effectively prevented, under suspicion of doctrinal error, local variations which might refuse reconciliation to the seriously sinful found in such an emergency situation.[88]

An important element associated with the Church's policy for reconciling the dying was a condition obliging those who recovered their health to undertake some form of penance, even though peace had been granted to them.[89] Although the emergency procedure for those in danger of death was regarded as sufficient to indicate reconciliation with God and the community, it was not completely equated with the formal process.[90] The reason may be the central place assigned to the visible penitential works, a medicinal remedy for those involved to overcome their sins, and a help for the community as it judged the sincerity of the sinful member's repentance. Thus the Council preserved the essential nature of external penance, but also promoted a greater appreciation of God's mercy.

This use of a condition indicated an increasing concern for the status of reconciled persons during this time. So pronounced did it become that certain restrictions were imposed, leaving those reconciled in a permanent and distinct juridical status.[91] Practically speaking, the various restrictions were motivated by the Church's desire to prevent a person's relapse into the serious sin which attracted the public procedure. The

---

[87] According to P. L'Huillier, *The Church of the Ancient Councils: The Disciplinary Work of the First Four Ecumenical Councils*, Crestwood, NY, St Vladimir's Seminary Press, 1996, p. 69, the purpose of the inquiry was to determine if the person had been baptized and if he or she really manifested the desire to share in the Eucharist.

[88] Courtney, "Ancient Public Penance," p. 17. This was extremely beneficial to the recidivist, previously restricted to a lifetime of penance without hope of a formal reconciliation, but henceforth afforded them through a final sharing of the Eucharist.

[89] These persons were placed among those who took part in the prayer only for a period of two years.

[90] Palmer (ed.), *Sacraments and Forgiveness*, pp. 112-113.

[91] See Poschmann, *Penance and the Anointing of the Sick*, pp. 105-106, who likens this to the "character" impressed at baptism. However, authors of the time did not refer to the status of reconciled penitents in such terms.

Church sought to protect reconciled persons by shielding them from the dangers considered inherent in the ordinary world, thus preserving them for eternal life.[92] Spiritually, the restrictions elevated those enrolled in the public procedure to the position of an exemplar, having heroically entered what amounted to an ideal lifestyle.[93] Theoretically, they helped distinguish the peace and gift of the Holy Spirit received in reconciliation from that given in baptism, suggesting that the damage caused by serious sin, even though expiated by a very difficult process, was basically irreparable.

The consequence of this development in the communal model was either to postpone the entry of many serious sinners to the penitential discipline until they were judged capable, or to construct alternative procedures.[94] Eventually, the public process was virtually abandoned in favour of the emergency reconciliation celebrated prior to death, a special ritual for which was introduced about the end of the fifth century.[95] This rite became common and desirable, encouraged of all, having been prepared for by a lifetime of penance, prayer and good works.[96] Its popularity highlighted the issue of the practicality and relevance of a lengthy and complex process, and revealed a major pastoral void in the Church's reconciling ministry.[97]

---

[92] This reveals not only the tremendous impact of the single opportunity for formal reconciliation, but also implies a devaluation of "life in the world." See Ramos-Regidor, " 'Reconciliation' in the Primitive Church," p. 80.

[93] St Augustine, Sermon 351, 4.9, in *PL* 39, 1545. English trans. in Palmer (ed.), *Sacraments and Forgiveness*, p. 103.

[94] Poschmann, *Penance and the Anointing of the Sick*, p. 107. Examples of alternative procedures are given by Mattam, "The Sacrament of Reconciliation," p. 303; Grillmeier, "Penance as Obligation or as Grace?" p. 141 and Mitchell, "The Many Ways to Reconciliation," p. 30.

[95] Dallen, *The Reconciling Community* on p. 81 states "it is the only clear instance in the ancient period of something approaching private sacramental penance." Some cast doubt upon its value, but it gained official tolerance. See St Leo the Great, Epist, 108, 5, in *PL* 54, 1013-1014. English trans. in *Letters*, The Fathers of the Church: A New Translation, 34, trans. by E. Hunt, New York, Fathers of the Church, 1957, p. 192.

[96] C. Vogel, "An Alienated Liturgy," trans. by J. Griffiths, in *Concilium*, vol. 8, no. 2 (Feb.1972), p. 22. See the argumentation in Cæsarius of Arles, Sermon 256, 1-2, in *PL* 39, 2217-2218. English trans. in O.D. Watkins, *A History of Penance* II, New York, B. Franklin, 1961, pp. 557-558.

[97] Note that in the Eastern Churches, the public procedure went into desuetude from the fifth century and, according to the materials examined by Quinn, "The Lord's Supper and Forgiveness of Sin," pp. 237-

The formal procedure was very limited in application and had been progressively compromised by official discouragement with regard to its availability.[98] For the many who did not qualify for it, either through restriction or the lesser nature of their sinfulness, the Eucharist continued to be presented as the principal remedy for overcoming their sin, a task it was perhaps increasingly unable to address.[99] In addition, the apparent reaction against this process was indicated by those enrolled in the penitential order, who approached their assigned penance with little enthusiasm, recognizing it as an inadequate response to their spiritual needs. A solution to this problem arose in an adaptation of the full public procedure within the season of Lent, which enabled serious sinners to experience a shorter period of intense and deliberate attention and help to compensate for any deficiency during the longer conversion process.[100]

Characterized by the continual and lavish employment of symbol and ritual gesture, this intensive Lenten penance began to attract others to join the members of the penitential order during that special time, enabling them to experience, through the various liturgical rites, the more immediate and tangible encounter with their forgiving Lord they desired so much.[101] Given this opportunity to practise penance as they had been officially encouraged, this "ceremonial" ritual evolved into an early and popular

---

240, greater emphasis was accorded penitential elements in the Eucharistic liturgy. The specific ministry of reconciliation became the province of the monks, giving it a generally private character. See also F. Courtney, "The Administration of Penance II. The Development of Private Penance," in *The Clergy Review*, 46 (1961), p. 89.

[98] Ramos-Regidor, " 'Reconciliation' in the Primitive Church," p. 81.

[99] See P.E. Fink, *Alternative Futures for Worship 4: Reconciliation*, Collegeville, MN, The Liturgical Press, 1987, p. 80. A short period of voluntary abstention from the Eucharist was apparently a common penance for serious sins not subject to canonical penance. See for example St Augustine, Sermon 351, 4.7, in *PL* 39, 1542-1543. English trans. in Palmer (ed.), *Sacraments and Forgiveness*, p. 102.

[100] Dallen, *The Reconciling Community*, p. 86.

[101] A. Fitzgerald, *Conversion Through Penance in the Italian Church of the Fourth and Fifth Centuries: New Approaches to the Experience of Conversion from Sin*, Studies in the Bible and Early Christianity, 15, New York, E. Mellen Press, 1988, p. 508.

form of repeatable penance, which prepared the entire community for full and active participation in the Paschal communion.[102]

With the penitential experience for the majority of Christians found in the ritual in danger of death and Lenten penance, reconciliation tended to lose the communal focus which had inspired the power and dynamism of the more primitive practices. The formal, public procedure continued to be used, albeit rarely, but the understanding that penance was performed in the midst and with the direct help of the community receded. Even the role of the community assembled in worship tended to become stylised and perfunctory as it reflected the progressive deconstruction of the earlier forms of Christian community. Reconciliation had become a more private journey for individual persons in their spiritual relationship with God.[103]

The overall effect of this development was that, by the close of the sixth century, the formal public procedure of communal reconciliation had become largely irrelevant and unworkable for its original purpose. The generous and often ingenious modifications introduced by Church officials served only to conflate the problem, with factors as extraneous as a person's good health becoming a decisive influence.[104] The canons were difficult for the bishops to enforce, and left many Christian people searching for meaningful experiences of God's reconciling love in their daily lives.[105] This unfortunate

---

[102] E. Carr and D. Etienne, "The Rite of Public Reconciliation of Penitents in the Roman Pontifical," in *Resonance*, 2 (1966), p. 23 and J. Perales, "The Service of the *Indulgentia*: Light on the Rite of General Confession and Absolution," in *Worship*, 62 (1988), pp. 146, 148. It is generally agreed that the day for reconciliation was Holy Thursday, although in Spain it was Good Friday. Whilst uncertainty surrounds the time when this custom emerged, there are solid contemporary witnesses for its existence. For example, St Ambrose mentions that the day for relaxing penance in the Church was the day on which the Lord was delivered up for us. See his Epist. 20, 26 in *PL* 16, 1002. The Latin text reads: "Erat autem dies quo sese Dominus pro nobis tradidit, quo in Ecclesia poenitentia relaxatur." English trans. in *Letters*, The Fathers of the Church: A New Translation, 26, trans. by M.M. Beyenka, New York, The Fathers of the Church, 1954, p. 375.

[103] Dallen, *The Reconciling Community*, p. 77, supported by Schaller, "The Order of Penitents: Theological and Pastoral Directions," pp. 215-216. This development also influenced the understanding of sin, now more a matter concerning personal holiness rather than an action which affected the local community as a whole.

[104] Vogel, "Sin and Penance," p. 261.

[105] Cæsarius of Arles, Sermon 258, 2, in Poschmann, *Penance and the Anointing of the Sick*, pp. 107-108, and see Ramos-Regidor, " 'Reconciliation' in the Primitive Church," p. 81.

situation was compounded by the appearance of new pastoral problems which confronted the Church, centred mainly on the rapid conversion of many people in previously unevangelized areas. With little instruction in the Christian faith and their own unique religious attitudes, it became apparent that the Church's ministry of reconciliation was in urgent need of renewal.[106]

1.2.1.4 The Seventh to the Sixteenth Centuries

This era was a complex period of development in the practice and understanding of the Church's response to its sinful members. The novel form of private, tariffed, and repeatable penance became widely dispersed in Continental Europe through the efforts of Celtic missionaries, but the formal, public procedure continued to be promoted through official Church support.[107] Local synods of the Carolingian reform held between 813 and 847 attempted to reassert the necessity and benefit of public penance for serious sinners through an appeal to its venerable nature and a limitation of the cases for which it could be entered.[108] These synods urged public penance for public sins and called for help from secular authorities to track down such persons so that they might be pressed to enrol in the procedure.[109] These reforms met with little success and private penance became firmly established at the beginning of the eleventh century.[110] Only the ritual in danger of death and Lenten penance effectively remained in force of an elaborate and much-modified system which had reached its zenith in the fourth century.

---

[106] C. Dooley, "The History of Penance in the Early Church: Implications for the Future," in R.J. Kennedy (ed.), *Reconciliation: The Continuing Agenda*, Collegeville, MN, The Liturgical Press, 1987, p. 88. According to Gallagher, "New Life for a 'Great Sacrament'," p. 201, this represented the second major theological crisis to occasion a pastoral response from the Church.

[107] The origins and development of the private model of reconciliation is outlined in section 1.2.2.

[108] Carr and Etienne, "The Rite of Public Reconciliation of Penitents in the Roman Pontifical," p. 26.

[109] For example, The Synod of Chalon-sur-Saone, c. 25, in *Mansi* XIV, 98. English trans. in Watkins, *A History of Penance* II, p. 702 and see his comment, p. 703. See also Grillmeier, "Penance as Obligation or as Grace?" p. 144.

[110] Courtney, "The Development of Private Penance," pp. 94-95.

The medieval private reconciliation model, with its system of heavy tariffed penances for sin was not, however, without its problems. People experienced a complicated and somewhat abstract system, devoid of tangible gestures and signs and with a corresponding propensity to detachment from everyday Christian living. Abuses were not unknown, a factor which may explain the development at this time of a system of general absolutions celebrated in common.[111] It was usual to offer these prayers in a Eucharistic context, either after the *confiteor* or connected to the sermon, especially on major feasts or communion days. Their intent and application show their function as a sign of ecclesial forgiveness and reconciliation with God for sins not subject to full public penance.[112] Texts suggest that the absolutions were popular, especially when celebrated in Holy Week as a conclusion to Lenten penance, indicating that people generally understood their purpose and effect. These absolution prayers probably survived until the fourteenth century.[113]

A final change associated with the communal model of reconciliation occurred about the end of the twelfth century. From this time, the formal, public procedure mutated into two separate forms. Solemn penance, a form reserved for particularly scandalous public behaviour, followed the ancient model in some ways. It was imposed by the bishop, could be received only once in a lifetime, and involved permanent disabilities after the person's reconciliation.[114] The penitents were ceremonially expelled

---

[111] They were not, as such, a hybrid form of the ancient communal penance model, but are mentioned here because of their connection to the Lenten ceremonial penance.

[112] See the comments in F. Funke, "Survey of Published Writings on Confession over the Past Ten Years," trans. by S. and E. Young, in *Concilium*, vol. 7, no. 1 (Jan. 1971), pp. 124-125, 127-128, concerning the thesis of A. Eppacher, who states that these absolutions were generally regarded as having a sacramental character. Their existence is also noted by Tillard, "The Bread and the Cup of Reconciliation," p. 50 and W. Kasper, "Confession Outside the Confessional?" in *Concilium*, vol. 3, no. 4 (Apr. 1967), p. 20, who states that they "largely fulfilled the function of the confessional service we have today, for those involved were urged to confess their more grievous sins to a priest privately."

[113] See P.D.G. Smith, "General Sacramental Absolution," in *Studia canonica*, 12 (1978), p. 240. J.A. Jungmann, *The Mass of the Roman Rite: Its Origins and Development* 1, trans. by F.A. Brunner, New York, Benziger, 1951, pp. 492-494 gives a brief survey and provides some examples. See also *Ordo Romanus* XI, no. 20, in *PL* 78, 1033.

[114] Grillmeier, "Penance as Obligation or as Grace?" p. 145.

from the church at the beginning of Lent and then reconciled on Holy Thursday.[115] Public penance, granted by priests with a minimal ritual, consisted of a penitential exercise in the form of a pilgrimage.[116] At times anything but penitential, it was meant for less scandalous public sinners and substituted for the penance for which they were otherwise liable.[117] A rite for solemn penance was included in the revised *Pontificale Romanum* following the Council of Trent, but there is no documentation regarding the distribution or frequency of its use.[118]

The decline and eventual impotence of this communal model of reconciliation may be ascribed to a number of factors, either individually or in cumulative effect. The single opportunity for its celebration in a person's lifetime, the long periods of penance demanded, the progressive disqualification of many potential candidates through age, status, or employment, the excessive intrusion of canonical regulations, and the changes in the nature of the Christian community probably all contributed. However, perhaps the most fundamental reason was that this model lost touch with its biblical roots, until it bore no resemblance to the gentle, unlimited and inclusive ministry of forgiveness exemplified in the person of Jesus. "Then Peter went up to him and said, 'Lord, how often must I forgive my brother if he wrongs me? As often as seven times?' Jesus answered, 'Not seven, I tell you, but seventy-seven times'."[119]

Nevertheless, the development of this model provides a valuable legacy for the understanding and practice of the Church's sacramental ministry embracing its sinful members with God's reconciling love. Although subjected to many changes, it consistently recognized that the ministry by its very nature was the responsibility of, and

---

[115] Carr and Etienne, "The Rite of Public Reconciliation of Penitents in the Roman Pontifical," p. 33.

[116] Courtney, "The Development of Private Penance," pp. 94-95 and Poschmann, *Penance and the Anointing of the Sick*, p. 154.

[117] Fahey, "Reconciliation: Retrospect and Prospect," p. 174.

[118] Dallen, *The Reconciling Community*, p. 176. For the ritual itself, see *Pontificale Romanum*, "Concerning the Reconciliation of Penitents which Occurs on the Thursday of the Lord's Supper," in *Resonance*, 2 (1966), pp. 120-127.

[119] Mt 21:21-22.

required some form of active engagement from, the whole community, and maintained that reconciliation should be interpreted and experienced by means of a structured process which had a positive and profound effect on all who were involved.[120] In addition, the model emphasized that, through restoration to the Eucharist, the sinful members' time of penance had been brought to its completion, and their reconciliation attained its consummation and full significance.

1.2.2 THE MODEL OF PRIVATE, REPEATABLE, AND TARIFFED RECONCILIATION

This model of private reconciliation, as it developed in the Western Church, probably had its genesis in a number of independent practices which appeared in the sixth century.[121] Notwithstanding its practical role as a catechetical tool for moral renewal in the Church of the Middle Ages, tariffed reconciliation emphasized the individual Christian's relation to God and promised to restore, through this deeper knowledge of the self, a state of peaceful harmony with God and creation through a detailed confession and appropriate penance that assured the complete expiation of all sins.

1.2.2.1 Origins and Early Development

A primitive form of private, repeatable reconciliation was mentioned officially at the Third Council of Toledo (589), the eleventh canon of which observed that "in some churches of Spain, disorder in the ministry of penance has gained ground, so that people

---

[120] R.M. Gula, *To Walk Together Again: The Sacrament of Reconciliation*, New York, Paulist Press, 1984, p. 200. He reflects that "in the work of reconciliation the community calls out new commitment from its sinful members, asking them to walk in a way that bespeaks the Christian vision and Gospel way of life. The penitents as well call out new commitment from the larger community by challenging them to examine their priorities, and assess their vision and the way they walk in their commitment as Christians."

[121] K. Dooley, "From Penance to Confession: The Celtic Contribution," in *Bijdragen*, 43 (1982), p. 403.

sin as they like, and again and again ask for reconciliation from the priest."[122] Since the purpose of the Council was to remove the error of spiritual disunity and facilitate the entry of the Iberian Church into conformity with the entire Church,[123] it condemned the practice and called for the restoration of the discipline mandated by the "ancient canons."[124]

Despite its rather vague circumstances, this evidence of a repeatable reconciliation serves as a striking illustration of both the contemporary state and the direction of development of the Church's reconciling ministry to postbaptismal sinners. That it actually displaced the formal, once-only process suggests the repeatable method emerged "from below," a factor that probably assisted its use within communities, and indicated something which people found helpful for daily Christian living. Few details of the practice were given by the Council, save that reconciliation was available to sinners as often as requested and the minister was a priest rather than the bishop. The text also hints that more than the exceptional cases of serious sin traditionally submitted to the public procedure were placed under the care of the priest in the repeatable method. This also may have led the Council to raise questions about the orthodoxy of such a practice, not to mention the seriousness of conversion the sinful persons manifested and the duty of the minister to carefully judge their sincerity.

The basic pattern of reconciliation thus identified – repeatable, celebrated with a priest, and effective for all one's sins – also provided the framework for the private, tariffed penance devised by the Celts. Perhaps derived from Eastern monastic penance

---

[122] The Third Council of Toledo, c. 11, in *Mansi* IX, 995. The Latin text reads: "Quoniam comperimus per quasdam Hispanarium ecclesias, non secundum canonem, sed foedissime pro suis peccatis homines agere poenitentiam, ut quotienscumque peccare libuerit, totiens a presbytero reconciliari expostulent." English trans. in C.J. Hefele, *A History of the Councils of the Church from the Original Documents*, IV, trans. and ed. by W.R. Clark, Edinburgh, T. & T. Clark, 1895, p. 419. Note that the term *presbyteros* is used to identify the minister rather than *sacerdos*.

[123] A. Ferreiro, "*Linguarum Diversitate*: Babel and Pentecost in Leander's Homily at the Third Council of Toledo," in *Concilio III de Toledo: XIV centenario 589-1989*, Toledo, Arzobispado de Toledo, 1991, p. 238.

[124] The Council apparently concluded that the novel form of reconciliation was part of the "confusion of spiritual languages" which deeply affected the local Church. Hence it required the practice to be abandoned, since it violated the unifying spiritual order the Council desired to implement without consideration, it seems, of the nature, value, or pastoral application of the practice.

through southern Gaul,[125] this unique system, given a defined organizational structure through the use of penitential books,[126] was the usual method for the conversion and reconciliation of postbaptismal sinners throughout the Celtic Churches.[127] The local lay people, clustered around their clan monastery, actively sought from the monks the spiritual riches of the Church. This made the extension of monastic practices such as repeatable penance a natural and deliberate development, revealing the genius of a local Church adapting its ministry to connect with the pastoral situation at hand.[128] With its aim of restoring repentant sinners to harmony with God, the Church and their environment, this model assumed a central place in the life of the Celtic peoples.[129]

1.2.2.2 Missionary Extension and Further Development

From the sixth century, Celtic missionaries began a process of evangelization in parts of continental Europe, introducing the private, repeatable, tariffed model of penance in the course of their work. The missionaries, whose activity through the seventh and eighth centuries grew to encompass a wide area, similarly extended the practice of their reconciliation discipline, and with it the influence of a multiplicity of penitential books of

---

[125] Courtney, "The Development of Private Penance," p. 93; T.P. Murphy and M. Rankin, "The Practice of Celtic Penance," in *Resonance*, 2 (1966), p. 46 and see the interesting comments of de Bhaldraithe, "Another Look at General Absolution," p. 48.

[126] These texts were of vital importance to the correct application of this model of reconciliation. They contained catalogues of sins together with an appropriate penance for each, hence the name "tariff" penance.

[127] There are references to a form of public penance existing in Celtic Churches, as noted in Palmer, *Sacraments and Forgiveness*, p. 144. In Ireland, for example, the local Churches were originally built on the diocesan system by St Patrick, but by the beginning of the seventh century, the monastery had become a dominant feature of Celtic Christian life. See Dooley, "From Penance to Confession," pp. 396-397.

[128] Poschmann, *Penance and the Anointing of the Sick*, p. 129 and Dooley, "From Penance to Confession," p. 397. Generally speaking, life for most people was austere and extremely tough. That they could experience the forgiving grace of their loving Lord on a more frequent basis must have brought great solace.

[129] M.F. Braswell, *The Medieval Sinner: Characterization and Confession in the Literature of the English Middle Ages*, Rutherford, NJ, Fairleigh Dickenson University Press, 1983, p. 22.

varying levels of authenticity.[130] It maintained an uneasy coexistence with other forms of penance, resulting in a complex and uneven ministry to those seeking reconciliation for their sins.

The model was private since there was no public rite of expulsion or reconciliation and no community involvement, either through intercessory prayer or practical assistance, in the penance which expiated the sin.[131] It was available to all sinners on an ongoing basis, without the presence of restrictive conditions;[132] once the expiation was complete, the person was reconciled *ipso facto* or through a liturgical formula and restored to the Eucharist and the state of justification.[133] By means of a detailed confession, often elicited through questions from the minister, the penance was tariffed according to the suggestions contained in the penitentials.[134] This meticulous and severe discipline probably appealed to the heroic, individualistic character of the persons evangelized, who could relate to a system of expiatory punishment which discharged all prohibitions.[135]

---

[130] Osborne, *Reconciliation and Justification*, p. 88.

[131] Initially conducted in a simple and basically aliturgical manner, eighth century penitential books show the emergence of a ritual for its celebration, often in the form of a preface to the main text. See Grillmeier, "Penance as Obligation or as Grace?" pp. 142-143 and B. O'Keefe and T.J. Boyer, "The Impact of Celtic Penance on the Continent," in *Resonance*, 2 (1966), p. 53.

[132] Murphy and Rankin, "The Practice of Celtic Penance," p. 42.

[133] The re-admission to communion was an integral part of this model and revealed the Celtic understanding of reconciliation as pertaining to the reintegration of Christians excluded from their spiritual rights. The priest and his judgement were, therefore, essential to the system, since they revealed and guaranteed its "sacramental" aspect. See Poschmann, *Penance and the Anointing of the Sick*, p. 129; Dooley, "From Penance to Confession," pp. 404-405 and Grillmeier, "Penance as Obligation or as Grace?" p. 142.

[134] According to A.J. Frantzen, *The Literature of Penance in Anglo-Saxon England*, New Brunswick, NJ, Rutgers University Press, 1983, p. 18, "the penitential was designed as a self-contained text to guide every phase of the private penitential system, from the reception of the penitent by the priest to practical adjustments which enabled sinners to perform the penance assigned to them." Alternatively Power, "The Sacramentalization of Penance," pp. 12-13 explains the content of these books in terms of its connection with public order.

[135] Dallen, *The Reconciling Community*, pp. 105-106. Although adaptable to the individual and his or her particular circumstances, penances were cumulative and could result in a long period of penitential works, depending on the frequency or seriousness of the sins. See J.T. McNeill and H.M. Gamer, *Medieval Handbooks of Penance: A Translation of the Principal* libri poenitentiales *and Selections from*

In support of this observation is the firm correlation between the penances listed in the penitential books and the penalties of the secular law. Every sin had, as it were, a price or punishment to be paid in the form of a work or reparation.[136] Therefore,

> if the sick are in sins, and shall confess them to the presbyters of the Church, and shall with complete sincerity do all that is necessary to quit and make amends for the same, they shall be forgiven them. For sins cannot be forgiven without confession of amendment ... the uncleanness of more serious leprosy let us lay bare, in accordance with the law, to the priest and, subject to his judgement, let us cure it in the manner and for the period he shall prescribe.[137]

Whilst the aspects of conversion and healing were not lost, the idea of "making amends" was central, since the performance of the satisfaction effectively brought forgiveness for the sins committed.[138] Hence, "he who by a wound in a quarrel renders a man weak or maimed shall pay for the physician and the fine for the scar, and make compensation for his work while he is recovering, and do penance for half a year. If indeed he has not the means, he shall make good these things in an entire year [of penance]."[139] This was further illustrated in the effort of this penance model to promote harmony, encouraging Christians who seriously wronged another to seek reconciliation in the concrete, social

---

Related Documents, New York, Columbia University Press, 1938, p. 223 and Dooley, "From Penance to Confession," p. 405.

[136] Frantzen, *The Literature of Penance in Anglo-Saxon England*, discusses this connection on pp. 41-44. See also Power, "The Sacramentalization of Penance," p. 12. "The crimes most deserving of punishment were those which affected the Church's relation to public order," states Power on p. 13, "whether this was a counterbalance to other values or a support of public ideals through a system of divine ordinance."

[137] St Bede the Venerable, On the Epistle of James, 5, in *PL* 93, 39-40. The Latin text reads: "Si ergo infirmi in peccatis sint, et hæc presbyteris Ecclesiæ confessi fuerint, ac perfecto corde ea relinquere atque emendare satagerint, dimittentur eis. Neque enim sine confessione emendationis peccata queunt dimitti... Porro gravioris lepræ immunditiam juxta legem sacerdotii pandamus, atque ad ejus arbitrium qualiter et quanto tempore jusserit purificare curemus." English trans. in Palmer (ed.), *Sacraments and Forgiveness*, p. 150.

[138] Poschmann, *Penance and the Anointing of the Sick*, p. 141.

[139] "Penitential Ascribed by Albers to Bede," II, 8, in H.J. Schmitz, *Die Bussbücher und das kanonische Bussverfahren; nach handschriftlichen Quellen dargestellt* II, Graz, Akademische Druck-Verlagsanstalt, 1958, p. 657. The Latin text reads: "Qui per rixam ictu debilem vel deformem hominem reddidit, inpensat in medicum et macule precium et opus ejus donec sanetur, restituat et dimidio anno peniteat. Si vero non habet unde, restituat hæc anno integro." English trans. in McNeill and Gamer, *Medieval Handbooks of Penance*, p. 225.

situation in which they lived: "And he who used to steal, when he becomes penitent, ought always to be reconciled to him against whom he has offended and to make restitution according to the wrong he has done to him."[140]

1.2.2.3 Corruption and Reform

By the close of the eighth century, the severe nature of this model of reconciliation had led to the introduction of compromise solutions to mitigate the force of the discipline.[141] A system of commutations allowed those undertaking penance to complete the expiation in a shorter time or substitute a monetary payment in its stead:

> The commutation of a year, three days with a dead saint in a tomb without food and drink and without sleep, but with a garment about him and with the chanting of psalms and with the prayer of the hours, after confession of sins and after a vow (of amendment) made to a priest.[142]
>
> If anyone perchance is not able to fast and has the means to redeem himself, if he is rich, for seven weeks [penance] he shall give twenty solidi ... but let everyone give attention to the cause to what he is under obligation to give, whether it is to be spent for the redemption of captives, or upon the sacred altar, or for poor Christians.[143]

The abuses invited by such a system severely compromised the process of conversion central to the reconciliation procedure and undermined the true meaning and purpose of

---

[140] "The Penitential of Theodore," Bk I, III, 3, in Schmitz, *Die Bussbücher und das kanonische Bussverfahren*, p. 548. The Latin text reads: "... et qui furtum faciebat, penitentia ductus semper debet reconciliare ei, quem offendebat et restituere juxta quod ei nocuit." English trans. in McNeill and Gamer, *Medieval Handbooks of Penance*, p. 187. The priest was also permitted to consult the wronged party in determining the penance in appropriate cases.

[141] The influence of secular law is clearly apparent in these recommended solutions. See Dallen, *The Reconciling Community*, p. 106 and Dooley, "From Penance to Confession," p. 406.

[142] "Irish Canons," II, of commutations, 3, in L. Bieler (ed.), *The Irish Penitentials*, Dublin, The Dublin Institute for Advanced Studies, 1963, pp. 164-165. The Latin text reads: "Arreum anni triduanum cum morto sancto in sepulchro sine cibo et putu et sine somno sed cum vestimento circa se et cantatione psalmorum et oratione horarum post confessionem et votum sacerdoti."

[143] "The So-Called Roman Penitential of Halitgar," in Schmitz, *Die Bussbücher und das kanonische Bussverfahren*, p. 292. The Latin text reads: "Si quis forte non potuerit jejunare, et habuerit unde dare ad redimendum, si dives fuerit, pro septem ebdomadibus det solidus XX... Sed unusquisquæ adtendat, cui dare debet sive pro redemtione captivorum, sive super sancto altari, sive pauperibus Christianis erogandum." English trans. in McNeill and Gamer, *Medieval Handbooks of Penance*, p. 299.

the penitential works, leading to the conception of penance as a material reparation. The chief source of this problem was probably the widespread distribution of the many different penitential books, which precluded consistency in the assignment of penances and resulted in confusion and relaxation in discipline.[144]

The synods of the Carolingian reform, as noted previously, addressed the Church's entire ministry of reconciliation. Whilst all concluded that the ancient penitential discipline be restored, reactions varied towards the repeatable, tariffed method.[145] The motivation behind these responses was nevertheless the same: the disarray and anonymity characteristic of the penitential books proved most vexatious to the orderly Frankish mind, which fervently sought greater uniformity based on renowned authority.[146] As a result, new penitential books were composed which had a prolonged influence upon the Frankish Churches and, later, in England, for the education and spiritual guidance of clergy and lay people.[147]

1.2.2.4 Universal Acceptance and the Elimination of Tariffs

The three centuries following the Carolingian reform marked the universal adoption of a private, repeatable model of reconciliation, deeper theological insights and clarification, and canonical norms firmly establishing the new system that were made universally applicable at the Fourth Ecumenical Council of the Lateran.[148] During this period of slow but sustained development, the "tariff" aspect declined and the confession

---

[144] Poschmann, *Penance and the Anointing of the Sick*, p. 134.

[145] O'Keefe and Boyer, "The Impact of Celtic Penance on the Continent," pp. 56-57.

[146] A.J. Frantzen, "The Significance of the Frankish Penitentials," in *The Journal of Ecclesiastical History*, 30 (1979), pp. 410-411.

[147] Ibid., p. 421. They gradually gave way to the canonical collections of the theologians. See Dooley, "From Penance to Confession," p. 407.

[148] O'Keefe and Boyer, "The Impact of Celtic Penance on the Continent," p. 59. An important document is the *Corrector Buchardi* (ca. 1000), which shows the private penitential procedure to be the generally accepted method for celebrating penance, at least in the German regions.

of sins, with its accompanying emphasis on shame and humiliation, became the essential means of expiation.[149] One reason given for this shift was the continued abuse of the tariffs, which obliterated their effectiveness for conversion and growth in holiness of repentant sinners.[150] Another may be that, in essence, tariff penance was very similar to ancient public penance: harsh in nature, undermined by compromise solutions, lacking in popular appeal, overtly poor reflections of New Testament teaching, and thus out of touch with people's everyday lives and spiritual needs. "At that time Jesus exclaimed, 'Come to me, all you who labour and are overburdened, and I will give you rest. Shoulder my yoke and learn from me, for I am gentle and humble in heart, and you will find rest for your souls. Yes, my yoke is easy and my burden light'."[151]

An important factor illustrative of the growth towards the model of modern private and repeatable penance was the change experienced by the reconciling minister's blessing or absolution prayer. In ancient communal penance, the repentant sinner was welcomed back by the bishop through the laying on of hands and prayers for God's mercy.[152] About the seventh century this absolution, cast in petition style and acting as a concluding blessing, had the sense of "unbind" or "release" from sin.[153] In the tariff

---

[149] Dallen, *The Reconciling Community*, p. 140. Thus by the end of the twelfth century, the "modern" system of penance started to emerge.

[150] Dooley, "From Penance to Confession," p. 409.

[151] Mt 11:25a, 28-30.

[152] *The Didascalia Apostolorum in Syriac I*, p. 68. Although the text, as is typical of this time period, is silent concerning the content of the prayers offered, it is clear from the context, for bishops were "to judge according to the Scripture those who sin with kindness and mercy." Ibid., p. 64.

[153] St Eligius of Noyon, Hom. 4, in *PL* 87, 610. English trans. in Palmer (ed.), *Sacraments and Forgiveness*, p. 133. A prayer illustrating this metaphor may be found in The Gelasian Sacramentary, I, xxxviii, "Ordo agentibus publicam poenitentiam," in *The Gelasian Sacramentary: liber sacramentorum Romanæ ecclesiæ*, edited with introduction, critical notes and appendix by H.A. Wilson, Oxford, Clarendon Press, 1894, p. 65. The text reads: "Omnipotens et misericors Deus, qui peccatorum indulgentiam in confessione celeri pouisti, seccurre lapsis, miserere confessis, ut quos delictorum catena constringit, magnitudo tuæ pietatis absolvat." The English trans. according to Palmer reads: "Almighty and merciful God, who hast placed the pardon of sins in prompt confession, succour the fallen, have mercy on those who have confessed, that those whom the chain of sins has bound, the greatness of thy love may release." The emphasis of this model was community judgement that a full and sincere conversion had been visibly manifested by the sinner.

penance system, a model which stressed satisfaction and amendment, the meaning of the absolution inclined towards "pardon" or "remission," indicating that the period of penance had been completed.[154] As the act of confession, and the desire to be purged of its consequences increased in focus the assurance of forgiveness came, not through fulfilment of the penance, but in the words of the minister, exercising the power of the keys on behalf of the Church, announcing the absolution of God upon the repentant sinner. By the twelfth century, when reconciliation followed immediately after the confession, penitents were absolved with a conflated absolution, which included prayers in both petitionary and indicative styles.[155] They could seek forgiveness for all sins as often as requested, and attended to their penance after the absolution had been given. The penance allotted obliged the reconciled person until completed, but the absolution was effective, including the situation of an untimely death.[156]

The legacy of the tariffed model of private, repeatable penance for the Church's understanding and practice of reconciliation was basically threefold. Firstly, it placed the focus on reconciliation upon individual sinners and their relationship to God. Together with this emerged the notion of a priest-confessor, whose ministry encompassed the guidance, judgement and absolution of the penitent. Finally, through an emphasis on satisfaction understood as reparation, it promoted the aspect of penance as amendment before God and with one's neighbour. These factors proved to have an important influence on the Church's reconciling ministry.

---

[154] Dallen, *The Reconciling Community*, p. 141.

[155] "The Sacramentary of Arezzo," in J.A. Jungmann, *Die lateinischen Bussriten in ihrer geschichtlichen Entwicklung*, Innsbruck, F. Rauch, 1932, pp. 193-194. The text reads: "... absolvat te omnipotens Deus ab omnibus iudiciis, quæ tibi pro peccatis tuis debentur... et parcat ac remittat et deleat omnia peccata tua et perducat te in vitam æternam. Amen... Et ego Christi sacerdos ... secundum meum ministerium absolvo te ab omnibus iudiciis quibus te pro peccatis tuis ligavi..." The English trans. according to Palmer (ed.), *Sacraments and Forgiveness*, p. 174, reads: "... may almighty God absolve thee from all thy sentences which are due thee for thy sins... and may he spare, remit and wipe away all thy sins and bring thee to life everlasting. Amen... And I Christ's priest, ... in accord with my ministry absolve thee from all sentences with which I have bound thee for thy sins..." This apparently supplanted the earlier prayers for reconciliation and signified the dual role of the priest: as mediator, he won grace by intercession; as judge, he reconciled to the Church.

[156] Martos, *Doors to the Sacred*, p. 335.

1.2.2.5 Theological Debate and Universal Legislation

With the shift in conversion from a way of living in community to individual repentance and forgiveness celebrated through a private, repeatable ritual, theologians of the twelfth and thirteenth centuries focussed their investigations of the sacrament of penance on the meaning and effect of the priest's absolution, and the relationship between the subjective (inner contrition) and objective (external actions) factors of penance.[157]

Of the earlier scholastic theologians, perhaps Peter Lombard (d. 1160), for whom Gratian's *Decretum* (1140) was an important influence, most clearly expounded and synthesized the argument for confession and the role of contrition, absolution, and satisfaction in the sacrament of penance.[158] He agreed with Peter Abelard (d. 1142) that contrition removed the guilt of sin,[159] and taught that the intention to confess was central for understanding how the repentant sinner was reconciled, stating that

> from the moment anyone proposes to confess, being pricked in conscience, God forgives; because there is confession of the heart, though not of the mouth, by which the soul is cleansed within from the stain and contagion of committed sin and the debt of eternal death is relaxed... [However] just as inward penance is enjoined on us, so also confession of the mouth, and outward satisfaction, if we have the

---

[157] Dallen, *The Reconciling Community*, pp. 144-145 and Vorgrimler, *Sacramental Theology*, p. 208. The general concept of "sacrament" was defined at this time, as noted by Vorgrimler, ibid., pp. 45-46. Alger of Lüttich (c. 1121) was apparently the first medieval theologian to specifically name the ritual of penance a sacrament, an identification soon taken for granted. See Osborne, *Reconciliation and Justification*, p. 70.

[158] H.-G. Beck et al., *From the High Middle Ages to the Eve of the Reformation*, Handbook of Church History, IV, trans. by A. Biggs, Freiburg, Herder; Montréal, Palm Publishers, 1970, pp. 50, 89.

[159] Abelard thought that, since sinful persons approached and fulfilled the external elements of penance in an already-justified state through their sincere contrition, the effect of the priest's absolution could only be to reconcile repentant sinners to the Church, and not also to God. See Dallen, *The Reconciling Community*, p. 145. Whilst Abelard did not deny the necessity of the absolution, it could only be necessary because of Church law. See Osborne, *Reconciliation and Justification*, p. 106.

> opportunity. Wherefore he is not truly penitent who does not have the desire to confess.[160]

Although it was clear that God alone remitted and retained sins, Peter Lombard, through the ecclesiology inherited from Gratian, additionally argued for the necessity of the external acts of penance.[161] It was only through submission to the judgement of the priest who, in exercising the power of the keys through the prayer of absolution could impose a penance and grant admission to the sacraments, that repentant sinners were reconciled to the Church.[162] Therefore, whilst the power of the keys did not extend to the forgiveness of sins, priests effectively *declared* the remission by God of the person's sins and assured those reconciled of their justified status:

> This we may certainly say and think, that God alone remits sins and retains them; and he has conferred upon the Church the power of binding and loosing ... that is, of *showing* that men are bound or loosed ... because even if anyone is loosed by God, he is not on that account held to be loosed in the sight of the Church, except through the judgement of the priest.[163]

---

[160] Peter Lombard, *The Four Books of Sentences*, 4, XVII, II, in *PL* 192, 881. The Latin text reads: "Ex quo enim aliquis proponit mente compuncta se confessurum, Deus dimittit, quia ibi est confessio cordis, etsi non oris, per quam anima interius mundatur a macula et contagio peccati commissi et debitum æternæ mortis relaxatur... Sicut enim præcepta est nobis interior poenitentia, ita et oris confessio, et exterior satisfactio, si adsit facultas. Unde nec vere poenitens est, qui confessionis votum non habet." English trans. in E.F. Rogers, *Peter Lombard and the Sacramental System*, Merrick, NY, Richwood Publishing Co., reprinted 1976, pp. 179-180.

[161] Gratian thought deeply about the nature and purpose of the Church, which he recognized as both an earthly community and the mystical Body of Christ, and placed great value on the maintenance of the community's stability and welfare. This included obedience toward the power of its governing authority, an integral part of the Church founded by Christ Jesus. Gratian argued that those who did not do penitence before the Church frustrated the power of the keys given to priests; if confession was not necessary, then the power of the hierarchy would have no value, and the Church could not be seen as necessary for salvation. Gratian did not doubt, therefore, that the necessity of confession had to be preserved. See the extensive comments in S. Chodorow, *Christian Political Theory and Church Politics in the Mid-Twelfth Century: The Ecclesiology of Gratian's Decretum*, Berkeley, CA, University of California Press, 1972, pp. 72, 130-131.

[162] Ibid., p. 131. Confession and the reception of a penance were therefore necessary for the existence of the Church. See also R. Hancock and R. Williams, "The Scholastic Debate on the Essential Moment of Forgiveness," in *Resonance*, 2 (1966), p. 66.

[163] Peter Lombard, *The Four Books of Sentences*, 4, XVIII, VI, in *PL* 192, 887. The Latin text reads: "Hoc sane dicere ac sentire possumus, quod solus Deus dimittit peccata et retinet; et tamen Ecclesiæ contulit potestatem ligandi et solvendi ... id est, *ostendendi* homines ligatos vel solutos... Quia etsi aliquis apud Deum sit solutos non tamen in facie Ecclesiæ solutus habetur, nisi per judicium sacerdotis." English trans. in Rogers, *Peter Lombard and the Sacramental System*, pp. 193-194. Lombard employs the

The three acts of the penitent, contrition, confession and satisfaction, were understood as constituting the sacramental sign of penitence, which was both an experienced reality and a sign that sins were forgiven.[164] The consequence of this explanation was that the prayer of absolution, which showed and confirmed that the person was reconciled with the Church, was regarded as extra-sacramental.[165] In demonstrating the necessity of these external acts of both penitent and minister, the scholastic theologians of the twelfth century provided the theoretical foundation for the legislation on confession to emerge from the Fourth Ecumenical Council of the Lateran and the major theological development that was to ensue.

On 19 April 1213, Pope Innocent III convoked this Council, which occupies a key legislative position in the development of the private, repeatable model of reconciliation,[166] its constitutions and laws regarded by the Pope as a summary of the jurisdiction of his pontificate. Hence in mandating an annual confession of sins for all the faithful, the Council recognised this practice as an important and useful tool for the promotion of its primary tasks.[167] The spiritual thrust of the Council's initiatives was matched by an equally deep spiritual climate in the contemporary popular culture.[168] The

---

traditional metaphor based on the Gospel stories of the cleansing of the ten lepers and the raising of Lazarus to illustrate his understanding. See also M. Dudley, "The Sacrament of Penance in Catholic Teaching and Practice," in Dudley and Rowell (eds), *Confession and Absolution*, p. 65.

[164] Martos, *Doors to the Sacred*, p. 336.

[165] An alternative view of the absolution was proposed by the Victorine school, based primarily on a literal interpretation of Jn 20:23. This theory understood the keys as the power to exclude or admit people to heaven, rather than the Church. Therefore, priests forgave repentant sinners by the power entrusted to them by God, the absolution having its effect in the next world, remitting the debt of eternal punishment. See ibid., p. 336 and K. Rahner, "Penance," in K. Rahner (ed.), *Encyclopedia of Theology: The Concise Sacramentum mundi*, New York, Crossroad, 1991, p. 1200.

[166] The delegates finally assembled in November, 1215. With a proximate context of Christian disasters in the Holy Land, the Pope intended the Council deal principally with spiritual matters, including the reform of Church discipline. See P. Mueller and E. Senior, "Canonical Legislation on Mandatory Confession in the Western Church," in *Resonance*, 2 (1966), p. 76.

[167] Tanner, p. 228.

[168] Works of art often depicted people kneeling in prayerful humility and literature evoked the prevailing fear of eternal punishment. See Braswell, *The Medieval Sinner*, pp. 27-28.

Council's legislation on penance may well have been a natural reflection of the general religious outlook, which witnessed a richer, more complex level of thought and teaching with respect to the Church's reconciling ministry.

Notwithstanding preceding theological, liturgical and legislative development, chapter 21 of the decrees of Lateran IV Council represented a major transition for the sacrament of penance. It brought a definitive closure to the model of private penance based upon the tariff system, and provided the fertile soil for the growth and flowering of the model of modern confession. The law obliged "all the faithful of either sex [who had] reached the age of discernment [to] individually confess all their sins in a faithful manner to their own priest at least once a year, ... [and to] reverently receive the sacrament of the Eucharist at least at Easter."[169] Granted that practice of the sacrament in both its public and private forms at the time had little attraction for many people, the law appears in nature to be quite rigorous.[170] Various motives for this have been offered,[171] but probably it was primarily pastoral.[172] Using the very beautiful image of a physician cast in the form of the good Samaritan, the Council envisaged priests implementing the law to lure the repentant sinner to God. As true and diligent shepherds, they could appropriately, with prudent care and discernment, bring the sinful person to the mercy of God's healing

---

[169] Tanner, p. 245. The Latin text reads: "Omnis utriusque sexus fidelis, postquam ad annos discretionis pervenerit, omnia sua solus peccata confiteatur fideliter, saltem semel in anno proprio sacerdoti, et ... suscipiens reverenter ad minus in pascha eucharistiæ sacramentum." Persons were to do what they could to perform the penance imposed and not abstain from Paschal communion except for a good reason and upon advice from their priest.

[170] Vorgrimler, *Sacramental Theology*, p. 209. See also the comment by Alain of Lille in "De confessione peccatorum," mentioned in Poschmann, *Penance and the Anointing of the Sick*, p. 140.

[171] For example, it was "a touchstone of loyalty to the Church" for Dallen, *The Reconciling Community*, p. 149, "a test of fitness for a share in the full membership of the Church" for Braswell, *The Medieval Sinner*, p. 29, and a "control exercise" for J.J. Paul, *The Recipient of the Sacrament of Penance*, Ann Arbor, MI, University Microfilms International, reprint 1990, p. 151 and Hellwig, *Sign of Reconciliation and Conversion*, pp. 74-75.

[172] Vorgrimler, *Sacramental Theology*, p. 209. It was a key part of the Council's plan to reform and purify the Church, especially in view of the penalties which threatened those who did not comply. It was, therefore, a serious attempt to make actual practice of the sacrament better reflect contemporary theological understanding. See the interesting comments of Mueller and Senior in "Canonical Legislation on Mandatory Confession in the Western Church," pp. 77, 82.

love.[173] In complementary fashion, the jurisdiction enjoyed by priests ensured that their subjects adhered to the law and benefited in a valid and licit way from the spiritual care it was designed to protect.[174]

It appeared that neither clergy nor laity was prepared for such a thorough and comprehensive initiative.[175] The obvious gap between what was officially expected and the existential situation necessitated a massive Church-wide catechetical programme.[176] The decrees and other pastoral materials had an extensive and prolonged use in assisting the implementation of this law. Especially important were guidelines for examining the conscience and confession manuals which, like the earlier penitentials, provided essential information for priests in conducting the sacramental ritual including tabulations and classifications of sins, along with questions they might profitably pose the penitent.[177]

In legislating, therefore, on a universal basis for conversion, repentance and forgiveness of sins, Lateran IV made an unprecedented and unique contribution concerning the Church's ministry of reconciliation. It approved and canonized certain aspects which had developed until that time, without precluding further inquiry and clarification. Foremost among these was the source of the obligations mentioned in chapter 21 that pertained to all the faithful.

The Council confirmed that the simple obligation which required the repentant serious postbaptismal sinner to approach the God of mercy and love through the

---

[173] K. McDonnell, "The *Summæ Confessorum* on the Integrity of Confession as Prolegomena for Luther and Trent," in *Theological Studies*, 54 (1993), p. 423.

[174] Paul, *The Recipient of the Sacrament of Penance*, pp. 151, 157.

[175] Members of both groups displayed a paucity of education and varying levels of literacy, a fact to which the Council itself alluded. See chapter 32 in Tanner, p. 250. As Beck, *From the High Middle Ages to the Eve of the Reformation*, p. 579 notes, this lent an enhanced importance to the annual confession, the preparation for it, and the actual making of the confession.

[176] This was accomplished mainly through episcopal decrees, which acquainted the clergy with the rudiments of the faith and their obligations to those in their pastoral care, with the intention that sermons be composed explaining to the laity various aspects of doctrine and practice, including instructions for a "proper" confession. See Braswell, *The Medieval Sinner*, p. 51.

[177] McDonnell, "The *Summæ Confessorum* on the Integrity of Confession," p. 412. The manuals focussed on the sinner, and his or her personal relationship with the confessor, indicating an emphasis on individual self-awareness and consolation of the conscience.

intervention of the Church by some form or process of confession, or at least the desire for it, was always believed to be of divine law.[178] The precept for its annual celebration however, owing to the Council's pastoral emphasis, was clearly an obligation of positive ecclesiastical law.[179] The controversial element was the level of law warranting the particular mode of confession specified in the text of the chapter.[180] Crucial to the understanding formed out of the subsequent theological reflection were the purpose of confession and the role of the absolving minister,[181] questions intimately tied to the thorny issues initially tackled by the twelfth century scholastics. Other related matters subject to discussion included the sins to be confessed, the time for the confession, and the person to whom confession was made.[182]

1.2.3 THE MODEL OF "JUDICIAL" OR MODERN CONFESSION

The model of modern confession evolved from the thirteenth century and became firmly established after the definitive teaching of the Council of Trent. It may be identified by its privatised nature, the emphasis on a precise and complete confession of serious sins, and the judicial image used to explain the meaning of the sacramental

---

[178] Mueller and Senior, "Canonical Legislation on Mandatory Confession in the Western Church," p. 82.

[179] O'Keefe and Boyer, "The Impact of Celtic Penance on the Continent," p. 62.

[180] Of special importance was the aspect of the "integrity" (completeness) of the confession. As Dallen, *The Reconciling Community*, p. 166 notes, the emphasis on this quality possibly parallels the requirement in the ancient communal model that conversion be complete or at least well underway before reconciliation was granted and the tariff model requirement that the debts due to one's sins be satisfied before readmission to communion. The theological opinion of the time considered that it was "normal and even a matter of duty for a penitent to be justified before the actual reception [celebration] of the sacrament." See Rahner, "Penance," in *The Concise Sacramentum mundi*, p. 1200.

[181] Respectively, purifying and giving peace to the individual conscience, and the learned doctor who healed those wounded by their sins through a discerning judgement in each case. See Mueller and Senior, "Canonical Legislation on Mandatory Confession in the Western Church," pp. 85, 87.

[182] According to Mueller and Senior, theological positions on each of these matters ranged from moderate to rigorous. Generally speaking, however, it seems that persons were only obliged to confess their serious sins in the season of Lent (excepting danger of death) to a priest with the proper jurisdiction. See their explanation on pp. 83-89.

experience.[183] Once clearly determined, this model of penance remained virtually unchanged until the reforms undertaken in the second half of the twentieth century.[184]

1.2.3.1 Theological and Legislative Activity Following Lateran IV Council

In the decades immediately following Lateran IV, theologians continued to explore the nature, components and effects of the sacrament of penance, the work of St Thomas Aquinas (d. 1274) proving significant and influential.[185] He taught that the acts of the repentant sinner – contrition, confession and satisfaction – which together signified interior penance aroused by God, comprised the *matter* of the sacrament, with the priest's absolution, the judicial-like exercise of the power of the keys possessed through ordination signifying what the sacrament accomplished, the *form*.[186] The prayer of absolution expressed the Church's involvement in reconciling the sinful person with God and, together with the personal acts of the penitent, acted as a single cause for the forgiveness of sins.[187] St Thomas thus united the personal and ecclesial aspects of the sacrament, seeing an intrinsic causal relationship between contrition and the power of the keys.[188] His theory regarding this relationship recognized three moments in the concept of justification – the infusion of grace, the double movement of free will towards God and against sin, and the remission of sin – which exercised reciprocal causality on each

---

[183] Örsy, "The Sacrament of Penance: Problem Areas and Disputed Questions," p. 33.

[184] See L. Örsy, "The Relationship Between Values and Laws," in *The Jurist*, 47 (1987), p. 480. Among several reasons provided for this long period of stagnation, the author mentions lack of ready access to the Acts of the Council and the reservation of interpreting the conciliar decrees to the Roman Congregation responsible for the oversight of their implementation.

[185] His theology developed over time, the *Summa theologiæ*, IIIa, qq. 84-90, revealing his mature thought. See Rahner, "Penance," in *The Concise Sacramentum mundi*, pp. 1201-1202.

[186] Dallen, *The Reconciling Community*, p. 146. The Aristotelian terminology to inform the explanation of the parts of the sacrament had been introduced by Hugh of St-Cher (d. 1263).

[187] Poschmann, *Penance and the Anointing of the Sick*, p. 168.

[188] C.E. Curran, "The Sacrament of Penance Today II," in *Worship*, 43 (1969), p. 598.

other.[189] In his earlier work, St Thomas thought the significance and causality of the penitent's external acts in their connection with the absolution was to dispose a person for the reception of grace, either prior to the sacrament or in the sacrament itself.[190] Later, however, he seemed to attribute an instrumental efficient causality to the absolution: "God alone on his own authority absolves from sin and pardons sins. The priests do both ministerially, that is, inasmuch as the words of the priest in this sacrament work instrumentally, just as in the other sacraments." [191]

St Thomas thus insisted on an indicative form of absolution because the priest, absolving as a minister effectively in virtue of the power of Christ's suffering in his human body, had to signify what was occurring: the action of God forgiving.[192] Therefore, "when the priest says 'I absolve you', he shows that the man has been absolved not only symbolically, but also in fact ... [for] just as the other sacraments have in themselves a sure effect through the power of Christ's passion ... so also does this sacrament."[193] The sacrament did not work "automatically," however, for the possibility

---

[189] Hancock and Williams, "The Scholastic Debate on the Essential Moment of Forgiveness," pp. 70-71. They continue: "In the order of formal and efficient cause, grace makes possible the movement of the will towards God and away from sin, that is, faith and contrition; conversely, faith and contrition in the order of material cause, are the indispensable subjective disposition for the reception of grace. No grace is conferred without the freely effected conversion of man, and in turn this conversion must already be the effect of grace. The moments then are not separable – just distinguishable."

[190] Rahner, "Penance," in *The Concise Sacramentum mundi*, p. 1201.

[191] St Thomas Aquinas, q. 84, a. 3, in *Summa theologiæ IIIa, QQ. 84-90, Penance*, Latin Text, English trans. with introduction, notes, appendices and glossary by R. Masterton and T.C. O'Brien, vol. 60, Cambridge, Blackfriars in conjunction with Eyre & Spottiswoode, 1966, pp. 14-15. The Latin text reads: "... solus Deus per auctoritatem et a peccato absolvit et peccatum remittit: sacerdos tamen utrumque faciunt per ministerium, in quantum scilicet verba sacerdotis in hoc sacramento instrumentaliter operantur sicut etiam in aliis sacramentis."

[192] A representative example of such an absolution was accepted at the Synod of Nîmes (1284), and the Latin text in Jungmann, *Die lateinischen Bussriten in ihrer geschichtlichen Entwicklung*, p. 230 reads: "Indulgentiam, absolutionem et remissionem omnium peccatorum tuorum tribuat omnipotens Dominus. Et ego te absolvo auctoritate Domini nostri Jesu Christi et beatorum Apostolorum Petri et Pauli et officii mihi commissi ab iis peccatis, quæ confessus es, et aliis oblitis," and for which Palmer (ed.), *Sacraments and Forgiveness*, p. 203, provides the following translation: "May the almighty Lord grant pardon, absolution and remission of all your sins. And I absolve you, by the authority of our Lord Jesus Christ and the blessed Apostles Peter and Paul and the office entrusted to me, of those sins which you have confessed and others which have been forgotten."

remained that persons, through a lack of faith or love, may close themselves inwardly against God.[194] For St Thomas, an effective absolution required contrition, because without conversion there could be no justification and a true conversion was not possible without a turning to God.[195] Thus St Thomas integrated the sacrament of penance into the process of justification and showed that it was an indispensable cause of the forgiveness of sins,[196] and a true encounter with the risen Lord, by which a person might advance toward God.[197]

Whereas St Thomas maintained a balanced emphasis upon the personal element of reconciliation, and weaved it as an essential factor into the sacramental event, later scholastic theologians followed a more extrinsic approach.[198] The work of Bl. John Duns Scotus (d. 1308) was particularly influential. He distinguished two separate remedies for sin: penance, which is contrition motivated by love of God above all things, and the exercise of the power of the keys by absolution, where "attrition" (motivated by self-love) was turned into the perfect contrition which brought about the forgiveness of sins.[199] The absolution effected the "infusion" of justifying grace and thus contained the essence of the sacrament, with the acts of the penitent operating as necessary conditions:

> Concerning the sacrament of penance I say that these three [acts] are in no way its parts, since, as stated in dist. 14, penance as a

---

[193] St Thomas Aquinas, q. 84, a. 3, in *Summa theologiæ IIIa, Penance*, pp. 16-17. The Latin text reads: "... cum [sacerdos] dicit, 'Ego te absolvo', ostendit hominem absolutum non solum significative sed etiam effective ... sicut alia sacramenta habent de se certum effectum ex virtute passionis Christi ... ita etiam et in hoc sacramento." In light of this, St Thomas concluded that "a more accurate paraphase of 'I absolve you' would be 'I administer to you the sacrament of absolution'." See ibid., pp. 18-19.

[194] Vorgrimler, *Sacramental Theology*, p. 210.

[195] Although St Thomas acknowledged that true contrition removed sins in the same way as the sacrament, he agreed with Peter Lombard that an indispensable element of true contrition was the desire for the sacrament itself. If a sinner came to confession with only imperfect contrition, or "attrition," it was transformed by the power of the sacrament into perfect contrition. See ibid.

[196] Gula, *To Walk Together Again*, p. 215.

[197] P.J. Riga, *Sin and Penance: Insights Into the Mystery of Salvation*, Milwaukee, WI, Bruce Pub. Co., 1962, p. 154.

[198] Rahner, "Penance," in *The Concise Sacramentum mundi*, p. 1201.

[199] Gula, *To Walk Together Again*, p. 216.

> sacrament is that sacramental absolution of the priest granted in determined words, etc.
>
> And yet these three are required for the sacrament, either antecedently or subsequently, that it may be received worthily.[200]

As a consequence of this opinion, the trend from the fourteenth century for theology and practice revealed an increased focus on the words of absolution to the detriment of the acts of the penitent, resulting in an abbreviated form of ritual experience that eroded the significance of personal conversion in the theology of grace and the sacrament.[201]

Further development and clarification of this model of penance may be seen in a document of the Council of Florence. On 22 November 1439, a bull of union with the Armenians, *Exultate Deo*, in its description of the sacrament of reconciliation, clearly reflects the teaching of St Thomas: "Its [quasi-] matter is the acts of the penitent, which are threefold. The first is contrition of heart... The second is oral confession... The third is satisfaction for sins... The form of this sacrament is the words of absolution which the priest pronounces when he says: I absolve you."[202] Whilst brief, the text provides a depth and richness absent from the previous official explanation of the sacrament, since it incorporates the benefit of preceding theological inquiry. Although not universal law, the text is significant for its modification relative to the oral confession, stating that it include all (serious) sins *that are remembered.*[203]

---

[200] J. Duns Scotus, "On the Sentences," 4, dist. 16, q. I, 7, in *Opera omnia*, vol. 18, Paris, Apud Ludovicum Vivès, 1894, p. 421. The Latin text reads: "De poenitentiæ sacramento dico, quod ista tria nullo modo sunt partes ejus, quia, ut dictum est *dist. 14* poenitentia sacramentum est illa absolutio sacramentalis facta certis verbis, etc. Hæc tamen tria ad Sacramentum Poenitentiæ ad hoc, ut digne recipiatur, requiruntur, vel prævia, vel sequentia." English trans. in Palmer (ed.), *Sacraments and Forgiveness*, p. 216.

[201] Rahner, "Penance," in *The Concise Sacramentum mundi*, p. 1201 and Dallen, *The Reconciling Community*, p. 148. As Gula, *To Walk Together Again*, pp. 216-217 notes, the sacrament thus gained the propensity to become a passive experience for the penitent whilst at the same time project a more mechanical character of celebration.

[202] Tanner, p. 548. The Latin text reads: "Quartum sacramentum est penitentia, cuius quasi materia sunt actus penitentis, qui in tres distinguuntur partes; quarum prima est cordis contritio... Secunda est oris confessio... Tertia est satisfactio pro peccatis... Forma huius sacramenti sunt verba absolutionis, que sacerdos profert, cum dicit: ego te absolvo."

[203] McDonnell, "The *Summæ Confessorum* on the Integrity of Confession," pp. 405, 425.

Towards the end of the Middle Ages, the Church's teaching on the sacrament of penance and its expression in law had experienced profound development and change, but with apparently limited impact upon people in general. Prevailing customs combined with the pressures and anxieties embedded in society undermined Lateran IV's reform agenda. In England and France for example, authorities abused the decree on confession, denying individuals under sentence of death a final confession and extreme unction, simply to intensify their fear of death and the certainty of the punishment of hell.[204] Life was marked by a series of extremes, producing an overall atmosphere of insecurity that tended to paint its background in dark colours: "It is an evil world. The fires of hatred and violence burn fiercely. Evil is powerful, the devil covers a darkened earth with his black wings. And soon the end of the world is expected. But mankind does not repent, the Church struggles, and the preachers and poets warn and lament in vain."[205]

In the midst of this situation, late medieval penitential practice emphasized the power of confession and absolution to remove sin and the debt of eternal punishment which mortal sin incurred. It was presented as the means for individuals to be assured of God's favour and know his forgiveness and grace, but its interpretation and experience was invaded by a dissonance similar to that which characterized the wider society.[206]

1.2.3.2 The Council of Trent

Following the deep division in the Church which had resulted from the Protestant Reformation, Pope Paul III convoked the Council of Trent. It began on 13 December 1545 with an ambitious and challenging agenda: to reject certain errors against the faith, add strength to the official teaching, restore the unity of the Church and reform the standards of the Roman curia and Church discipline. The work encompassed a period of

---

[204] J. Huizinga, *The Autumn of the Middle Ages*, trans. by R.J. Payton and U. Mammitzsch, Chicago, The University of Chicago Press, 1996, p. 21, notes Pope Clement V in 1311 ordered that such persons be given these sacraments, an abuse not overcome until 1397.

[205] Ibid., p. 29.

[206] Dallen, *The Reconciling Community*, pp. 158-160.

eighteen years, only concluding in December 1563.[207] The Council issued its *Decree on Justification* on 13 January 1547 and later, nine chapters and fifteen canons on the sacrament of penance, on 25 November 1551.[208]

In the mind of the reformers, the sacrament of penance provided a clear incidence where a correct theology of justification had been compromised, and called for a Christian theology and practice which took seriously the full sufficiency of Jesus' saving action and the complete gratuity of God's forgiving grace.[209] The Council's method of response was to state the Church's doctrine of reconciliation and justification, taking the relevant points from scholastic theology.[210] The Council set out to answer the questions posed at a particular time, using language and argumentation familiar and comprehendable to themselves and their opponents. Both sides to the debate were restricted by their level of knowledge concerning the history of the sacrament and their biblical exegesis.[211] Therefore, whilst the Council's work discerned and upheld important aspects in the Church's teaching and practice of penance that strove to ensure a more beneficial sacramental celebration, it presented an incomplete picture that was rather closed to new insights and tended to prevent further development.[212]

The Council founded its explanation of sacramental penance on the teaching that the mission of the Church necessarily included the prudent, thorough, and effective intervention and assistance to its members – especially those who had broken their

---

[207] Tanner, pp. 657-658.

[208] Ibid., pp. 703-709; 711-713 for the text and translation.

[209] Osborne, *Reconciliation and Justification*, p. 142. A brief and helpful summary of reform teaching on penance is provided by Vorgrimler, *Sacramental Theology*, pp. 211-212. According to Gallagher, "New Life for a 'Great Sacrament'," p. 201, this represented the third major theological crisis of reconciliation to elicit a pastoral response from the Church.

[210] M. Hebblethwaite and K. Donovan, *The Theology of Penance*, Theology Today, 20, Butler, WI, Clergy Book Service, 1979, pp. 50-51. The Council did not attempt to provide a complete theology of penance, but in the main restricted itself to a refutation of the reformers' proposals.

[211] Osborne, *Reconciliation and Justification*, pp. 167, 169, 172-174, 180.

[212] D. Borobio, "The Tridentine Model of Confession in its Historical Context," trans. by P. Burns, in *Concilium*, no. 190 (1987), p. 26 and Hebblethwaite and Donovan, *The Theology of Penance*, p. 53.

relationship with God and the Church – when they sought the grace of healing, forgiveness, and peace. At the centre of this doctrine was the person of Jesus, "who merited justification for us by his most holy passion on the wood of the cross [and] in whom we live, in whom we merit, in whom we make satisfaction and *yield fruits that will benefit repentance*, which have their worth from him, are offered by him to the Father, and through him are accepted by the Father."[213] Forgiveness for the repentant sinner, therefore, had its source in Christ, and was exercised by him through the Church in the sacrament of penance ministered by priests, "for our Lord Jesus Christ, when about to ascend from earth to heaven, left priests as his own vicars, as overseers and judges, to whom all mortal sins into which Christ's faithful might have fallen were to be referred, so that by the power of the keys they might declare the decision of forgiveness or retention of sins."[214] The Council thus affirmed and strengthened the pillars upholding the Church's teaching on the sacrament with the authority of divine law, yet even for its own time, this presentation was not without its problems.

At a fundamental level, the text on the sacrament, both chapters and canons, was not integrated with the prior *Decree on Justification*. Without an interrelation of the material, the teaching in the canons can betray a rather narrow focus and their interpretation in places lacks a self-evident quality.[215] In connection with this point, the interpretation and impact of the Council's teaching was compromised by the policy of

---

[213] The Council of Trent, Decree on Justification, Chap. 7, in Tanner, p. 673 and Teaching Concerning the Most Holy Sacraments of Penance and Last Anointing, Chap. 8, in ibid., p. 709. The Latin text reads: "[qui] sua sanctissima passione in ligno crucis nobis iustificationem meruit [et] in quo vivimus, in quo meremur, in quo satisfacimus, facientes *fructus digno poenitentiæ*, qui ex illo vim habent, ab illo offeruntur Patri, et per illum acceptantur a Patre."

[214] The Council of Trent, Teaching Concerning the Most Holy Sacraments of Penance and Last Anointing, Chap. 5, in ibid., pp. 705-706. The Latin text reads: "quia dominus noster Iesus Christus, e terris ascensurus ad coelos, sacerdotes sui ipsius vicarios reliquit tanquam præsides et iudices, ad quos omnia mortalia crimina deferantur, in quæ Christi fideles ceciderint, quo pro potestate clavium remissionis aut retentionis peccatorum sententiam pronuncient."

[215] Osborne, *Reconciliation and Justification*, p. 171.

allowing diverse theories on certain key elements to stand unresolved.[216] Thus a level of ambiguity pervades some of the central canons issued on reconciliation.

An illustration of the problem is provided by canon nine, which deals with the priest's prayer of absolution, and its corresponding chapter in the doctrinal section. The Council's intent was to uphold the full sacramentality of the confession ritual, which of necessity included an integral role for the absolution.[217] Reference to the chapter shows the issue described in very circumspect terms, avoiding words such as "cause" and "confer," the precise focal point of the theological debate.[218] The absolution "is a stewardship of another's gift" which involved "proclaiming the Gospel" and "declaring that sins have been forgiven," but also "like a judicial act in which a verdict is pronounced by [the priest] as a judge."[219] The Council used this metaphor in response to the reformers, who had come to deny the judicial character of absolution in the broad sense. However, in the canon the metaphorical language is dropped, which allowed the judicial aspect to become a dominant feature for understanding the nature of the sacrament.[220] An unwillingness to settle the question how absolution was effective in the sacrament provoked a subsequent debate centred on the ambiguous judicial image, which became the object of several acceptable interpretations.[221]

---

[216] The reason for not attempting to settle theological discussions might be that such activity would not serve the Council's primary aims.

[217] Osborne, *Reconciliation and Justification*, p. 177.

[218] Ibid., p. 178.

[219] Tanner, p. 707. The Latin text reads in full: "Quamvis autem absolutio sacerdotis alieni beneficii sit dispensatio, tamen non est solum nudum ministerium vel annunciandi evangelium, vel declarandi remissa esse peccata, sed ad instar actus iudicialis, quo ab ipso velut a iudice sententia pronunciatur."

[220] Curran, "The Sacrament of Penance Today II," pp. 608-609 provides an interesting discussion on this matter. He notes that there are serious problems inherent in the use of the analogy itself which, by its very nature, suggests as many differences as it does similarities with a secular judicial system. Furthermore, the Council fathers did not explicitly say what they meant by "judgement" and so, when this image was seen only in opposition to the declarative aspect of the absolution, then the subsequent emphasis on the juridical meaning of the sacrament may be more clearly appreciated.

[221] Osborne, *Reconciliation and Justification*, pp. 178-179.

Intimately associated with this judicial image, the teaching with the most far-reaching consequences was the Council's attribution of divine law authority to the necessity of a complete confession of all mortal sins of which penitents were aware after a careful self-examination, together with the circumstances which changed the character of the sins.[222] Composed in answer to various objections of the reformers, the critical problem involved with this teaching was not what divine law obliged of the repentant sinner, but the *degree* of divine law the Council meant to apply in this particular area. The theologians at the Council used the term *ius divinum* frequently, with at least four different levels of meaning.[223] Therefore, whilst the institution of the sacrament by Christ Jesus was affirmed as formally or explicitly revealed, a less intense level may have applied to the integrity requirement, since it was based on the judicial-healing rationale for the general necessity of sacramental confession.[224]

When applied to the private method of reconciliation, and taking into consideration the structure of the procedure, the theology upon which it was based and its overall intention, this teaching makes perfect sense, for a true and sincere conversion of heart in repentant sinners was given appropriate expression in the integral confession of their serious sins to the priest.[225] Although this attribution of divine law authority did not imply an unadaptable absolute,[226] it revealed that for the Council fathers, the obligation of an integral, auricular confession was regarded as a serious and acceptable indication of a person's sinful situation and desire for conversion, and for the Church to intervene with

---

[222] Tanner, pp. 706 and 712. Note the further clarification from previous legislation concerning the sins submitted to the priest.

[223] Nicolas, "The Sacrament of Reconciliation: Theological Considerations," p. 306 and Borobio, "The Tridentine Model of Confession," p. 28, who states that these levels are: what is formally or explicitly revealed; what is implicitly or virtually revealed; what has come into the Church through being held to be a usage or institution handed down from the Apostles; what has been established by General Councils or the Fathers of the Church.

[224] See the explanation in Borobio, "The Tridentine Model of Confession," pp. 28-29. This aspect has been widely debated, and will be discussed in later sections of this work.

[225] Fahey, "Reconciliation: Restrospect and Prospect," p. 175.

[226] Smith, "General Sacramental Absolution," p. 243.

its reconciling ministry. That it tended to be seen as the *only* such indication was an uncritical interpretation of the Conciliar texts, and gave the model of modern private confession an unchallenged superiority in the process of justification and reconciliation of the serious sinner.[227]

Notwithstanding these problems and issues, the Council's teaching had tremendous influence, and was the primary source for later theological discussion and official decisions concerning the sacrament of penance. It strengthened the Church's contemporary penitential discipline, gave it greater clarity, and confirmed it legislatively to a central place in the spiritual life of each member of the Church. It is also worthy of note that the Council itself remained open in its interpretation and acceptance of various doctrinal matters and to the methods by which the reconciliation of repentant sinners could be celebrated.[228]

1.2.3.3 Liturgical Renewal and Postconciliar Developments

When the Council of Trent closed on 4 December 1563, the difficult and protracted task of implementing its teachings and reforms began. A major area of this work concerned the reform of the liturgy, and in 1614 the *Rituale romanum*, which included a rite of penance, was published.[229] This *Ordo ministrandi sacramentum poenitentiæ* provided a simple ritual for private confession which became accepted throughout the Western Church. It contained the necessary structure to incorporate the theology and laws of the Council and thus promote its meaning and use.[230] The role of

---

[227] Borobio, "The Tridentine Model of Confession," pp. 33-34.

[228] Ibid., p. 34 and Nicolas, "The Sacrament of Reconciliation: Theological Considerations," p. 306.

[229] Dallen, *The Reconciling Community*, p. 172.

[230] Ibid., pp. 176-178. The author gives a concise outline and explanation of the rite. As P. Linley notes, however, this single "threadbare rite" had to meet three functions: the reconciliation of the sinner whose sin is so grave as to exclude from full participation in the Eucharist; confession of everyday sinfulness to which Christians are prone and to confirm them in God's mercy; a privileged place of counsel to address problems of great diversity. See "The Falling Number of Confessions: Development or Deviation?" in *New Blackfriars*, 51 (1970), p. 395.

the priest was cast primarily in the image of a judge, which served to highlight the Council's teaching on the judicial nature of the sacrament and the importance of the elements of confession and absolution, to which the liturgy was effectively reduced. Having gathered all the evidence required for a correct judgement, the priest could then execute his responsibility as the administrator of absolution with knowledge and fairness.[231]

The judicial aspect of the sacrament of penance deepened further as a result of theological debate concerning generic confession and formal and material integrity. As the debate continued through the seventeenth century, it tended toward minimalism, steered on its course by a concern for canonical validity. Particular focus was placed on the penitent's sins, and the argument for "sufficient" matter led to the conclusion that God only required the person to confess in the manner possible at the specific time or place.[232] At the very least, a certain sign of the will to confess by the penitent allowed the priest to make a judgement that the person was properly disposed to be granted absolution through the exercise of the power of the keys.[233] The requirement for formal integrity, as demanded by the nature of the sacrament, was thus preserved even when circumstances might intervene to prevent a materially-integral confession. In such a situation, the merely generic confession provided certain sacramental matter and the absolution granted was not conditional in nature.[234] Since generic confession was thought to contain material integrity in *voto*, however, the serious obligation to confess one's mortal sins fully to the priest remained for penitents to fulfil once the circumstances which had prevented their confession no longer applied.[235] Although much reduced, this

---

[231] Martos, *Doors to the Sacred*, pp. 352-353.

[232] P.E. McKeever, *The Necessity of Confession for the Sacrament of Penance*, Studies in Sacred Theology, 2nd ser., no. 77, Washington, DC, The Catholic University of America Press, 1953, p. 110.

[233] This would include persons in danger of death or unable to communicate because of language difficulties. See the Response of the Holy Office, 28 February 1633, quoted in ibid., p. 184.

[234] Ibid., p. 113.

[235] On 24 September 1665, Pope Alexander VII condemned the proposition that "we are not bound to express in a subsequent confession sins omitted in confession or forgotten because of the imminent danger of death or for some other reason." The Latin text may be found in *Denz* 2031 (1111) and reads:

line of thinking preserved the essential nature of the acts of the penitent in the process of reconciliation as taught by the Council of Trent. Nevertheless, it served to exaggerate the judging role of the priest as the "crucial test of validity" at the expense of the sacrament's meaning as a celebration of the conversion and restoration of the repentant sinner.

With a fixed and streamlined liturgical ritual, the dominance of individualistic and privatised views of sin and repentance, and the belief that reform of the Church meant the reform of its members, the model of modern penance became a remarkably central feature in the spiritual life of the faithful.[236] More frequent celebration served to strengthen its sanctifying role, so that when approached by a penitent with confidence and trust in the kindness and love of the confessor, it might become a significant means for people to draw closer to God in their daily lives. " 'It is for you to judge those who are inside, is it not?' If these should afterwards defile themselves by some fault, the Church does not wish them to be cleansed by a repetition of baptism, but to stand as culprits before this tribunal in order that they may be set free through the decision of the priests, not once but as often as, in repentance of sins admitted, they have recourse to it."[237] Despite later attempts to challenge or reform the sacramental experience of the Church's reconciling ministry, this "judicial" model of modern confession remained substantially unchanged until the renewal and revision which followed the Second Vatican Council.

"Peccata in confessione omissa seu oblita ob instans periculum vitæ aut ob aliam causam, non tenemur in sequenti confessione exprimere." For a concise explanation, see Smith, "General Sacramental Absolution," pp. 245-246.

[236] Hellwig, *Sign of Reconciliation and Conversion*, p. 78 and Dallen, *The Reconciling Community*, pp. 179-180. This did not guarantee its popularity, however. As Gallagher, "New Life for a 'Great Sacrament'," notes on p. 203, St Alphonsus Ligouri (d. 1787) wrote of his concern that confessors must show the qualities "to draw people to an experience of a forgiving God [since] one aspect of the sacramental celebration had become so predominant (that of the confessor as judge) that the other roles were obscured and, as a result, many people were too frightened to make use of the sacrament because it had become an ecclesiastical equivalent of the harsh civil tribunals where all that mattered was the handing down of a swift judgement."

[237] 1 Cor 5:12a and Council of Trent, Teaching Concerning the Most Holy Sacraments of Penance and Last Anointing, Chap. 2, in Tanner, p. 704. The Latin text reads: "Nam hos, si se postea crimine aliquo contaminaverint, non iam repetito baptismo ablui, sed ante hoc tribunal tanquam reos sisti voluit, ut per sacerdotum sententiam non semel, sed quoties ab admissis peccatis ad ipsum poenitentes confugerent, possent liberari."

CONCLUSION

"The reconciliation offered by God to man through the Cross and death of his incarnate Son is the truest and highest form of forgiveness, and its remains true that asking and granting forgiveness is something profoundly worthy of man."[238] The Church has been constituted by Christ Jesus as a human, reconciled community of disciples, with the essential mission to proclaim the message of reconciliation and forgiveness to the world. In doing so, it has recognized the necessity to exemplify that same message in its own structures and relational life. From the New Testament period onward, the Church has sought to embrace sinful members in mercy and love consistent with the revelation of Christ himself, and bring to the sincerely repentant an experience of universal forgiveness and peace with God and the community of faith.

The presentation of the Church's ministry of reconciliation identified and sketched the principal models by which the Church has actualised in history the power received from Christ to intervene in the conversion of serious postbaptismal sinners and restore them to the life of grace. At once complex yet built on remarkably consistent foundations, each of these models reflects the pastoral vitality of the Church in its endeavour to structure and adapt this ministry in a manner that was truly human and faithful to the Gospel, for the healing and mutual upbuilding of the entire Christian community.

Although subject to limitations and problems, each model may be interpreted as the contemporary Church's sincere search for a procedure that would successfully guide and assist the repentant sinner to a complete conversion of heart and action. The basic purpose of the reconciliation procedure was, therefore, an integral renewal of the total person, whereby their newness of life as re-created in Christ might once again be realized and expressed through full participation in the life and mission of the Church. In this way, the Church provided the repentant sinner with a real experience of God's mercy and forgiveness in a truly "sacramental" event, since it was an encounter with Christ in the power and grace of the paschal mystery. Consequently, an important and complementary

[238] Pope John Paul II, "The Symbol of the 20th Century," p. 719.

purpose of the procedure was the strengthening and growth in holiness in each member of Christ's body. Throughout its history, the Church managed to steer a course which avoided extreme positions and continually held out the gift of God's mercy and the love of one's fellow Christians to all who were repentant and desired forgiveness and healing.

In the model of ancient "public" reconciliation, the radical communal structure and celebration of the procedure was a striking feature. This communal dimension was a living reality: the local community *felt* the pain of sin and the joy of reconciliation. With its dependence on the involvement of the whole community in the form of prayer and practical assistance, the procedure highlighted the importance of the assembly gathered for worship, and penitential works as the visible proof of a repentant sinner's progress towards a complete and lasting conversion. Without this active community context, however, and hampered by an inflexible character, the challenging problems which emerged gave the mature form of this model little practical value in the life of the Church.

With the introduction of a repeatable element to the procedure, the model of private "tariffed" reconciliation provided every Christian with an opportunity for a more personal and continuous relationship with a priest confessor. The resultant ability to examine, know and reform their lives at a deeper level of being enabled repentant sinners to experience peace with God, the Church and the world about them through completing the works of satisfaction allocated for the expiation of all sins confessed. Although vulnerable to abuses, this model emphasized that in making appropriate amendment for their wrongdoing, penitents were assured of justification before God and full communion with the Church, albeit in a way radically isolated from their fellow Christians.

Once the reconciliation procedure evolved into a brief, self-contained ritual with auricular confession of sins the principal act of the penitent, the modern, "judicial" model brought the reconciling ministry of the priest and his prayer of absolution to a definitive level of authority. Through an integral confession of all serious sins, penitents were enabled to place their lives openly before the priest who, acting in the name of Christ, both head and members, rendered a judgement for the forgiveness or retention of sins. In so doing, the Church sought to compensate the difficulty of the confession by revealing

through the sacramental model the unlimited mercy of God and infuse the grace which leads to sanctification and eternal life.

Each model of reconciliation considered in this first chapter thus provides helpful and relevant input for the practice and renewal of the sacrament for today and the future, and establishes the proposition for variety and adaptation in the Church's sacramental rites for reconciling its sinful members.

CHAPTER 2: THEOLOGICAL VALUES AND THE PATH TO RENEWAL

The practice and understanding of each model of reconciliation treated in chapter one has been promoted, supported and regulated, at least to some extent, by various levels of divine and ecclesiastical law. Granted that the foundation of good laws is an objective system of values judged suitable for a community, the laws themselves may be regarded as instruments for fostering the community's appropriation of these needed values. Laws, therefore, both point to values and provide structures for the community to take suitable action to obtain them.[1] Consequently, having briefly outlined and discussed some significant and relevant aspects of these models, this chapter will firstly identify and explain five important theological values which the Church has attempted to appropriate by means of the laws concerning the sacrament of reconciliation, in order to develop and build up the life of Christian communities.[2] In the second part, the chapter will outline important aspects of Church teaching and insights gained from theological reflection and scholarship leading up to the Second Vatican Council.

2.1 THEOLOGICAL VALUES ESSENTIAL TO RECONCILIATION

The explanation of the five theological values of reconciliation which follows, Eucharistic, ecclesial, communal, process and personal, assumes the presence of an observable relation between them, and proceeds according to a specific order. The Eucharistic value occupies first place among these theological values since the Eucharist, in its very substance, holds the total paschal mystery of Christ Jesus and is the centre and completion of the Church's worship and sacramental life. In this sense, the Eucharist provides the primary value which perfects sacramental penance as an essential, visible

---

[1] Örsy, "The Relationship Between Values and Laws," p. 475. He further notes on p. 479 that "to know the *why* of a law (that is, to know the value behind it) is necessary for the understanding and (presumably) for the observance of that law." Further important comments may be found in his subsequent article, "Integrated Interpretation: or, The Role of Theology in the Interpretation of Canon Law," in *Studia canonica*, 22 (1988), pp. 253 and 255.

[2] The presentation is not intended to provide a taxative list of the theological values of reconciliation nor is the explanation impervious to argument or further inquiry. Nevertheless, in looking only through a glass darkly, may they permit the reader some elucidation of the truth made supremely visible in the mystery of Christ the Lord.

expression of Christian reconciliation and from which the other values receive their function and meaning.

As the setting in which believers celebrate their unity in Christ, the Eucharist, as an action of the whole Church, establishes a foundation for both the ecclesial and communal values that pertain to the sacrament of reconciliation. The Eucharist reveals the nature and the demands of the gift it bestows only by means of the symbolic texture in which it takes shape. Through the act of eating together in an atmosphere of celebration, the faithful experience the mystery of encounter with one another and with the Father in a communion of love. It is the communication of the community as such, and not only of the individual, with the paschal humanity of the Lord.[3] Similarly, the gift of reconciliation comes as a response to sinners who first bring their repentance to the Church, whose mediation effectively raises the words and actions of the participants into a sure sign of contact with the grace and mercy of God. It then follows that, although this reconciliation concerns individual human beings in a deeply personal way, its fundamental context for celebration is the local community, which accepts sinners into a supportive structure formed from the appropriate involvement of each member that guides them to restoration in the life of grace.[4] Consequently, values embodying the official intervention of the Church (ecclesial) and the framework for its expression (communal) are then considered in that order.[5]

Within this ecclesial and communal context, the unity symbolized and brought about in the Eucharist is subsequently extended to recognize values that reflect a predominantly individual character. People assimilate to Christ in the Eucharist by means of a journey of spiritual growth which involves each one actively offering themselves along with Christ to the Father. In a similar way the sinner, strengthened by the unconditional love and support of their Christian community, experiences the mystery of reconciliation in and through the Church as a process of repentance and conversion. Opened by this process to the healing power of God's mercy and the joy of recovered

---

[3] Tillard, "The Bread and the Cup of Reconciliation," pp. 43 and 42.

[4] See the interesting comments of G. Diekmann, "The New Rite of Penance: A Theological Evaluation," in Mitchell (ed.), *Background and Directions*, p. 86.

[5] The explanation rests on the understanding that the communal value, inherent to all sacramental celebrations, represents the *pivotal* value upon which the whole reconciling event turns.

friendship, the personal faith and effort of individual penitents converges with the grace of the sacrament, enabling them to experience reconciliation with God and their brothers and sisters in the concrete reality of human, everyday life. As a result, values that embody the journey of repentance (process) and the active commitment of the penitent (personal) complete the exposition of theological values considered essential to the sacrament of reconciliation.

2.1.1 THE EUCHARISTIC VALUE

From the time of the early Church, a person's active sharing in the sacrament of the Eucharist has been recognized as the act *par excellence* for all those called and justified by the grace of Christ, and a visible demonstration of who and what they are.[6] This sacrament celebrates God's saving action in Christ, and is the primary means for the Church to incarnate and effect the conversion and incorporation of new members, and the repentance and reconciliation of the Christian sinner.[7] In their Eucharistic meal, the new people of God are put in touch with the "once and for all" of Jesus' death and resurrection, and through an exercise of memorial worship open themselves to the redemptive and reconciliatory power of the paschal mystery.[8]

From its privileged place in the life of Christians as the celebration of the supreme act of worship, by which a community assembled in prayer acknowledges and confesses, through Christ, God as God in adoration, thanksgiving and faith, the Eucharist also fundamentally embodies the meaning and concept of sacrifice. This sacrificial dimension assists the recognition that the Eucharist possesses a quality of gratuitousness and deep

---

[6] Favazza, *The Order of Penitents*, pp. 182-183 and Schaller, "The Order of Penitents: Theological and Pastoral Directions," p. 219.

[7] Ramos-Regidor, " 'Reconciliation' in the Primitive Church," pp. 87-88 and Mannion, "Penance and Reconciliation: A Systemic Analysis," pp. 99-100.

[8] See Nicolas, "The Sacrament of Reconciliation: Theological Considerations," p. 312. Since for Christians the memory of the death and resurrection of Jesus the Christ provides the basis for their identity, this memorial (*anamnesis*) of the Cross and its saving power link the work and ministry of reconciliation and the Eucharist in an intimate relationship which is not just chronological, *but of the essence of both.*

freedom which conveys the message that God's reconciliation with humankind is no less than a sovereign act of his mercy and love.[9]

For these reasons, the Eucharist is *the* sacrament of forgiveness and reconciliation, just as it is *the* sacrament of initiation, because the celebration of the Eucharist is the sacramental presence and communication of the act which remits sins. The sacrament of the Eucharist is, therefore, the fundamental and pre-eminent sign and cause of the faithful's reconciliation and unity in Christ and with one another.[10] Called to lead a life in peace and communion, celebration and reception of the body and blood of Christ "enables [the] Church to become – within the world – a 'body of reconciliation', a *koinonia* established in a love that is always forgiving."[11]

The Eucharistic value of reconciliation embraces the understanding that all repentance, conversion and forgiveness celebrated in an ecclesial context is both oriented towards, and climaxed by, full participation in Eucharistic communion.[12] It indicates and affirms that the act of receiving the Eucharist (the grateful response of human persons to God's constant and unconditional love) sacramentally completes and radically seals in a visible way the reality of the repentant sinners' reconciliation with God and their brothers and sisters in Christ. From a reciprocal perspective, the Eucharistic value of reconciliation further comprehends that the activity comprising the sacrament of reconciliation is thoroughly penetrated with the meaning of sacrifice and worship. The

---

[9] The basis for this statement may be found in P.F. Fransen, *Hermeneutics of the Councils and Other Studies*, collected by H.E. Mertens and F. de Graeve, Leuven, Leuven University Press, 1985, pp. 446-447. Consequently, it reveals and confirms the presence of a sacrificial aspect to all the sacraments including the sacrament of reconciliation, to the extent that this sacrament may truly be conceived as a public confession of faith and an act of praise and worship.

[10] See Dooley, "The History of Penance in the Early Church: Implications for the Future," p. 90; Tillard, "The Bread and the Cup of Reconciliation," pp. 41 and 47 and J. Dallen, "Reconciling Individuals and Reconciling Groups," in *National Bulletin on Liturgy*, 29 (Summer, 1996), p. 106.

[11] Tillard, "The Bread and the Cup of Reconciliation," p. 42. For N. Provencher, "Le sacrement de la réconciliation selon l'*Ordo Pœnitentiæ*," in *Studia canonica*, 9 (1975), pp. 270-271, the sacramental activity of this present but not yet perfected "body of reconciliation" which gives thanks to God for the reconciliation that has come to pass in Jesus and continues to affect us today also symbolizes the final reconciliation that is still to come. This eschatological aspect is also mentioned by Power, "The Sacramentalization of Penance," p. 21.

[12] Tillard, "The Bread and the Cup of Reconciliation," p. 52 and Dallen, "Reconciling Individuals and Reconciling Groups," p. 106.

three acts of the penitent, contrition, confession and satisfaction, together with the prayerful guidance and absolution of the minister are properly understood as an offering of thanksgiving to God and because of this obtain their deepest meaning only when understood in this profound Eucharistic context. The sacrament of reconciliation has, therefore, the irreplaceable and necessary role of actualising or making explicit a fundamental component of the Eucharist within the total mystery of salvation. As a most positive and powerful aspect of this mystery, its meaning and exercise must always be seen as dependent upon and intimately related to the sacrament of the Eucharist.[13]

As the dwelling place of the Spirit of God, the earliest Christians were very conscious of their membership and unity within the one body of Christ. Since their full and active participation in the celebration of the Eucharist lay at the core of this belief, the disharmony caused by serious postbaptismal sin, and the community's response to it, were fundamentally interpreted in relation to the sacrament of their unity and mutual love. Even in the most primitive forms of the communal model, then, the Church's reconciling ministry was experienced, and its meaning expounded, in terms of one's worthiness for Eucharistic sharing.[14] Although discernment by an individual was greatly respected, decisions concerning abstention from the Eucharist for a period, for example, whether voluntary or through a judgement of the community, called for deep and serious reflection:

> Let no one be deceived. If a person is not inside the sanctuary he is deprived of the Bread of God. For if the prayer of one or two individuals has so much force, how much greater is that of the bishop and of the whole Church? Anyone, therefore, who fails to assemble with the others has already shown his pride and set himself apart. Let us be careful, therefore, not to oppose the bishop, so that we may be obedient to God.[15]

---

[13] Fink, *Alternative Futures for Worship 4: Reconciliation*, p. 57 and see the concluding reflection by Quinn, "The Lord's Supper and Forgiveness of Sin," p. 241.

[14] Courtney, "Ancient Public Penance," p. 11 and Power, "The Sacramentalization of Penance," p. 8.

[15] St Ignatius of Antioch, *Letter to the Ephesians*, 5, in *PG* 5, 735. The Latin text reads: "Nemo erret: nisi quis intra altare sit, privatur pane Dei. Si enim unius atque alterius precatio tantam habet virtutem, quanto plus episcopi et totius Ecclesiæ oratio consona. Qui igitur non venit in idem sic, jam suberbit, et seipsum condemnavit. Festinemus igitur non resistere episcopo; ut simus Deo subjecti." English trans. in *The Apostolic Fathers*, The Fathers of the Church: A New Translation, 1, trans. by G.G. Walsh, p. 89. The context of the passage is the maintenance of harmony in the community, hence separation was a public acknowledgement of sinfulness and a serious matter for all.

The communal model of reconciliation firmly situated the formal procedure which subsequently developed for the conversion and restoration of serious postbaptismal sinners within the context of the Christian community assembled in Eucharistic worship. It was the place where people could find salvation and release from their sin, so the procedure was consciously structured by the local Churches to draw sinners progressively deeper into the Eucharistic mystery with each step of the process. Within the framework of this process the *exomologesis*, which functioned as a liturgical summation of the more personal sorrow expressed during the period of penitential works, served to actualise for penitents their act of worship whereby through a ritual they offered to God all that had been accomplished. This proclamation of praise and trust in God's mercy revealed that the event of their conversion was both permeated and intimately linked with the meaning and power of the Eucharistic memorial of Jesus' victory over sin and death.[16] This illumines the understanding proper to this model that the return to full Eucharistic sharing indicated the completion of the sinners' reconciliation and their welcome back to union with the community, in itself a sure sign of God's forgiveness and healing.[17]

This aspect of the Eucharistic value was also carefully preserved in the reconciliation procedures employed in emergency situations. In a case of anticipated danger, peace was readily afforded those actively engaged in a time of penance, to give them the support and strength of spiritual nourishment in their trials:

> But now, in truth, peace is necessary, not for the sick, but for the strong; nor is Communion to be given by us to the dying but to the living that we should not leave unarmed and naked those whom we stir up and exhort to the battle, ... And since the Eucharist is appointed for this that it may be a safeguard for those receiving, let us arm with the protection of Divine Food those whom we wish to be safe against the adversary.[18]

---

[16] These thoughts are based on comments made by Favazza, *The Order of Penitents*, p. 216 and Dallen, *The Reconciling Community*, pp. 298-299.

[17] P.J. Riga, "The Roman Liturgical Rite and Prayers of Reconciliation of the Fifth Century," in *The American Ecclesiastical Review*, 167 (1973), p. 207.

[18] St Cyprian, Epist. 57, 2, in *PL* 3, 856. The Latin text reads: "At vero nunc non infirmis, sed fortibus pax necessaria est: nec morientibus, sed viventibus communicatio a nobis danda est: ut quos excitamus et hortamur ad prælium, non inermes et nudos relinquamus, ... et cum ad hoc fiat Eucharistia, ut possit accipientibus esse tutela; quos tutos esse contra adversarium volumus, munimento dominicæ saturitatis armenus." English trans. in *Letters (1-81)*, p. 159.

Furthermore, those in imminent danger of death, even though the duration of their penance might be incomplete received, through the gift of Eucharistic *viaticum*, an implicit judgement of reconciliation and were thus assured of their justified status before God. Whilst this procedure was often conducted privately, such as the case of sick persons, the reception of the Eucharist bound those in danger of death to their community assembled in worship, and powerfully symbolized the reality of unity and peace to which they had been restored.[19] Incorporated into universal Church law and then extended and modified by the local Churches, the widespread acceptance and practice of this ritual prior to death revealed the integration of this value by the faithful as a vital and needed help for their spiritual life.

With the introduction and growth of the ceremonial form of communal penance conducted during the season of Lent, the depth and richness of the Eucharistic value became subject to a subtle and progressive shift, with a resultant decline in clarity. As a popular and valuable ritual for the many people who were either excluded from or not subject to the formal order of penitents, ceremonial penance became the principal means for the community as a whole to prepare in a worthy manner for participation in the Paschal communion. Although the Good Friday ceremony of *Indulgentia* in Spain, for example, was clearly an act of worship filled with praise for God's mercy and conducted in relation to the reading of the Lord's Passion and the veneration of the Cross as the climax of redemption and forgiveness of sins, this extension in the practice and meaning of penance and reconciliation to *preparation for receiving* the Eucharist, whilst maintaining an intimate relationship, effectively began the detachment of the Eucharist from the conversion process as its sacramental conclusion.[20]

---

[19] See the interesting comments in Dallen, *The Reconciling Community*, pp. 78-79.

[20] Perales, "The Service of the *Indulgentia*," p. 141. The author then quotes on p. 146 the seventh canon of the fourth Council of Toledo (633), which "states that all the people are to ask for *Indulgentia* 'so that cleansed by the forgiveness of penance, we may arrive, our sins forgiven, to the venerable day of the Lord's resurrection, and free from sin we may receive the sacrament of his body and blood'." The Latin text, in *Mansi* X, 620, reads: "ut poenitentiæ compunctione mundati, venerabilem diem dominicæ resurrectionis, remissis iniquitatibus suscipere mereamur; corporisque ejus, & sanguinis sacramentum mundi a peccatis sumamus." This meaning was strengthened by an insistence on fasting following reconciliation on Good Friday as further preparation for participation in the paschal joy.

The desuetude of formal, public penance and the advent of the self-contained form of repeatable, tariffed penance brought the consequence of this shift into clear focus. Employing a private, informal method, tariffed penance embodied a radical liturgical change which further separated the reality of the sinner's reconciliation from the Eucharistic assembly and tended to mask the role of the Eucharist as the visible evidence and expression of their restoration to full communion with the Church. It also undermined the place of the Eucharist in the spiritual healing and growth of community members.[21] "The Eucharist became the isolated object of private devotion, and Eucharistic worship was detached from the community; just as Christians – in terms of worship – dissociated themselves from the community."[22]

With this functional disconnection from the context of celebration within the Eucharist, the sincere completion of the penitential process was understood to give the reconciled person the juridical right to share fully in the Eucharist.[23] As the private form of penance slowly developed into a single, short ceremony with forgiveness centred on the confession and absolution, this juridical meaning dominated and the Eucharistic value underpinning the reconciliation process was essentially lost.[24] The pastoral care of the sick, however, continued to preserve the more ancient value of the Eucharist in reconciliation: "If anyone fails to do penance and perchance falls into sickness and seeks to take communion, he shall not be forbidden; but give him the holy communion and command him that if it please God in his mercy and if he escapes from this sickness, he shall thereafter confess everything and do penance."[25]

---

[21] Fink, *Alternative Futures for Worship 4: Reconciliation*, p. 81.

[22] Vogel, "An Alienated Liturgy," p. 16. He continues on p. 17: "The growing number of votive Masses was rivalled by the 'penitential' Masses, said to be equivalent to – or even substitutable for – works of mortification." In time even the applicant for the Mass was not required to be present for its celebration. "With that," Vogel notes, "the alienation of the Eucharist from the community was complete."

[23] Dallen, *The Reconciling Community*, pp. 107 and 113.

[24] Ibid., p. 124. With the focus of the ceremony centred on purification, forgiveness and restoration to grace, it seemed very difficult to appreciate the sacramental actions by which penitents revealed conversion and the intention to reorient their lives as an act of worship whereby they experienced and proclaimed God's mercy and love.

[25] "The So-Called Roman Penitential of Halitgar," in Schmitz, *Die Bussbücher und das kanonische Bussverfahren*, p. 299. The Latin text reads: "Si quis non poenitet, et forsitan cecederit in ægritudinem et quæsierit communicare, non prohibeatur, sed date ei sanctam communionem, et mandate ei, ut si placuerit

These developments were taken up into universal law by Lateran IV Council. Whilst the Council did not formally connect its regulations concerning annual confession and Paschal communion, it inevitably cemented in the popular mind, with the aid of contemporary theology, the season of Lent as the appropriate time for a complete confession.[26] This Lenten confession was therefore given tacit official recognition as the acceptable and necessary preparation to receive communion at Easter.[27] With the absence of any reference to reconciliation as restoration to the Christian community through a process of conversion, the sacrament of penance was celebrated primarily for the consolation of the individual, which only strengthened its juridic function.[28]

In the period following Lateran IV, the mature work of St Thomas Aquinas reflected some thoughtful comments concerning the power of the Eucharist to forgive sins and its relationship to the sacrament of penance. St Thomas affirmed the Eucharist as the summit of the spiritual life and taught that all the sacraments are ordered to or, as it were, culminate in the Eucharist as their end.[29] In the mind of St Thomas, the sacraments express this relationship through sanctifying and preparing people to worthily receive the body of Christ. The sacrament of penance, for example, obtains its necessity in supplying a remedy for the individual person whenever mortal sin has been committed after baptism.[30] Nevertheless, sacramental penance realizes this effect only through its

---

Dei misericordiæ, et evaserit de ipsa ægritudine, postea omnia sit confessus, et sic poeniteat." English trans. in McNeill and Gamer, *Medieval Handbooks of Penance*, p. 311.

[26] Paul, *The Recipient of the Sacrament of Penance*, p. 154.

[27] This was the culmination of a trend which had begun to develop from at least the ninth century. See Courtney, "The Development of Private Penance," p. 95 and Mattam, "The Sacrament of Reconciliation," p. 304.

[28] Dallen, *The Reconciling Community*, p. 154.

[29] St Thomas relied heavily on Pseudo Denis for these thoughts, whose authority he held to be irreproachable. See Dionysius the Pseudo-Aeropagite, *The Ecclesiastical Hierarchy*, trans. and annotated by T. L. Campbell, Washington, DC, University Press of America, 1981, where on p. 33 he notes that the Eucharist accomplishes the gathering of the initiated and completes their communion with God, so that it may truly be considered the beginning and end of every sacrament. The corresponding Latin text is recorded in *PG* 3, 423-426.

[30] St Thomas Aquinas, q. 65, a. 3, 4, in *Summa theologiæ IIIa, QQ. 60-65, The Sacraments*, Latin text, English trans. with introduction, notes, appendices and glossary by D. Bourke, vol. 56, Cambridge, Blackfriars in conjunction with Eyre & Spottiswoode, 1975, pp. 152-153 and 156-157.

dependence upon and interpenetration with the Eucharist, since the Eucharist holds within itself the totality of Christ's paschal mystery.[31] For St Thomas clearly states that

> the Eucharist can affect the forgiveness of sins ... when it is received by a person who is in mortal sin though he is not conscious of it or attached to it; though beforehand perhaps not sufficiently contrite, [it suffices if he finds in himself the signs of contrition, if he grieves over past sins and proposes to avoid them in the future] yet by approaching the sacrament reverently and devoutly he receives the grace of charity which *makes contrition complete and brings forgiveness of sins.*[32]

This thought indicates that in the forgiving action of the Eucharist, both the moment of opening the heart (contrition) and of culmination (confirmation of reconciliation) are internal to the sacrament and produce a single, indivisible act of grace.[33] St Thomas did not explore the consequences of this point relative to the role of sacramental penance, but the question provoked serious discussion at the Council of Trent.[34] The focus of St Thomas on the individual and his or her relationship with God did, however, allow him to recognize the value of the Eucharist in terms of bringing their reconciliation to its completion in a visible mode of expression. In addition, the Thomist theory preserved an ecclesial and communal element to the value of the Eucharist for reconciliation, but his emphasis on the individual precluded any development of its meaning in terms of

---

[31] St Thomas Aquinas, q. 79, a. 1, in *Summa theologiæ IIIa, QQ. 79-83, Holy Communion*, Latin text, English trans. with introduction, notes and glossary by T. Gilby, vol. 59, Cambridge, Blackfriars in conjunction with Eyre & Spottiswoode, 1975, pp. 4-5.

[32] Ibid., q. 79, a. 3 and q. 80, a. 4, pp. 12-13 and 46-47. The Latin text reads: "Potest hoc sacramentum operari remissionem peccati ... etiam perceptum ab eo qui est in peccato mortali cujus conscientiam et affectum non habet: forte enim primo non fuit sufficienter contritus, [sufficit enim si in se signa contritionis inveniat, puta si doleat de præteritis, et proponat cavere de futuris] sed devote et reverenter accedens consequetur per hoc sacramentum gratiam caritatis, *quæ contritionem perficiet, et remissionem peccati.*"

[33] Tillard, "The Bread and the Cup of Reconciliation," p. 49.

[34] Despite this insight of the Thomistic synthesis, St Thomas himself and subsequent theological reflection seemed unaware of the sacrificial and thanksgiving elements contained in the ancient understanding of the value, and as a result failed to explain the parts of sacramental penance in a contextual framework of liturgical worship. Indeed, as J. Leclercq, "Confession and Praise of God," in *Worship*, 42 (1968), p. 175 notes, efforts to make a clearer distinction between, for example, the different realities of "confession" tended to separate and disconnect them. Thus confession of sins was properly the confession of *repentance*, rather than of faith or praise. See St Thomas Aquinas, q. 3, a. 1, in *Summa theologiæ IIallæ, QQ. 1-7, Faith*, Latin text, English trans. with introduction, notes, appendices and glossary by T.C. O'Brien, vol. 31, Cambridge, Blackfriars in conjunction with Eyre & Spottiswoode, 1974, p. 109 and the interesting comments in Dallen, *The Reconciling Community*, p. 270.

reconciliation with the Church as manifested through Eucharistic sharing in their local community.

The preceding points of official teaching and theological reflection concerning the sacrament of penance and its relationship to the Eucharist were taken up and affirmed by the Council of Trent in such a way that the meaning of sacramental penance – as preparation for and juridic right to communion – was established as a major aspect of the model of modern confession. The Council decreed "that no one who is aware of personal mortal sin, however contrite he may feel, should approach the holy Eucharist without first having made a sacramental confession ... in order that so great a sacrament not be received unworthily, and hence unto death and condemnation" (1 Cor 11:29).[35] At the same time, however, the Council also preserved an ancient aspect of the Eucharistic value, regarding the regular and worthy reception of the sacrament "as an antidote to free us from daily faults and preserve us from mortal sins,"[36] a theology which reveals something of a tension with the Council's teaching that in the Eucharist itself "the Lord gives the gracious gift of repentance [and] absolves even enormous offences and sins."[37]

This admirable statement of the Council was based on its identification of the Eucharist with the fully-sufficient sacrifice of Christ for the remission of sins in such a way that the sacrament contains and offers the same benefits [which extend to the living and the dead] as that unique act of Christ's love. This interpretation of the forgiving power of the Eucharist does not, however, regard it as a sacramental culmination of a reconciliation process. Rather, the Council recognized that Eucharistic absolution of sins

---

[35] The Council of Trent, Decree on the Most Holy Sacrament of the Eucharist, Chap. 7 and Canons on the Most Holy Sacrament of the Eucharist, c. 11. The Latin text reads: "ut nullus sibi conscius peccati mortalis, quantumvis sibi contritus videatur, absque præmissa sacramentali confessione ad sacram eucharistiam accedere debeat ... [et] ne tantum sacramentum indigne atque ideo in mortem et condemnationem sumatur." The aspects of individual consolation and Lenten celebration are noted in Teaching Concerning the Most Holy Sacraments of Penance and Last Anointing, Chap. 5, and Canons Concerning the Most Holy Sacrament of Penance, c. 8. See Tanner, pp. 696, 698, 706-707, and 712 respectively.

[36] The Council of Trent, Decree on the Most Holy Sacrament of the Eucharist, Chap. 2, in Tanner, p. 694. The Latin text reads: "[et] tanquam antidotum, quo liberemur a culpis quotidianis et a peccatis mortalibus præservemur." Thus the Eucharist is the spiritual food of souls which nourishes and strengthens people as they live by the Saviour's life.

[37] The Council of Trent, Teaching and Canons on the Most Holy Sacrifice of the Mass, Chap. 2, in Tanner, p. 733. The Latin text reads: "... Dominus, gratiam et donum poenitentiæ concedens, crimina et peccata etiam ingentia dimittit." See also Vorgrimler, *Sacramental Theology*, p. 205.

involved the sinner manifesting an attitude of sincere contrition. Since this attitude included the *votum* for sacramental penance, without which there can be no true reconciliation, the efficacy of the Eucharist for the forgiveness of sins did not remove the necessity for this sacrament. Instead, the act of receiving the Eucharist provided the person with the *donum poenitentiæ*, through which they were enabled to celebrate the human action of sacramental penance, which made "explicit a reality already essentially present in its Eucharistic source."[38]

This means that persons in serious sin, without previous sacramental confession, may reverently approach the Eucharistic table and be reconciled through the visible act of communion in the body and blood of Christ, but this necessarily includes the desire and sincere resolution to celebrate the sacrament of penance in due course. Notwithstanding the richness and possibilities contained in this teaching, for reasons of a pastoral nature and Church custom, the Council affirmed the norm which required faithful conscious of serious sin to make a sacramental confession before receiving Holy Communion. Consequently, the trend after the Council saw a continued emphasis on the role of confession as preparation for and right to receiving the Eucharist, a stress which therefore gave only minor significance to the Eucharistic value of reconciliation.[39] Official encouragement and legislation for more frequent communion promoted and strengthened this understanding in Church practice.[40]

---

[38] See the discussion in Tillard, "The Bread and the Cup of Reconciliation," pp. 52-54. Although he does not mention it, the author shows that the Tridentine teaching preserved the potential for recovering a fuller and richer understanding of the Eucharistic value of reconciliation. As Leclercq, "Confession and Praise of God," comments on p. 176, "tradition invites us to understand and explain that every confession of sin ... is connected with the confession of praise: it is an act of worship, a means of participating in the sacrifice of adoration which was, and is, the paschal mystery, a form of Eucharist."

[39] See the interesting comments by Gallen, "A Pastoral-Liturgical View of Penance Today," pp. 145-146.

[40] Dallen, *The Reconciling Community*, pp. 182-183, 186-187.

2.1.2 THE ECCLESIAL VALUE

By its very nature, the conversion and reconciliation of all those who have fallen into postbaptismal sin is an ecclesial action.[41] As members of the Body of Christ, each one of the faithful, alive for God in Christ Jesus, has the mutual responsibility to build up and renew this Body as a more perfect expression of Christ's presence in the world.[42] When members fail in this mission through sin, it not only alters their relationship with God but also, in perhaps a more tangible way, the whole community of the Church.[43] In order to realize its mission, therefore, the Church visibly intervenes in the journey of repentance and conversion, through which sinners are reconciled and restored to peace with the Christian community and God. This ministry of intervention, by which the Church has constantly recognized its obligation and authority to assist its sinful members in an authentic expression of the power over sin received from Christ himself, defines the meaning and content of the ecclesial value of reconciliation.[44] The Church has used various means to accomplish this task,[45] although its intervention has been particularly evident in situations involving serious sin. The models of reconciliation historically express the conviction that the sacrament incarnates a religious event, in which the repentant sinner encounters the merciful and forgiving Christ Jesus through the mediation of the Church.[46]

In the model of communal or "public" reconciliation, the majority of Church members experienced this intervention informally, through prayer, good works and the

---

[41] Dooley, "The History of Penance in the Early Church," pp. 90-91. She also mentions the corporate nature of this action.

[42] A. Kavanagh, "The Nature of Christian Penance: Metanoia and Reconciliation," in *Resonance*, 2 (1966), pp. 11-12.

[43] Nicolas, "The Sacrament of Reconciliation: Theological Considerations," p. 309.

[44] As Curran, "The Sacrament of Penance Today II," p. 598 notes: "An essential part of the good news preached by Jesus was the gift of forgiveness of sin and the new life through his Spirit. From a theological perspective one can readily see how the Church, which makes visible in time and space the mystery of Jesus, would necessarily continue to make present his mercy and forgiveness for people."

[45] See the comments in Vorgrimler, *Sacramental Theology*, pp. 203-205.

[46] Ramos-Regidor, " 'Reconciliation' in the Primitive Church," p. 86.

guidance of recognized holy people. The Lord's Prayer had a special place, since it reminded members that their willingness and generosity to forgive others, itself a kind of sacred power granted by the divine authority, gained for them the remission of their own sins: "If the greatest of perfections is forgiveness – then, putting remembrance of evil behind us, when we come to pray we observe the command of the Saviour who says: 'When you shall stand to pray, forgive if you have aught against any one'. Clearly, if we dispose ourselves to pray in this way, we have already gained most excellent benefits."[47]

For those burdened with certain very serious sins, their path of conversion involved entry into the formal, structured order of penitents, through which they demonstrated externally, in the midst and with the help of the ecclesial community, a sincere and complete *metanoia* which embraced the whole person,[48] indicating that reconciliation with God was achieved with the official ministerial intervention of the Church:

> For since in minor offences which are not committed directly against God penance is done for a just time and confession is made when the life of the one who does penance has been investigated and since no one can come to Communion unless, first, hands have been imposed upon him by the bishop and clergy, how much more in these exceedingly grievous and extreme sins ought all things to be observed cautiously and moderately according to the discipline of the Lord?[49]

This meaning was maintained, albeit more symbolically, in the modified forms which emerged from the communal penance model. For example, in the ritual of

---

[47] Origen, *Prayer*, 9, 3, in *PG* 11, 443-446. The Latin text reads: "Quod si præclara res est injuriarum oblivio – ad orationem vero cum injuriarum oblivione accedentes custodimus servatoris præceptum dicentis: *Cum stabitis ad orandum, dimittite si quid habetis adversus aliquem*; perspicuum est nos quando sic affecti stamus ad orandum, optima jam esse consecutos." English trans. in *Origen: Prayer; Exhortation to Martyrdom*, Ancient Christian Writers: The Works of the Fathers in Translation, 19, trans. by J.J. O'Meara, Westminster, MD, The Newman Press; London, Longmans, Green, 1954, p. 40. See also the interesting comments in D.R. Stuckwisch, "Principles of Christian Prayer from the Third Century: A Brief Look at Origen, Tertullian and Cyprian With Some Comments on Their Meaning for Today," in *Worship*, 71 (1997), pp. 10, 16-17. For the idea concerning forgiveness as a sacred power given to Christians, see A. Cuschieri, *The Sacrament of Reconciliation: A Theological and Canonical Treatise*, Lanham, MD, University Press of America, 1992, p. 141. Origen also thought that the frequent practice of prayer helped persons to avoid sin and perform many good deeds.

[48] Ramos-Regidor, " 'Reconciliation' in the Primitive Church," pp. 85-86.

[49] St Cyprian, Epist. 17, 2, in *PL* 4, 257. The Latin text reads: "Nam, cum in minoribus delectis quæ non in Deum committuntur poenitentia, agatur justo tempore, et exomologesis fiat inspecta vita ejus qui agit poenitentiam, nec ad communicationem venire quis possit nisi prius illi ab episcopo et clero manus fuerit imposita, quanto magis in his gravissimis et extremis delictis cante omnia et moderate, secundum disciplinam Domini, observari oportet?" English trans. in *Letters (1-81)*, p. 50.

reconciliation celebrated in danger of death, the giving of penance and reconciliation was a sign of the Church's acceptance and care of the sinful person, even those who had avoided penance in their lifetime: "Accordingly, let the last communion be accorded as well as the penance; and let people of this sort, even in their last moments, be delivered from the everlasting ruin, with the permission of our Saviour."[50]

Similarly, in the rituals centred on the season of Lent, the richness and abundance of the liturgical prayers and symbols visibly constituted the Church's role of intervening in the conversion of its sinful members, and indicated to them that it was a place of salvation, keeping sinners in its midst and showing them its desire for their healing.[51] These changes and other adaptations which occurred in the later period of communal penance subsequently resulted in an increasing focus on the individual ministry of priests, who in reconciling the sinner acted in the person of Christ as a mediator, and in the name and as the agent of the Church.[52]

This aspect of the ecclesial value of the sacrament achieved a clearer and firmer expression in the model of private, tariffed penance. In this method, the priest was the principal minister of reconciliation, hearing the individual and detailed confessions of repentant sinners and fostering their spiritual growth through the opportunity for more frequent guidance and counsel.[53] Owing to the circumstances in which it developed, tariffed penance enhanced the position of the priest, since he possessed both the knowledge and power to intervene effectively on behalf of the Church:

> [We] seriously urge every learned priest of Christ that in everything which he finds here he shall carefully distinguish the sex, the age, the condition, the status, even the very heart of the penitent and he shall judge accordingly each [offence] one by one as seems best to him.

---

[50] Innocent I, Epist. 6, II, 6, in *PL* 20, 499. The Latin text reads: "Tribuetur ergo cum poenitentia extrema communio: ut homines hujusmodi vel in supremis suis, permittente Salvatore nostro, a perpetuo exitio vindicentur." English trans. in O.D. Watkins, *A History of Penance* I, New York, B. Franklin, 1961, p. 414.

[51] Fitzgerald, *Conversion Through Penance in the Italian Church of the Fourth and Fifth Centuries*, p. 509.

[52] St Leo the Great, Epist. 108, 2, in *PL* 54, 1011-1012. English text in *Letters*, p. 191.

[53] According to Frantzen, *The Literature of Penance in Anglo-Saxon England*, p. 7, "private penance offered the Church an opportunity to present its teachings to individuals rather than groups and to approach the faithful through the agency of a man known to them, perhaps raised among them and hence able to understand them and be understood by them."

> It is necessary to correct the fault, all of which must be weighed in the examination of a discerning judge.[54]

As intercessor and teacher, the priest both prayed for God's forgiveness for the sinner and gave instructions how this could be obtained by fulfilling the penance due: "And as often as you give advice to a sinner, give him likewise at once a penance and tell him to what extent he ought to fast and expiate his sins."[55] Given this authoritative position of the priest confessor relative to the penitent, the practical focus of the Church's penitential discipline tended to contract from everyday life, work and prayer and become the province of the ecclesiastical sphere, for there was no sin which could not be confessed and expiated with the help of the Church's minister.[56]

Alongside the growing demand for detailed, individual and auricular confession to the priest at this time (the beginning of the ninth century), the informal method of confessing one's sins to God alone continued to be practised and also discussed as a theoretical question, at least until the thirteenth century. A similar controversy centred on whether it sufficed to make confession to unordained monks, abbesses and other lay persons, especially when no priest was available, since it could be regarded as a genuine expression of the *votum sacramenti* in the case of serious postbaptismal sin.[57] It appears

---

[54] "Penitential Ascribed by Albers to Bede," Prologue, in Schmitz, *Die Bussbücher und das kanonische Bussverfahren*, p. 654. The Latin text reads: "Sollerter amonentes doctum quemque sacerdotem Christi, universis quæ hic adnotata reperit, sexum, ætatem, condicionem, statum, personam cujusque poenitentiam agere volentis, ipsum quoque cor poenitentis curiose discernat et secundum hæc prout sibi visum est, singula queque judicet; ... sua necessitate errata corrigent, que cuncta examina discreti debent pendere judicis." English trans. in McNeill and Gamer, *Medieval Handbooks of Penance*, p. 221. Penitents were not only encouraged to submit all their sins to the judgement of the Church's minister; for some, an annual or more frequent confession was made compulsory. See Mattam, "The Sacrament of Reconciliation," p. 304.

[55] "The So-Called Roman Penitential of Halitgar," Prologue, in Schmitz, *Die Bussbücher und das kanonische Bussverfahren*, p. 291. The Latin text reads: "et quotiescumque dederis consilium peccanti, simulque da illi penitentiam statim, quantum debeat jejunare et redimere peccata sua." English trans. in McNeill and Gamer, *Medieval Handbooks of Penance*, p. 297. The element of intercession is beautifully reflected in the prayer mentioned later in the Prologue. See also Hebblethwaite and Donovan, *The Theology of Penance*, p. 41.

[56] Martos, *Doors to the Sacred*, p. 330.

[57] Frantzen, *The Literature of Penance in Anglo-Saxon England*, pp. 114-115; Kasper, "Confession Outside the Confessional?" p. 18 and Power, "The Sacramentalization of Penance," p. 19. The latter author notes that the practice was grounded "both in the felt need to confess in order to rid oneself of the sin (a kind of exorcism, whereby the evil is ejected through the word), and in the persuasion that there is value in another person's mediation." Power also writes that St Thomas Aquinas duly considered this matter and

that both practices were well established, acceptable and even considered laudable in certain circumstances.[58] Nevertheless, the Church consistently taught the necessity of confession to the priest for the full and effective remission of sins.[59]

The increasing aggregation of the experience of forgiveness and reconciliation to the repeatable ritual over which the priest presided was also expressed by the introduction of indicative formulæ of absolution. Such prayers highlighted the power exercised by the Church in the name of Christ through the minister, and attained official acceptance with the emergence and growth of modern, private confession from the thirteenth century.[60] The impact of this development on the ecclesial value of the sacrament was substantial.

Early scholastic theologians generally considered the priestly absolution to be the official, authoritative declaration by the Church of the forgiveness already conferred by God alone.[61] In definitively expressing the Church's involvement in the reconciliation of the sinful person in this manner, however, the element of reconciliation with the Church lost its place as the sacramental sign of justification before God.[62] Hence, when Lateran IV made the Church's intervention in the penitential journey of the faithful a matter of universal law and an obligation required of all, it spoke of the Church's ministry to the penitent principally in terms of *healing*.[63] Thus the priest, as a skilled physician and true shepherd, was to make careful inquiry and discern the heart of the sinner, so that he could

---

distinguished two cases, confession of mortal sin, which he advocated in the absence of a priest and confession of venial sin, which he concluded might be practised without restriction.

[58] For example, the epic of Sir Vivien records the dying knight making confession to his uncle: "'Nephew', said William, 'where there is no holy man to hear thy confession, I, as the nearest of kin, take the place of the priest to absolve thee. Open thy heart to me, thy godfather in this baptism of blood'." A.R. Hope-Moncrieff, *Romance and Legend of Chivalry*, London, Gresham Pub. Co., [n.d.], p. 334.

[59] Poschmann, *Penance and the Anointing of the Sick*, pp. 140-142.

[60] Texts of these prayers are provided in chapter 1 of this dissertation, pp. 41 and 49.

[61] Rahner, "Penance," in *The Concise Sacramentum mundi*, p. 1200. He continues: "Some theologians added that it could fix the right satisfaction, remit temporal punishment due to sin, admit to the sacraments, exercise psychological effects on contrition, etc."

[62] This sign was located, rather, in the external actions of the penitent, namely contrition, auricular confession and satisfaction.

[63] Chapter 21 of the Council also mentions that the priest has the power to loose or bind the sinful person, but this receives no elaboration in the text. This judicial function is given greater prominence in subsequent theological discussion and official Church teaching.

offer prudent advice and impose the appropriate penance. At the same time, any recognition of a corporate aspect to this intervention was effectively lost, a theological void that would be intensified by the increasingly privatised nature of the sacramental celebration.[64]

Through the work of later scholastic theology, the priest's absolution was recovered as a part of the sacramental process of justification, and reconciliation with the Church was considered an effect of the sacrament in a juridical sense, but not as a sign of reconciliation with God.[65] Therefore, as the meaning and status of this prayer tended towards an *instrumental cause* for the forgiveness of sins, it incarnated and expressed in an exclusive sense the essence of the Church's ministry of intervention and thus manifested the ecclesial value of the sacramental experience. The consequent abbreviation of the ritual and emphasis on the ministerial indicative form of absolution saw the priest regarded as more than a mediator; he was now fully the agent of God, forgiving repentant sinners on behalf of the Church both symbolically and in fact in God's name.[66]

In its teaching on the sacrament of penance, the Council of Trent spoke of the Church's inherent and necessary role in bringing to its sinful members the peace of God's forgiving love and mercy. As a response to the challenge of the reformers, its aim was to clarify, affirm and promote the contemporary private sacramental practice as an acceptable expression of the Church's right and responsibility to undertake this fundamental part of its mission.[67] The Council's main contribution in relation to the ecclesial value was basically twofold. One element was its clear official confirmation of the institution of the sacrament by Christ, who communicated the power to forgive and retain sins, and so to reconcile those who had fallen after baptism, to the apostles and to

---

[64] Hellwig, *Sign of Reconciliation and Conversion*, p. 78.

[65] Apparently, neither St Thomas nor Scotus were familiar with this ancient meaning of the *pax ecclesiæ*. See Poschmann, *Penance and the Anointing of the Sick*, pp. 175, 190 and 208.

[66] Hebblethwaite and Donovan, *The Theology of Penance*, p. 42.

[67] See especially The Council of Trent, Teaching on the Most Holy Sacraments of Penance and Last Anointing, Chap. 5, in Tanner, pp. 705-707.

their lawful successors.[68] Complementing this was the teaching on the judicial nature of the prayer of absolution, combined with its emphasis on the integrity of the penitent's confession of serious sins: "For it is clear that priests could not have exercised this judgement if the case were unknown, nor could they have preserved fairness in imposing penances if the faithful had declared their sins only in general, and not rather specifically and in detail."[69]

As a result, the Council cemented in place the person and function of the priest who, as the divinely sanctioned judge, obtained through the acts of the penitent a full and complete knowledge of the case in order to render the appropriate sentence. Without a corporate aspect to the meaning of the ecclesial value, and positive integration of its healing and caring dimensions, the priest confessor and his prayerful pronouncement of God's forgiveness in the judicial tribunal of the sacrament of penance assumed definitively the focus and embodiment of the intervention of the Church for the reconciliation of its sinful members. This concentrated meaning of the Church's reconciling ministry as a formal judicial act was comprehensively retained and accepted in subsequent practice and interpretation of the Council's teaching.[70]

2.1.3 THE COMMUNAL VALUE

Reconciliation as an experience and a ministry fundamentally belongs to the entire community of the Church.[71] From one perspective, each and every member of the faithful actively participates in repentance and conversion to a life of deeper holiness and faith in the merciful and loving God.[72] This is concretely expressed, not simply as individuals on

---

[68] Ibid., Chap. 1, p. 703.

[69] Ibid., Chap. 5, p. 706. The Latin text reads: "Constat enim, sacerdotes iudicium hoc incognita causa exercere non potuisse, nec æquitatem quidem illos in poenis iniungendis servare potuisse, si in genere dumtaxat, et non potius in specie ac sigillatim sua ipsi peccata declarassent."

[70] See the interesting comments in Borobio, "The Tridentine Model of Confession," p. 32 and Curran, "The Sacrament of Penance Today II," p. 599.

[71] Dooley, "The History of Penance in the Early Church," p. 91 and Nicolas, "The Sacrament of Reconciliation: Theological Considerations," who on p. 313 notes the important contribution to this understanding of reconciliation from modern scriptural exegesis.

a common journey, but in a way that reveals the mystery and power of the intimate communion, or "mutual bondedness," into which they are constituted by their baptism into Christ and realize at the Eucharistic table.

This understanding, however, reveals a further perspective: that the Christian community provides the place and structure whereby repentant sinners experience forgiveness and reconciliation. Central to such thinking is the notion that sin, and especially serious sin, severely disrupts the harmony of life proper to the community and the integrity of its witness to Christ. Whether it resides in an individual, a group, or even the whole community, the presence of sin necessarily affects the body of believers in their communal and social reality and thus demands a remedial response which is also communal in nature and depth.[73] This value of reconciliation, therefore, refers to the essential *supportive framework* within which all the members consciously and actively realize their responsibility, in ways both prayerful and practical, to assist sinful members in their conversion and welcome them back to full communion and reconciliation with God.

The ministry of reconciliation practised by early Church communities recognized and incarnated this value in the various means made available through the "public" model for the conversion and restoration to peace of repentant sinners. This was expressed informally through shared prayer, mutual support and repentance in daily life and the community liturgy.[74] A similar pattern or rhythm of involvement was present in the formal, more structured procedures devised for those in seriously sinful circumstances. As the Body of Christ, the community radically identified itself with these sinful members and reached out to them in the pain of their brokenness and separation: "The Church of the saints, being affected by the sin of one of its members, guards its solidarity with this sinful member. Having itself become sinful by the sin of its member, it expiates the sin together with the sinner."[75]

---

[72] J. Dallen, "Rituals and Ministries of Reconciliation," in *National Bulletin on Liturgy*, 29 (Summer, 1996), p. 97.

[73] See the relevant comments in Vorgrimler, *Sacramental Theology*, p. 202.

[74] Ramos-Regidor, " 'Reconciliation' in the Primitive Church," p. 88.

The impact of this response meant that the community made Christ truly present for sinners, the Son whose prayer of mediation the Father never failed to hear. This ensured that the activity of the community was similarly effective and powerful, especially the prayers of intercession specifically offered for those on the journey of conversion in the context of the liturgical assembly.[76] Further depth was given to this identification in the help rendered to the penitents by the bishop and other members of the community throughout the penitential process: "Associate them with yourselves, and take care of their fate, and speak to them and console them, and keep hold of them and make them return. And afterwards, as each one of them repents and shows the fruits of repentance, lay the hand upon this man while everyone is praying for him, and then bring him in and let him communicate with the Church."[77]

The rise and development of restrictive conditions, and thus the progressive exclusion of many persons from the formal order of penitents during the period of "canonical" penance, meant that those who did enter and were reconciled through this order necessarily embraced a permanent penitential way or state of life. Even though the number of such penitents was small, the reciprocal growth in ceremonial Lenten penance indicated the high regard in which these persons came to be held. Whilst the elaborate liturgical rites kept an emphasis on intercessory prayer, a new aspect developed in the meaning of the communal value of penance. Once regarded with pity, requiring the support and guidance of the community, members of the order of penitents, as models of penitential virtue, became a distinctive social sign that reminded the whole community of the need for continuous conversion.[78] Thus the interdependence and connectedness between all members of the Christian community were given a fuller and richer

---

[75] K. Rahner, *Penance in the Early Church*, Theological Investigations, XV, trans. by L. Swain, New York, Crossroad, 1982, p. 301.

[76] See the comments in Favazza, *The Order of Penitents*, pp. 126 and 157.

[77] *The Didascalia Apostolorum in Syriac I*, p. 114. Thus Linley, "The Falling Number of Confessions: Development or Deviation?" p. 392, states: "Bishop and people alike identified themselves with the penitents, wept with them and prayed with them, shared their fasting and penitential practices and, above all, prayed for them."

[78] Ramos-Regidor, " 'Reconciliation' in the Primitive Church," p. 86. The fact that they constituted a visible, segregated group *within* the assembled community underlined the significance of their impact and influence.

expression. This situation did not last. The same elements which gave Lenten penance its impetus – a more individual character of Christian life, and an understanding of sin as a matter concerning personal holiness – combined with other theological and sociological factors to render the formal order of penitents largely unworkable.[79] The meaning and value of a community-based structure expressed in prayer and other forms of help as practised in this model of penance suffered a similar decline in presence and impact.

The model of repeatable, tariffed penance, although conducted in a private setting and principally concerned with individual self-awareness of sin and conversion, nevertheless contained an important insight into the communal value of reconciliation. With its emphasis on making amends and restoring harmony in the social and religious order, repentant sinners who had wounded their relationship with others were expected to give, in line with the penance allotted, some tangible expression in the exterior world of their inner, spiritual conversion of heart:

> He who has spoken evil of his brother with anger shall be reconciled to the brother of whom he has spoken evil and do penance for seven days.[80]
>
> If anyone keeps in his breast anger with another, he shall be judged a murderer; if he will not be reconciled to his brother whom he holds in hatred, he shall do penance on bread and water until such time as he is reconciled to him.[81]

Through its promotion of this teaching the Church thus recognized the inherent nature of a communal value which was meaningful to the societal experience of reconciled persons in their return to God and the Church.

In this form of reconciliation, disconnected from the framework of a community assembled in worship, the community itself could not express its traditional role of

---

[79] Dallen, *The Reconciling Community*, pp. 76-78.

[80] "Another Penitential Ascribed to Bede," V, 5, in Schmitz, *Die Bussbücher und das kanonische Bussverfahren*, p. 658. The Latin text reads: "Qui fratrem cum furore maledixerit, reconcilietur ei cui maledixit et VII dies peniteat." English trans. in McNeill and Gamer, *Medieval Handbooks of Penance*, p. 234.

[81] "The Paris Penitential," 59, in ibid., p. 330. The Latin text reads: "Si quis cum alio iram tenet in corde, homicida judicetur, si non vult reconciliari fratri suo, quem hodio habuit, tamdiu in pane et aqua poeniteat, usque dum reconcilietur ei." English trans. in ibid., p. 280. As Frantzen, *The Literature of Penance in Anglo-Saxon England*, p. 56, notes: "Sins with important social consequences, like avarice, false witness and anger, were more heavily penalized [since] they could lead to misappropriation of property or physical violence."

intercessory prayer and practical help for the sinful persons.[82] Rather, this became a function of the priest confessor, who officiated as the representative of the Church before the penitent sinner:

> As often as we assign fasts to Christians who come to penance, we ourselves ought also to unite with them in fasting for one or two weeks, or as long as we are able;... So also no priest or pontiff can treat the wounds of sinners ... unless in view of the pressing necessity he brings solicitude and prayers and tears ... since we are 'members of one another' and 'if one member suffers anything all the members suffer with it'.[83]

This became especially visible in the rituals which developed in the wake of the Carolingian reform.[84] The role therefore did reflect the communal value of the sacrament to some extent, but with a different emphasis and less clarity. Although it remained by nature the responsibility of the whole community, the adoption and prayerful support expressed in the process by which sins were forgiven were usually experienced by sinners in this model exclusively through the ministry of the priest.

As tariffed penance gave way to the model of modern, "judicial" confession, ecclesial legislation and the various theological debates established and confirmed the priest, whose prayer of absolution forgave the sins of repentant sinners in God's name, to his unique ministerial role in the conduct of the sacrament. Whilst this priestly exercise of the power of the keys theoretically maintained the semblance of a relationship to the community, the thrust of the Church's reconciling ministry tended to reflect an individualistic emphasis.[85] Medieval theology and law maintained the *pax ecclesiæ* as an effect of the sacrament, since it meant a person was a faithful member and in good

---

[82] Palmer (ed.), *Sacraments and Forgiveness*, p. 150.

[83] "The Tripartite St Gall Penitential," Instruction, in Schmitz, *Die Bussbücher und das kanonische Bussverfahren*, pp. 199-200. The Latin text reads: "Quotiescunque Christianis qui ad pænitentiam accedunt jejunia damus et nos communicare eis debemus jejunio unam aut duas septimanas, aut quantum possumus,... Ita[que] quoque nullus sacerdotum vel pontifex peccatorum vulnera curare potest, ... nisi per instantem sollicitudinem et orationem cum lacrymis ... quia sumus alterutrum membra, et si quia patitur unum membrum, compatiuntur alia [omnia] membra." English trans. in McNeill and Gamer, *Medieval Handbooks of Penance*, p. 283.

[84] Dallen, *The Reconciling Community*, p. 114.

[85] Vorgrimler, *Sacramental Theology*, p. 210.

standing with the Church.[86] However, the intrinsic connection between conversion and reintegration to the life of the Church tangibly experienced in the setting of the local Christian community largely slipped from view. The fourteenth century shift in theology, which considered the prayer of absolution as the direct cause of forgiveness and grace, increased focus on the priest and the privacy of the sacramental ritual, making a series of factors which strained any recognition of a communal value of the sacrament.

This development culminated in the teaching of the Council of Trent. The Council affirmed the traditional understanding that serious sins committed after baptism severely harmed a person's spiritual life, viewed from the perspective of his or her relationship with God and the Christian community. Nevertheless, the Council's explanation of the sacrament and its effects, albeit limited by circumstances and intent, was weighted in favour of the individual's particular spiritual journey towards deeper faith in God and holiness of life:

> Of course, the meaning and fruit of this sacrament, so far as its force and efficacy are concerned, is reconciliation with God, which in devout persons who are receiving this sacrament with devotion is often followed by a peace and a serenity of conscience accompanied by an intense consolation of spirit.
>
> Moreover, while by making satisfaction we suffer for our sins, we become like Christ Jesus who made satisfaction for our sins, and from whom is all our sufficiency, and we also have a most sure pledge thereby that, if we suffer with him we shall also be glorified with him.[87]

The force of this teaching, its incorporation into liturgical reforms, and subsequent interpretation of the sacrament, combined with the dominance of individualistic views of sin and repentance in the post-Reformation period to obscure the presence of a

---

[86] The penalties attached to the non-compliance of the law regulating annual confession in Chap. 21 of Lateran IV Council make this clear.

[87] The Council of Trent, Teaching Concerning the Most Holy Sacraments of Penance and Last Anointing, Chaps. 3 and 8, in Tanner, pp. 704 and 709. The Latin text reads: "Sane vero res et effectus huius sacramenti, quantum ad eius vim et efficaciam pertinet, reconciliatio est cum Deo, quam interdum in viris piis et cum devotione hoc sacramentum percipientibus conscientiæ pax ac serenitas cum vehementi spiritus consolatione consequi solet. Accedit ad hæc, quod, dum satisfaciendo patimur pro peccatis, Christo Iesu, qui pro peccatis nostris satisfecit, ex quo omnis nostra sufficienta est, conformes efficimur, certissmam quoque inde arrham habentes, quod, si compatimur, et conglorificabimur."

communal value of reconciliation, central to the meaning of the sacramental expression of the Church's reconciling mission.

2.1.4 THE PROCESS VALUE

In the biblical story of the lost or "prodigal" son, the evangelist describes the boy's departure, separation and eventual reconciliation with his father in terms of a journey.[88] This journey involved self-discovery and the discernment, through suffering, of a loving and merciful God. The main emphasis of the story is the nature of the love by which God relates to human persons, but the boy's experience reveals a powerful example of how a person is meant to respond to that love. This response, which has its starting point and motivating force in the initiative of God's grace, illustrates that conversion obtains its authentic expression in the context of a process. Accordingly, at the heart of the process value of reconciliation stands a similar journey of repentance, conversion and forgiveness. This process value, by its very nature, is marked by certain distinct stages that signify progress and growth in the sinner's restoration to the life of grace and communion with God and the Church. Unlike the boy's experience in the biblical story, however, the journey of postbaptismal sinners has always been travelled in relation to and within the embrace of the Body of Christ of which they are a part.[89] Therefore, the process value has always been recognised and consciously incorporated into the sacrament of reconciliation, although each of the historical models has placed its own particular stamp on its expression and meaning.

In the earlier forms of the communal reconciliation model, the process value was experienced by the whole community informally on a continuing basis, for the effective witness of the community depended on the daily striving of each member for greater

---

[88] Lk 15:11-32.

[89] Dallen, "Rituals and Ministries of Reconciliation," pp. 95-96. Since the Body of Christ represents a reconciled world and symbolizes the kingdom of God which all humanity is called to seek, enter and receive, the boy's journey may be interpreted as an image of the pilgrimage that characterizes the life and activity of the entire Church. As Power, "The Sacramentalization of Penance," states on p. 17, "the Christian and the Christian community are engaged in a constant ongoing conversion, which leads eventually to total abandonment to the Father in Christ."

holiness in all aspects of life.[90] Consequently, it appeared as a natural feature in the more formal order of penitents, being a defining and integral component in this method for serious sinners to attain peace with God and their community, its neglect open to serious criticism: "before penance has been done, before the confession of a very serious and low crime, before hands have been imposed by bishop and priest in penance, (priests) dare to offer the Holy Sacrifice for them and to give them the Eucharist."[91]

Having begun with the community's first attempts to win back these sinful members, the crucial function of this reconciliation procedure was the complete and genuine reform and renewal of their commitment to Christ. Therefore, a structured, generally public process conducted over an appropriate period of time enabled those in the care of the penitential order to visibly demonstrate that they were no longer controlled by their sinful situation, and for the community to judge the sincerity and depth of their conversion. Hence the process itself was regarded as essential to this model so that their journey of healing and forgiveness might achieve its intended purpose.

As the formal procedure developed, the process tended to lengthen and become more elaborate, with the time of penance frequently divided into various grades of participation in the Eucharistic liturgy:

> The punishment prescribed for fornication lasts four years. During the first year they must be banished from the prayers, and must weep at the door of the church; in the second year they must be admitted to the state of 'hearer'; in the third, to penance; in the fourth, to 'standing' with the people, abstaining from Holy Communion; finally, they must be permitted the communion of the good Gift.[92]

---

[90] Having its source in New Testament teaching, this commitment to growth in the perfection of Christian example was the focus of constant exhortation. See Dooley, "The History of Penance in the Early Church," p. 89.

[91] St Cyprian, Epist. 15, 1, in *PL* 4, 254. The Latin text reads: "ante actam poenitentiam, ante exomologesim, gravissimi atque extremi delicti factam, ante manum ab episcopo et clero in poenitentiam impositam, offerre pro illis et Eucharistiam dari." English trans. in *Letters (1-81)*, p. 44.

[92] St Basil the Great, Epist. 199, to Amphilochius, c. 22, in *PG* 32, 723. The Latin text reads: "Est autem in quatuor annis præfinita fornicantibus poena. Oportet eos anno primo a precibus expelli, et flere ad fores ecclesiæ: secundo ad auditionem admitti, tertio ad poenitentiam: quarto ad standum una cum populo, abstinentes ab oblatione; deinde eis permitti boni communionem." English trans. in *Letters*, vol. 2 (186-368), The Fathers of the Church: A New Translation, 28, trans. by A.C. Way, New York, Fathers of the Church, 1955, p. 52. The canon concerns the unmarried; penalties for adultery were harsher.

This was given physical expression by the penitents' place in the church relative to the remainder of the assembly, and served to heighten the impact and serious interpretation of the process value. It also enabled the community to connect with and share in the struggle of those on the penitential journey to break with sin and come to peace and justification.

With the modifications which arose during the period of "canonical" penance, the Church carefully safeguarded the process of reconciliation in the wake of what appeared to be a reaction to its increased duration and complexity. The season of Lent, for example, played a particularly important role. It assisted those in the order of penitents, albeit through a relatively brief period of penitential activity and liturgical rites, by giving them a special time of more intensive preparation prior to the day of their formal reconciliation. Similarly, for those undertaking ceremonial penance, it provided a specific time each year for all the community members to focus on the fundamental necessity for ongoing conversion, helping them to grow in holiness and faith.[93] Even the rites developed for those in danger of death preserved the important place of a process in reconciling penitents. "The essentials of the system – imposition of penance, performance and reconciliation – were all compressed into the space of a few days, or even given all at once."[94] This was possible because all were expected to strive for and encourage each other to make a thorough and fruitful preparation for its celebration by lives of penance, prayer and good works.

Given its core similarities with communal penance, the procedure for the model of private, repeatable and tariffed reconciliation was also process based.[95] There was, however, a significant reinterpretation over time of the understanding and emphasis in

---

[93] Innocent I, Epist. 25, vii, in *PL* 20, 559. English trans. in Watkins, *A History of Penance* I, p. 415. Although the distinction between serious and daily sins was fluid, even in the fifth and sixth centuries, it appears that the *leviora* to which the Pope refers were sins not subject in any way to the formal canonical discipline. This may indicate the beginnings of a shift, where people actively sought official forgiveness (and reassurance) for their daily faults and failings.

[94] Courtney, "Ancient Public Penance," pp. 26-27.

[95] Frantzen, *The Literature of Penance in Anglo-Saxon England*, p. 9, referring to a passage from the seventh century penitential of Cummean, notes these steps in the process of reconciliation: "the sinner, 'received' by the priest, is admonished and instructed; thus 'led to penance', he confesses his wrongdoing, and his vices are 'amended', or cured, by the acts of penance." The intention of the process was centred on the interior conversion of the penitent.

the elements that made up the procedure. The confession of sin, for example, became sufficiently detailed to touch the breadth and depth of a person's life, and the works of penance were seen as a due punishment for all that had been submitted to the priest. Along with the repeatable nature of the model, and the authoritative place and role of the priest, the process value thus came to reflect an additional aspect, centred on its usefulness in the work of catechesis and the promotion of renewal in the moral order.[96] In effect, extended and continuing contact between priest and penitent could foster positive and permanent changes in lifestyle and attitudes and promote the integration of Gospel values, leading to greater harmony in community life.[97] The benefit of this aspect of the value probably increased when, from the eleventh century, reconciliation was granted immediately and prior to the performance of the penance, and the source of expiation shifted to the confession itself.[98]

These developments, together with this more extensive understanding of process and the eventual decline of the tariff system, seriously affected the meaning and impact of the process value. Until this time, an extensive and at times visible process had been consistently identified as essential to the rationale of the procedure and sacramental ritual through which the repentant sinner entered the journey of conversion and reconciliation. By the twelfth century, however, the sacrament had become an individual and secret experience, which granted the reassurance of God's forgiveness for past wrongs. To be sure, it required that persons prepare well for its celebration, present their contrite hearts to the priest as a sign of their conversion and attend to the performance of the penance

---

[96] These various elements are well illustrated by "The Fleury Penitential, Order of Penance," in Schmitz, *Die Bussbücher und das kanonische Bussverfahren*, pp. 340-341. English trans. in McNeill and Gamer, *Medieval Handbooks of Penance*, pp. 280-282.

[97] See the analysis in Osborne, *Reconciliation and Justification*, pp. 92-93 and the interesting comments in Frantzen, *The Literature of Penance in Anglo-Saxon England*, pp. 10-11. An illustration may be found in "The Penitential Ascribed by Albers to Bede," X, 3-4, in Schmitz, *Die Bussbücher und das kanonische Bussverfahren*, p. 695. English trans. in McNeill and Gamer, *Medieval Handbooks of Penance*, p. 229.

[98] From a negative viewpoint, however, the religious sense of the penance had correspondingly declined, resulting in the regrettable loss of a traditional emphasis of the sacrament's process value. See Fahey, "Reconciliation: Retrospect and Prospect," p. 174.

imposed,[99] but whilst maintaining the basis of a process in conversion and reconciliation, the tendency was to compress the procedure into a single, short and repeatable ceremony. With the focus centred on the confession by the penitent and the priest's absolution, much of the process involved in the conversion and reform of sinners became external to the sacrament itself, and thus the responsibility of the individual person. As a result, the power and richness of this value expressed in the celebration of the sacrament was undermined and compromised.

Universal legislation on mandatory annual confession by Lateran IV canonized the contemporary method for reconciling sinners. Using the image and language of healing, the Council sought by law to insert such a confession into the spiritual life of every member of the Church, obedience to which would provide the remedy for building a deep and more constant faith.[100] In doing so, it fostered the rather narrow understanding of process within the sacramental procedure, and gave greater weight to its place in the overall scope and course of Christian life. Therefore, whilst the notion of a journey was retained, the sacrament itself became one element, albeit an essential one, in the progress of each person to holiness and eternal life and a key part of the Council's programme to reform and purify the Church.

In the period following the Council, St Thomas Aquinas offered some important insights regarding the process value of reconciliation.[101] He proposed a second mode of true sacramental operation founded on an "antecedent" effect of absolution, wherein contrition derived its power of obtaining the forgiveness of sins. For St Thomas,

> every true virtue of penance of its very nature leads to a sacramental encounter. Thus the sacrament itself is not limited to the here and now, but rather the sacrament takes into consideration the fact that the conversion of the penitent is a human act that develops over a period

---

[99] See for example the advice given to the sinner by Peter Lombard, *The Four Books of Sentences*, 4, XVI, I, II, in *PL* 192, 878. English text in Rogers, *Peter Lombard and the Sacramental System*, pp. 172-173.

[100] Some theologians, such as Alexander of Hales and St Bonaventure erroneously thought, for various reasons, the obligation also extended to those only in light (or venial) sins. See Mueller and Senior, "Canonical Legislation on Mandatory Confession in the Western Church," p. 84. Alternatively, the apparent rigorism of the law may be ascribed to a belief that serious sins were easily and widely committed by the faithful.

[101] St Thomas Aquinas, q. 90, a. 2 and 3, in *Summa theologiæ IIIa, Penance*, pp. 163-171.

> of time and has its own historicity, exist[ing] from the first act of the penitent and reach[ing] its culmination in the sacramental rite itself.[102]

Employment of this concept allowed St Thomas to show how the sacrament is more intimately joined to the daily life of people, and enabled him to clarify and firmly establish the essential place of the sacrament in the process whereby sinners were justified. Subsequent theology, however, tended to move away from this view.[103]

The Council of Trent confirmed and enriched this development of a more broadly based interpretation of the process value through the specific teaching and canons issued concerning the sacrament of penance and its important *Decree on Justification*. Relevant texts reveal the Council's emphasis on perseverance in good works and keeping intact the life of grace.[104] It placed the sacrament as a vital part of the process of conversion which characterized the life of the Christian person. Since this conversion could not be explained in terms of baptism, the Council located it in the repeatable, private confession mandated at least annually of every member of the Church.[105] It therefore promoted the model of modern or "judicial" confession as a kind of pathway to sanctification and peace with God, through which all members of the Church could personally integrate more fully their calling to a just and holy life. This aspect of the process value was particularly evident in the works of satisfaction imposed through the judicial action of the priest. The Council viewed these, in accordance with the nature of divine justice, not only as a help for understanding the seriousness of one's sins but also, in and through Christ Jesus, as healing the effects of sin and giving strength to continue the journey of faith: "For it is beyond doubt that penances imposed in satisfaction very much deter people from sin, hold them in check by a kind of rein, and make those doing penance more cautious and more watchful for the future; they also heal the remaining effects of

---

[102] Curran, "The Sacrament of Penance Today II," pp. 595-596. See Poschmann, *Penance and the Anointing of the Sick*, pp. 171-172 for further explanation and comment.

[103] See Hancock and Williams, "The Scholastic Debate on the Essential Moment of Forgiveness," pp. 73-74.

[104] The Council of Trent, Decree on Justification, Chap. 16 and Teaching Concerning the Most Holy Sacraments of Penance and Last Anointing, Chap. 8, in Tanner, pp. 677-678 and 708 respectively.

[105] Martos, *Doors to the Sacred*, p. 350.

sins and, by the practice of the contrary virtues, remove vicious habits acquired by evil living."[106]

Liturgical renewal subsequent to Trent effectively absorbed this teaching, and the reformed rite of penance, characterized by its brevity and lack of ritual, was intended to guide and support spiritually the penitents' overall amendment and improvement in life. It therefore acted in a therapeutic and judicial manner to offer a remedy for their weaknesses, punish the sins committed, and restore the repentant sinner to grace.[107] This streamlined and privatised sacramental procedure, together with the trend towards its more frequent use, continued to encourage and deepen this understanding of the process value.

2.1.5 THE PERSONAL VALUE

The mission of the Church to minister God's healing and reconciling love is revealed in all its depth, and reaches its ultimate intimacy, when it elicits the personal, committed response of sinners to the initiative of God, who freely calls each one to repentance and conversion of life.[108] Although Christians experience reconciliation with God in the midst and with the assistance of the Church, God's presence is recognized in and through the reality, action and experience of individual human beings. In the gospel passage about the sinful woman and Simon the Pharisee, Jesus taught with power and authority that forgiveness of sins was proved and signified by the physical desire and expression of human affection (Lk 7:36-50).[109] Whilst they are formed and their meaning

---

[106] The Council of Trent, Teaching Concerning the Most Holy Sacraments of Penance and Last Anointing, Chap. 8, in Tanner, pp. 708-709. The Latin text reads: "Procul dubio enim magnopere a peccato revocant, et quasi freno quodam cohercent hæ satisfactoriæ poenæ, cautioresque et vigilantiores in futurum poenitentes efficiunt; medentur quoque peccatorum reliquiis, et vitiosos habitus male vivendo comparatos contrariis virtutum actionibus tollunt."

[107] Dallen, *The Reconciling Community*, pp. 176-177, 179.

[108] See the interesting comments by R.K. Malone, "General Absolution and Pastoral Practice," in *Chicago Studies*, 24 (1985), p. 55.

[109] J. Dallen, "Catechesis for Conversion and Pastoral Strategies," in *National Bulletin on Liturgy*, 29 (Summer, 1996), p. 112. See especially the beautiful exposition of this text by St John Chrysostom, Hom. VI, 31-32, in *PG* 48, 754. English text in *On the Incomprehensible Nature of God*, The Fathers of the

is found essentially in a community setting, faith is personal commitment and conversion is personal surrender and effort,[110] penetrated and empowered by the gift of God's reconciling love. The personal value of reconciliation recognizes, therefore, that there is a necessary individual element, respectful of the unique situation of each person, that may be identified in the process by which sinners attain to reconciliation with God and the Church. The journey towards peace works only with open, genuine engagement at the personal and human level with the mystery of salvation, as it has been revealed by God in the person and ministry of Jesus.

The personal value was afforded great respect during the dominant period of the communal model of reconciliation. It was for the discernment of each member to hear and reflect upon the call to repentance in their life, and respond to it in an appropriate way within the corporate life of the Christian community.[111] For those who experienced God's mercy without the Church's formal penitential structures, their prayer, worship and practical expressions of charity, which presupposed true and continuing conversion of heart, brought them into contact with the redemptive action of Christ Jesus.[112] This movement called for and demanded the investment of the whole person in order that the goal of conformity to the example and person of Christ be attained.

Membership in the formal order of penitents reflected a rich and diverse understanding of this personal value. In the main, entry to the process was voluntary and only allowed following an interview with the bishop, who directed and presided over the whole procedure.[113] This showed that the order stood as an invitation for serious sinners to surrender themselves to God's mercy incarnated in the care and support of their local Church.[114] The adaptable nature of the order enabled the circumstances of each candidate

---

Church: A New Translation, 72, trans. by P.W. Harkins, Washington, DC, The Catholic University of America Press, 1982, pp. 178-179.

[110] Dallen, "Rituals and Ministries of Reconciliation," p. 96.

[111] An example is provided by Favazza, *The Order of Penitents*, p. 137.

[112] Vogel, "Sin and Penance," p. 216.

[113] Ibid., p. 229. See also St Augustine, Hom. 351, 4, 10, in *PL* 39, 1546. English text in Palmer (ed.), *Sacraments and Forgiveness*, pp. 103-104.

to be considered in dialogue with the prevailing general situation, so that the procedure could be tailored to them in a suitable fashion.[115] Enrolment in the order subsequently brought about a personal relationship between those seeking spiritual healing and the bishop (and through him, the community) which rested on the foundations of prayer and a programme of supervised works of penance.

An interesting and somewhat problematic aspect of this value was how the personal effort of the penitents combined with the role of the local Church to achieve forgiveness from God which neither compromised the free gift of his grace nor the complete effectiveness of Jesus' saving act.[116] It is clear that the early Church placed great stress on the works of penance because they provided evidence of a visible and tangible nature critical to a correct discernment concerning the genuine conversion and repentance of the sinful members.[117] These works thus formed part of the penitents' confession of trust in God's mercy and their recommitment to faithful discipleship. Equally clear is the understanding that forgiveness could not be obtained without the participation of the community, especially its intercessory prayer, since this intervention joined the prayer of Christ to the personal striving of the penitents.[118] Forgiveness, and the restoration to peace which followed, were essentially and properly experienced in a concrete way at the level of human reality and interaction, an affective expression which the Church believed

---

[114] See St Augustine, Expos. on Ps 61, 23, in *PL* 36, 747. English text in *Expositions on the Book of Psalms*, vol. III, psalms 53-75, *A Library of the Fathers of the Holy Catholic Church*, 30, trans. by T. Scratton, Oxford, J.H. Parker, 1849, pp. 211-212.

[115] St Peter of Alexandria, *The Canonical Epistle*, c. 1, in *PG* 18, 467-468. English text in *Ante-Nicene Fathers: Translations of the Writings of the Fathers Down to AD 325*, 6, p. 269. As a response to the troubles of its time, this document reflects sensitive pastoral concern and a liberal spirit. Noting that many had not easily denied their faith in face of persecution, "for they show in their bodies the marks of Jesus," Peter ordered that such persons, having demonstrated their penitence for three years, be reconciled following performance of a forty day fast in imitation of Christ. Similar adaptations were made in subsequent canons for other members of the community. See T.J. Talley, *The Origins of the Liturgical Year*, New York, Pueblo Pub. Co., 1986, p. 191.

[116] This topic is considered by Osborne, *Reconciliation and Justification*, pp. 80-81.

[117] St Cyprian, Epist. 59, 16-17, in *PL* 3, 824-825. English trans. in *Letters (1-81)*, p.189 and see the comment by Vogel, "Sin and Penance," p. 237. Church fathers consistently refer to the difficult or "laborious" nature of penance.

[118] St Jerome, for example, in his *Dialogue Against the Luciferians*, 5, comments particularly on the commingling of tears of all involved in the reconciliation process. See *PL* 23, 159. English text in *A Select Library of Nicene and Post Nicene Fathers of the Christian Church*, 6, trans. by W.H. Fremantle et al., Oxford, Parker; New York, The Christian Literature Co., 1893, p. 321.

bore within itself the assurance and sign of God's forgiveness. These elements were successfully combined, and this aspect of the personal value given its correct meaning and place, because the presence and work of the Holy Spirit was evident throughout the procedure. The Spirit moved and directed the penitents in striving for conversion, was present and active in the bishop and the community as they guided and supported the penitents in their journey, and it was this same Spirit whom they received as a fruit of the reconciling process.[119]

Additional aspects of the personal value emerged during the time of "canonical" penance. In deciding on the possibility of enrolment, the assignment of a suitable penance, or the conduct of the procedure, the bishop or priest delegate also had to keep carefully in mind a growing body of norms which regulated the order for reconciling serious sinners. Evidence of sincerity and right disposition in performing their penance, for example, generally allowed the bishop scope to reduce the duration of the process in certain cases.[120] His discernment between outward show and genuine perseverance revealed the deep respect contained in Church law for the personal value through its help and encouragement for those who, with true repentance of the heart, engaged themselves with humble honesty in their experience of conversion:

> Yet, if each one of those who have fallen into the sins written above should be earnest in doing penance, he who by the mercy of God has been entrusted with the power to loose and to bind will not be deserving of condemnation if, on seeing the excessive penance of the sinner, he would show mercy to the extent of lessening the time of the penalty. [For] not entirely by time do we judge these matters, but we give heed to the manner of the repentance.[121]

---

[119] Ramos-Regidor, " 'Reconciliation' in the Primitive Church," p. 83 and Mitchell, "The Table of the Eucharist: Christian Fellowship and Christian Forgiveness," p. 73. Thus, as Fitzgerald, *Conversion Through Penance in the Italian Church of the Fourth and Fifth Centuries*, p. 509 notes, the individual sinner, in responding to God's call and coming forward to do penance according to the community's discipline, effectively healed and converted the Church.

[120] First Ecumenical Council of Nicæa, c. 12, in Tanner, pp. 11-12.

[121] St Basil the Great, Epist. 217, To Amphilochius, cc. 74 and 84, in *PG* 32, 803 and 807. The Latin text reads: "Quod si unusquisque eorum, qui in prædictis peccatis fuere, poentitentiam agens, bonus evaserit, is cui a Dei benignitate ligandi atque solvendi credita potestas, si clementior fiat, perspecta illius qui peccavit poenitentiæ magnitudine, ad diminuendum poenarum tempus. Non enim omnino tempore dijudicamus res ejusmodi, sed ad modum poenitentiæ attendimus." English trans. in *Letters*, vol. 2, (186-368), pp. 113 and 116. Conversely, according to the Statuta Ecclesiæ Antiqua, c. 75, "careless penitents shall only be received after a lengthy period of time." See *Mansi* III, 957. English trans. in C.J. Hefele,

The Church also detected this meaning in the seeking for reconciliation of those in danger of death, and thus responded with an appropriately generous law.[122]

Closely associated with this area was the growth, in both the Eastern and Western Church, of individual pastoral counselling. This developed from the initial interview required of the returning sinner with the bishop, whose principal aims were noted above. During this period of "canonical" penance, the importance of the counselling increased as greater scrutiny was placed on the inner motivations of the candidates. However, as the formal, public penitential discipline became more harsh and restrictive, various forms of private spiritual guidance appeared, especially among the monks.[123] They proved both useful and popular to those either not subject or not willing to submit to the order of penitents, for advice on their deeper commitment to the journey of conversion and growth in holiness. Such a relationship with a spiritual guide enabled and encouraged people to open themselves more fully to God and experience forgiveness in the everyday reality of their lives.[124] However, this practice tended to contradict the communal model of reconciliation from which it was born, and revealed a growing individualism concerning the nature of sin and the method by which it was healed.

The model of private, tariffed penance, whose genesis and extension were probably dependent upon these earlier monastic practices, embraced wholeheartedly the notion that penance and conversion were inherent to every Christian life.[125] The repeatable,

---

A History of the Councils of the Church from the Original Documents, II, trans. by H.N. Oxenham, Edinburgh, T. & T. Clark, 1896, p. 416.

[122] First Ecumenical Council of Nicæa, c. 13, in Tanner, p. 12.

[123] See the interesting comments by Poschmann, *Penance and the Anointing of the Sick*, pp. 120-121.

[124] See Vorgrimler, *Sacramental Theology*, p. 208 and Dallen, *The Reconciling Community*, pp. 67 and 74. This was supplemented by the *sacrificial* meaning recognized in daily Christian living, an important and helpful aspect for the many who celebrated penance in later life. See for example St Peter Chrysologus, Sermon 108, in *PL* 52, 501. Urged to pattern themselves on Christ's own sacrifice, St Peter counselled the men and women of his time to offer themselves as a living sacrifice, overcoming sin by practice of the contrary virtues: "That folly may be brought to naught, it is always fitting to offer up holiness as a sacrificial gift. Thus your body will become a victim, if it has been wounded by no javelin of sin." The Latin text reads: "et ut consumatur stultitia, semper sanctitatem convenit immolare: sic fiet corpus tuum tua hostia, si nullo peccati jaculo fuerit sauciata." English trans. in *Saint Peter Chrysologus, Selected Sermons and Saint Valerian, Homilies*, The Fathers of the Church: A New translation, 17, trans. by G.E. Ganss, New York, Fathers of the Church, 1953, p. 170.

[125] Murphy and Rankin, "The Practice of Celtic Penance," p. 42.

private nature of this system of reconciliation offered regular guidance and counsel, enabling persons to increase in self-awareness through deeper knowledge about themselves and what constituted sin, and become more conscious that the expression of their human interaction was visible evidence of their personal commitment to Christ.[126] Furthermore, from the integration of this spiritual formation came the worthwhile capacity to perform a proper and thorough examination of conscience, the benefit of which was a confession marked by greater detail and precision. In this way, penitents could place their whole life – thought, word and deed – before the priest for healing and peace.[127] This full and sincere self-exposition by the repentant sinner enabled the priest, on his part, to carefully weigh and discern the person's circumstances and motives, and suitably adapt the penance: "If by his magic anyone destroys anybody, he shall do penance for seven years, three of these on bread and water. If anyone is a magician for love and destroys nobody, if he is a cleric he shall do penance for an entire year on bread and water."[128]

Once the element of sacramental confession was regarded as the primary work of penance, it also became the part of reconciliation in which the repentant sinner's personal life and individual circumstances were most clearly elucidated before the Church.[129] With absolution given by the priest immediately and available as often as required, the problem inherent to this development was that each member's commitment in terms of their personal faith and conversion was largely situated outside the sacramental experience. The danger therefore arose of a disconnection between this broad meaning of personal response encompassed by the human activity of daily Christian living and a

---

[126] The Council of Chalon-sur-Saone, cc. 32 and 33, in *Mansi* XIV, 99-100. English text in Watkins, *A History of Penance* II, p. 703. The canons seem to imply that confession be made to both God and the priest, whilst also admonishing Christians to pray for one another, since without "confession of the eight principal vices... it is difficult to live in this life [and only the priest can teach] how these sins may be purged."

[127] The sacramental experience may therefore be described as a dialogical unity of two persons in faith and penance.

[128] "The Burgundian Penitential," 9, 10, in Schmitz, *Die Bussbücher und das kanonische Bussverfahren*, p. 320. The Latin text reads: "Si quis ueneficio suo aliquem perdiderit VII ann pen[e]teat. III ex his in pane et aqua. Si qui pro amore ueneficus sit et neminem perdiderit, si clericus annum integrum cum pane et aqua pen[e]teat." English trans. in McNeill and Gamer, *Medieval Handbooks of Penance*, p. 274. More severe penalties were suggested for deacons and priests.

[129] Dooley, "From Penance to Confession," p. 408.

more narrow, limited and consequently abstract personal value expressed within the sacrament.

Theological development during the twelfth and thirteenth centuries influenced the meaning of the personal value, identifying it with the acts of the penitent, especially contrition, which together with confession and satisfaction, manifested the sinner's penitence in an existential manner.[130] This theology influenced the legislation concerning confession issued by Lateran IV, and may be observed in its requirement that annual confession of all sins be made in a faithful manner and, insofar as possible, the imposed penance be performed. Combined with the careful inquiry and prudent discernment of the priest, this implied that each person need strive for a complete and sincere exposition of their life that evoked a truly human response to God's call to repentance and peace.

Having been the historical point of convergence for the many strands of thought and practice, theologians continued to build on this Council's formulation regarding the sacrament. The complex, shifting debate, which also involved the meaning and influence of the priestly absolution on contrition, maintained a delicate if tenuous balance between the personal involvement of the penitent and the sacramental event in the justification process.[131] However, the combination of ecclesial and personal aspects into a single cause for the forgiveness of sins ensured the sacrament's status as a graced, human encounter where the mercy of God met the faithfulness of the penitent. It thus ensured the essential place of the personal value of the sacrament in its transition to the model of modern confession.[132]

In the later medieval period, the significance of the personal value was threatened as theology tended to identify the essence of the sacrament with the priest's absolution, and reduced the elements which elicited the life and particular situation of the individual

---

[130] Peter Lombard, *The Four Books of Sentences*, IV, Dist. XVII, III, V, in *PL* 192, 885. English text in Rogers, *Peter Lombard and the Sacramental System*, p. 188. See also Rahner, "Penance," in *The Concise Sacramentum mundi*, p. 1200.

[131] Hancock and Williams, "The Scholastic Debate on the Essential Moment of Forgiveness," pp. 68-69.

[132] Curran, "The Sacrament of Penance Today II," p. 597 notes that by stressing the same ultimate disposition of the person inside or outside the sacrament, St Thomas maintained a well balanced unity in the liturgical and spiritual life of the Christian, and underscored the importance and need for a personal response in the sacrament of penance.

penitent to the status of necessary conditions. This line of thinking considered that the absolution, together with attrition as the sufficient level of sorrow, effected the infusion of justifying grace which was, therefore, no longer given and accepted by means of an act that corresponded to its nature.[133] The result of this greater emphasis on the Church's verbal ritual judgement seriously undermined the meaning and value of the penitents' active engagement and consequently, their experience of conversion in the sacramental celebration, a factor which affected both the liturgy and practice of reconciliation.[134]

Unwillingness to resolve the diverse opinions of theology concerning key elements of the sacrament enabled the Council of Trent to clearly teach that the sacrament was for the person and critically important to his or her particular spiritual journey. In doing so, the Council centred its understanding of the personal value on the encounter between the sinner and priest confessor, naming it a privileged moment in which the penitent, transparent before God, could reveal the sincerity and completeness of personal repentance and conversion:

> Thus, when Christ's faithful endeavour to confess all sins which come to mind, they are beyond doubt setting them before the divine mercy for all to be pardoned. Those, however, who do otherwise and knowingly hold some things back, are presenting nothing to the divine goodness for forgiveness through the priest; for if a sick man is ashamed to disclose his wound, the doctor does not heal with medicine what he is unaware of.[135]

Significantly, the Council regarded an integral confession as a fundamental aspect of this encounter, since it obtained through the Church's minister the divine grace and mercy needed by the penitent for spiritual support and healing. The Council further supported this value by affirming the practice of secret confession and the preservation of the sacramental seal. Finally, the works of satisfaction joined the human effort of the

---

[133] Rahner, "Penance," in *The Concise Sacramentum mundi*, p. 1201. Thus the absolution obtained the propensity to become a virtual substitution for the personal element in the celebration of the sacrament.

[134] Dallen, *The Reconciling Community*, p. 148.

[135] The Council of Trent, Teaching Concerning the Most Holy Sacraments of Penance and Last Anointing, Chap. 5, in Tanner, p. 706. The Latin text reads: "Itaque dum omnia, quæ memoriæ occurrunt, peccata Christi fideles confiteri student, procul dubio omnia misericordiæ divinæ ignoscenda exponunt. Qui vero secus faciunt et scienter aliqua retinent, nihil divinæ bonitati per sacerdotem remittendum proponunt. Si enim erubescat ægrotus vulnus medico detegere, quod ignorat, medicina non curat."

penitent to the humanity of Christ himself: "For this satisfaction which we offer in payment for our sins is not so much ours that it is not also done through Christ Jesus; for we can do nothing of ourselves as of ourselves; with his cooperation we can do everything in him who strengthens us."[136]

2.2 CONFESSION ON THE EVE OF THE SECOND VATICAN COUNCIL

Throughout four centuries of the Counter-Reformation Church the privatised, repeatable form of individual confession and absolution effectively remained the sole means for celebrating the conversion and reconciliation of serious postbaptismal sinners.[137] Nevertheless, as the world began to experience a sustained period of global tension, profound social change and rapid technological development, the Church recognized the urgent necessity of a soundly based renewal at all levels of its life and mission for it to participate in a positive and relevant way in the midst of this modern drama. Through a deeper knowledge and appreciation of its rich and varied tradition, the sacrament of reconciliation took its proper place in the Church's journey towards a reform which opened fresh approaches to the expression of its theology, liturgy and canon law.

2.2.1 THE PATH TO RENEWAL IS OPENED

At the beginning of the twentieth century, studies in history and theology combined with various pastoral problems and initiatives to begin a new and important chapter in the understanding and practice of the sacrament of reconciliation as it was expressed in the model of "judicial" or modern confession. Of particular importance was the identification and theoretical recovery of a communal foundation to the Church's ancient reconciliation

---

[136] Ibid., Chap. 8, p. 709. The Latin text reads: "Neque vero ita nostra est satisfactio hæc, quam pro peccatis nostris exsolvimus, ut non sit per Christum Iesum; nam qui ex nobis tanquam ex nobis nihil possumus, eo cooperante, qui nos confortat, omnia possumus."

[137] Dallen, *The Reconciling Community*, p. 204. As the author further notes, it acted as a mirror image of that Church's life, "which sought security in rigidity, self-confidence through repeated self-purgation, and strength through introspective exercises."

procedures.[138] In addition, clear determination of the purpose of these various procedures – as the restoration of repentant sinners to the Church as a sure and effective sign of their reconciliation with God – grew in its appreciation and impact within scholarly discussion. Thus the possibility opened for a clearer recognition of the sacrament's visible sign and its liturgical and legislative renewal.[139]

Meanwhile, on the pastoral level, Pope St Pius X proved a catalyst for arguably the most outstanding feature of the century's early decades: the greatly increased practice of the sacrament which emerged following the important and influential decrees encouraging frequent communion and first communion for young children.[140] The understanding of sin and its effects was an important additional aspect in this development, tending to be described in rather abstract terms: "Deprived of that which gave [the soul] beauty in the sight of God, it now appears in His eye as something soiled, something defiled. In this sense and for this reason, sin, in passing, leaves behind a permanent mark ... a certain stain upon the soul."[141]

Considered in this light, the confession of venial (or "daily") sin, whose commission was regarded a frequent occurrence, was encouraged to become a common practice, since the sacrament of penance "contains special means for cleansing the soul of sins, for sanctifying and preserving it – means which are not available in the same measure and efficacy outside the confessional."[142] Such confession was all the more

---

[138] P. Anciaux, *The Sacrament of Penance*, New York, Sheed & Ward, 1962, p. 110.

[139] Vorgrimler, *Sacramental Theology*, p. 217.

[140] Sacred Congregation of the Council, Decree *Sacra Tridentina Synodus*, 20 December 1905, in *Acta Sanctæ Sedis*, 38 (1905), pp. 400-406, and Sacred Congregation for the Discipline of the Sacraments, Decree *Quam singulari*, 8 August 1910, in *Acta Apostolicæ Sedis (=AAS)*, 2 (1910), pp. 577-583. English texts in J.J. Megivern (comp.), *Worship & Liturgy*, Official Catholic Teachings, 6, Wilmington, NC, McGrath Pub. Co., 1978, pp. 27-40. It is noteworthy that, according to Dallen, *The Reconciling Community*, p. 198, the latter decree witnesses firmly to the important role of the priest and especially his embodiment of the Church's intervention in the person's journey of conversion and faith. See also Martos, *Doors to the Sacred*, p. 354, who notes that the association of confession with communion as its proximate preparation was a significant factor in the increased practice of confession.

[141] P. Galtier, *Sin and Penance*, Catholic Library of Religious Knowledge, 21, trans. by B. Wall, London, Sands, [n.d.], p. 65.

[142] P. Scharsch, *Confession as a Means of Spiritual Progress*, trans. by F.A. Marks, ed. by A. Preuss, 2nd ed., St Louis, MO; London, B. Herder Book Co., 1931, pp. 44-45.

urgent, for it was argued that the accumulation of these sins, if left unchecked, led to mortal sin.[143] As well, the accretion of a psychological and ascetic purpose to the sacrament, exemplified by modern "devotional" confession, enabled it to be used by faithful in an almost automatic sense to eliminate personal defects and receive grace that assisted their growth in holiness: "By [frequent confession] genuine self-knowledge is increased, Christian humility grows, bad habits are corrected, spiritual neglect and tepidity are resisted, the conscience is purified, the will strengthened, a salutary self-control is attained, and grace is increased in virtue of the sacrament itself."[144]

The progress of the liturgical movement during the pontificate of Pius XII[145] heralded the realization that liturgical reform had become a priority for the Church, including reforms to the sacrament of penance. Significant factors were at work, including insights derived from modern Scripture study, crucial contributions from contemporary historical investigation, important developments in ecclesiology and sacramental theology and input from the human sciences, which influenced thinking about sin, conversion and reconciliation in both remote and proximate contexts. Together these factors began to bring greater richness and depth to the meaning of the sacrament, whilst at the same time uncovering the advantages and shortcomings present in its modern, privatised setting, thus providing effective and soundly-based resources for renewal.[146]

---

[143] Ibid., p. 17.

[144] Pope Pius XII, Encyclical Letter *Mystici corporis Christi*, 29 June 1943, para. 88, in *AAS*, 35 (1943), p. 235. The Latin text reads: "crebræ confessionis usum, quo recta sui ipsius cognitio augetur, christiana crescit humilitas, morum eradicatur pravitas, spirituali neglegentiæ torporique obsistitur, conscientia purificatur, roboratur voluntas, salutaris animorum moderatio procuratur, atque ipsius sacramenti vi augetur gratia." English trans. in C. Carlen (ed.), *The Papal Encyclicals 1939-1958*, Wilmington, NC, McGrath Pub. Co., 1981, p. 55. See also the comments in Dallen, *The Reconciling Community*, pp. 187-188.

[145] Pope Pius XII, Address to the International Congress on Pastoral Liturgy and the Liturgical Movement, 22 September 1956, in *AAS*, 48 (1956), pp. 711, 724-725. English text in Megivern (comp.), *Worship & Liturgy*, pp. 161, 176-177.

[146] Dallen, *The Reconciling Community*, pp. 188-190. See also Hellwig, *Sign of Reconciliation and Conversion*, p. 78.

2.2.2 REFLECTIONS AND INSIGHTS FROM THEOLOGY AND CANON LAW

Theologians writing immediately prior to the Second Vatican Council unanimously founded their reflections concerning the sacrament of penance upon the person and work of Jesus Christ as the primary and necessary basis for the subsequent treatment of other theological subjects and issues. The following section of this chapter will therefore introduce some of these important thoughts on Christology relevant to the topic of this thesis. It will then proceed with concise notes on their understanding of the Church and the theology of the sacraments before attempting a more detailed study of the sacrament of reconciliation.

2.2.2.1 Jesus Christ, the Primordial Sacrament

In Jesus, the Word of the God, God's final word is spoken into the visible, public history of humankind, a word of grace, reconciliation and eternal life. As the culmination of the dialogue between God and human beings, there existed in Jesus the perfection both of the divine invitation and of the human response in faith.[147] In the most definitive fashion, the suffering endured in his human body, Jesus was made perfect and sealed the New Covenant with his blood (Heb. 2:10-18). The Son of God became a human being precisely to give himself in a sacrificial, self-dispossessing way. He took our flesh, an existence branded with the sign of sin and identified completely with it, to make this sign of condemnation into a sign of supreme adoration of God. Thus the grace of God's final victory now exists permanently in the world in tangible, historical form, established in the flesh of Christ.[148]

As the personal, visible realization of the divine grace of redemption, the man Jesus is *the* sacrament, the primordial sacrament, and his saving activity is sacramental, signifying and effecting the reality that God the Father, the ultimate source of salvation,

---

[147] K. Rahner, *The Church and the Sacraments*, Quæstiones disputatæ, 9, Freiburg, Herder; Montréal, Palm Publishers, 1963, p. 15 and E. Schillebeeckx, *Christ the Sacrament of Encounter With God*, London and New York, Sheed and Ward, 1963, p. 12.

[148] A. von Speyr, *Confession: The Encounter With Christ in Penance*, trans. by A.V. Littledale, Freiburg, Herder; Montréal, Palm Publishers, 1964, p. 23 and Rahner, *The Church and the Sacraments*, p. 15.

has reconciled the world to himself. Jesus in his humanity is the only way to the actuality of this reconciliation with God; therefore the human encounter with Jesus is the sacrament of the encounter with God. Now the abiding presence and benefit of this mystery is actualised in and through the Holy Spirit, who realizes and perfects in humankind that redemption which was completed once and for all in the human body of Christ. Brought about through the loving and life-giving interaction of the community of the Blessed Trinity, this gift of reconciliation must be experienced by human beings in the historical order in a way that is fundamentally both human and communal in nature. This expression of God's love becomes incarnate and fulfilled in the community of the Church.[149]

2.2.2.2 The Church, Fundamental Sacrament of Christ

In his messianic sacrifice, Christ in his glorified body is himself the eschatological, redemptive community of the Church and in his own self is at once both head and members. However, God's reconciliation came to humankind through the visible instrumentality of Christ's humanity, the sign which manifested and communicated the love of God for all people.[150] Although the glorified Christ could have imparted this gift to human beings directly, he willed that this only occur through the visible and human community of the Church, which in its societal structure is the continuation of the real, tangible presence of the humanity of Christ.[151] Hence, the final goal of grace achieved by

---

[149] Schillebeeckx, *Christ the Sacrament of Encounter With God*, p. 16 and Anciaux, *The Sacrament of Penance*, p. 28.

[150] Schillebeeckx, *Christ the Sacrament of Encounter With God*, p. 55 and Riga, *Sin and Penance: Insights Into the Mystery of Salvation*, p. 133.

[151] G. McCauley, "The Ecclesial Nature of the Sacrament of Penance," in *Worship*, 36, (1961), p. 213. As Pope Pius XII explains in *Mystici corporis Christi*, para. 54, "our Saviour shares prerogatives peculiarly His own with the Church in such a way that she may portray, in her whole life, both exterior and interior, a most faithful image of Christ. For in virtue of the juridical mission by which our Divine Redeemer sent His Apostles into the world, as He had been sent by the Father, it is He who through the Church baptizes, teaches, rules, looses, binds, offers, sacrifices." See *AAS*, 35 (1943), p. 218. The Latin text reads: "quod Servator Noster bona maxime sibi propria ita cum Ecclesia sua communicat, ut hæc secundum totam vitæ suæ rationem, tam adspectabilem quam arcanam, Christi imaginem quam perfectissime exprimat. Nam per iuridicam, ut aiunt, missionem qua Divinus Redemptor Apostolos in mundum misit, sicut ipse missus erat a Patre, ipse est, qui per Ecclesiam baptizat, docet, regit, solvit, ligat, offert, sacrificat." English trans. taken from Carlen (ed.), *The Papal Encyclicals 1939-1958*, p. 48.

Christ becomes present in the whole Church as a visible society, and through it humanity is placed in living contact with the mystery of Christ. Consequently, by the fact of being the enduring presence of Christ in the world, the community of the Church may itself be considered a sacrament, having received from Christ an intrinsically sacramental nature. This abiding presence of Christ in the Church is the sign and guarantee that God in his merciful love identifies himself, in Christ, with the world. The Church is, therefore, the formal presence of the grace of Christ in the public history of the human race.[152]

2.2.2.3 The Sacraments, Signs and Celebrations of Unity

According to God's plan of salvation, the gift of grace, or the human encounter with God, made visible and eternally effective in the person of Christ, has now passed over into the sacraments of the Church.[153] The Church's intrinsic sacramental character "bridges the gap," as it were, between the Christ of heaven and unglorified humanity and makes possible a reciprocal human encounter of Christ the Lord and human persons. In the sacraments of the Church, therefore, God's grace is symbolized and given expression and embodiment and, by being so embodied, is made present.[154] In one sense, then, a sacrament is a *sign* of the personal saving action of Christ expressed as an immediate encounter, in mutual availability, between the living Lord and human beings.[155] It may be viewed as a mysterious bond linking humankind with the historical reality of Jesus Christ, efficaciously communicating to them the divine gifts which it signifies.[156]

---

[152] Schillebeeckx, *Christ the Sacrament of Encounter With God*, pp. 56 and 54, and Rahner, *The Church and the Sacraments*, pp. 18-19.

[153] A sacrament is an extension of Christ's humanity. In his hands, earthly sacramental acts become the cause of eternal life, since the humanity of Jesus is the instrument which the Word uses to redeem humankind. See A.G. Martimort, *The Signs of the New Covenant*, Collegeville, MN, The Liturgical Press, 1963, pp. 43 and 49.

[154] Schillebeeckx, *Christ the Sacrament of Encounter With God*, pp. 47 and 53, and Rahner, *The Church and the Sacraments*, p. 34.

[155] Schillebeeckx, *Christ the Sacrament of Encounter With God*, p. 74. As B. Häring notes in *The Law of Christ: Moral Theology for Priests and Laity* I, trans. by E.G. Kaiser, Cork, Ireland, The Mercier Press, 1961, p. 407, a sacrament is a sign of faith through which we approach Christ and he comes to us with his grace.

[156] Martimort, *The Signs of the New Covenant*, pp. vii and 18.

Furthermore, and in the light of this understanding, a sacrament is a *celebration*, as "presence among his people in mystery," of the redemption of Christ, which reaches humanity in the visible form of an official act of the Church.[157] In this sense, a sacrament is the visibility of the inner worship and holiness of the ecclesial community, this inherent social aspect constituting the bond of communion among Christians and helping them to live this worship to the full. Finally, the fact that this ecclesial and communal symbolic action is at the same time able to be the personal action of Christ, presupposes that the sacraments were instituted by the Lord Jesus himself.[158]

According to this theology, each sacrament is a specific communal and celebratory act (or "event") of the people of God, the sense and purpose of which is to bring about a personal encounter with Christ the Saviour and to be united with the ecclesial communion.[159] Although a sacrament pertains to an individual in a personal way, the whole community of the faithful in its reality as the Body of Christ has an involved concern – united in prayer through participation in the sacramental ritual – for the salvation of those receiving the sacrament. The thought is proposed that

> since the sacraments are the means of salvation they should be understood as instruments of unity. As they make real, renew or strengthen our union with Christ, by that very fact they make real, renew or strengthen union with the Christian community. And this second [social] aspect of the sacraments, is so intimately bound up with the first that it can often be said, indeed in certain cases it must be said, that it is through union with the community that a Christian is united to Christ.[160]

In this light, then, the meaning of the reconciliation celebrated in the sacrament of penance can be approached in all the comprehension of its dignity and depth of meaning. The absolution granted by the Church to repentant sinners is not something static: it

---

[157] Schillebeeckx, *Christ the Sacrament of Encounter With God*, pp. 71, 63-64.

[158] Ibid., pp. 76-78.

[159] Ibid., pp. 81 and 164 and McCauley, "The Ecclesial Nature of the Sacrament of Penance," p. 216.

[160] H. de Lubac, *Catholicism: A Study of Dogma in Relation to the Corporate Destiny of Mankind*, trans. by L.C. Sheppard, London, Burns, Oates & Washbourne, 1950, p. 35. A similar thought is contained in the comments of von Speyr, *Confession: The Encounter With Christ in Penance*, pp. 67-68.

expresses the deep concern of all members of the Body and restores them to the Body, where they resume a redemptive work which is, fundamentally, Christ's.[161]

2.2.2.4 Penance, Individual Sacrament of Repentance and Forgiveness

As a personal redemptive act of Christ in his Church, the sacrament of penance is, in the first place, the personal approach of Christ to a particular man or woman, insofar as it is the efficacious sign of this unmerited and perfect act of pure mercy considered precisely as affecting this individual.[162] From the first stirrings of sorrow, through repentance, to reconciliation, penance is pure gift which has as its source the Father's absolutely free initiative and for its vitality and constancy the interior inspiration of the Holy Spirit.[163] From a reciprocal viewpoint, penance is also the response of the repentant sinner, reaching out in faith, hope and love, in order to grasp hold of the redemption God offers in Jesus. In a wonderful way, the sacramental expression of this penance signifies the true intimacy of the *salvific encounter* where Jesus himself, according to the Father's plan, comes to sinners through the Spirit and leads them to an ever more intimate union and participation in the life of the Trinity.[164]

Having constituted by means of a tangible and human expression this meeting of the utterly free and fully effective approach of Jesus and the faith-filled response of the repentant sinner, the sacrament of penance thus brings the desire for and experience of forgiveness and reconciliation to ecclesial manifestation.[165] That is, God's power of love which invites the sinner to repentance and bestows healing and forgiveness in accordance with his or her positive response, becomes actualised for that person through the Church, who receives sinners and takes up their penance into a sacred event, by which it mediates

---

[161] McCauley, "The Ecclesial Nature of the Sacrament of Penance," p. 216.

[162] Schillebeeckx, *Christ the Sacrament of Encounter With God*, pp. 97 and 103.

[163] Anciaux, *The Sacrament of Penance*, p. 41, and Martimort, *The Signs of the New Covenant*, pp. 246, 249-250.

[164] Häring, *The Law of Christ* I, p. 410.

[165] Schillebeeckx, *Christ the Sacrament of Encounter With God*, pp. 217, 246-247. He continues with the analogy of a mother and child: "It is not enough for the child to know that its mother loves it, it needs the actual embrace to perfect the experience of love."

to them the remission of their sins by God.[166] The Church thereby recognizes its authority and responsibility to intervene with the appropriate care and support in the reconciliation of its sinful members. Whilst the ecclesial dimension of the sacrament abides in the penitents themselves (as the penitent Church of sinners), it takes its most visible and effective form in the ministry of the priest confessor in whom the Church

> withdraws in judgement from sin (hearing the confession, judicial verdict, imposition of a penance), and so lifts again the darkness cast by her rejection of sin. It is a vital expression of the Church's essence, as bearer of God's grace-giving words, which she addresses here to the individual and so effectively fulfils her own nature as the abiding sacrament of God's mercy in the world.[167]

Accordingly this ministry, and especially the absolution pronounced by the priest, is central to the sacrament's effectiveness as a sign of God's grace, providing the tangible assurance that conversion is complete and being the visible expression of God's consenting answer to the repentance of the sinner.[168] At a most fundamental level, the Church, acting through the grace-filled words of the priest, makes flesh in the sacrament the divine mystery of God's pardon. The effect of this absolution is first of all then to readmit the penitent to full standing in the Church (thus making the remission of sin which it brings about essentially ecclesial), and then at the same time assure that person of reconciliation with the Father, so that there can be "no return to the grace of God without a return to the communion of the Church."[169]

Clearly the sacrament of penance, as with all the sacraments, has a double effect: one in relation to the visible Church – the ecclesial effect – and another in relation to Christ and, in him, to the Father – the religious effect – related in such a way that the former, as signified in the external rite, is the sacrament of the latter.[170] This enabled

---

[166] Riga, *Sin and Penance: Insights Into the Mystery of Salvation*, p. 167 and Anciaux, *The Sacrament of Penance*, pp. 115 and 146.

[167] Rahner, *The Church and the Sacraments*, p. 95. He continues: "In the common action of the priest as authorized spokesman of the Church, and of the penitent human being, the fundamental nature of the Church is manifested."

[168] Ibid., p. 29 and Anciaux, *The Sacrament of Penance*, p. 159.

[169] De Lubac, *Catholicism*, p. 38.

[170] Schillebeeckx, *Christ the Sacrament of Encounter With God*, p. 190.

theologians to conclude that reconciliation *through* the Church is also reconciliation *with* the Church, and this is the sign (in irrevocable eschatological validity) of reconciliation with God.[171] However, the recovery and confirmation of such an important insight for the sacrament of penance led in turn to deeper reflection concerning this ecclesial effect: what did reconciliation with the Church mean, and what were its consequences?

2.2.2.5 Penance, Sacrament of Ecclesial Union

In the sacrament of penance as expressed in the model of modern confession repentant sinners, having entered into the mystery and power of Christ's passion, experience the forgiveness of their sins through a valid, licit grant of absolution by the priest and being thereby reconciled, receive the juridic right to share fully in the Eucharist.[172] Now according to the ancient, communal discipline of reconciliation, reception of the Eucharist signified the completion of the penitential process and indicated a person's reconciliation with the Church in terms of restoration and reintegration to the visible communion of life and worship. This welcoming seal placed by the community on the sinner's conversion was further understood as the sign of right relationship with God. The meaning of this welcome to communion was significantly eroded by the models of private penance which, from a practical viewpoint, disconnected reconciliation from the celebration of the Eucharist, so that receiving communion no longer indicated the completion of the conversion process. Indeed, the sacrament of penance in its private, repeatable forms became an intensified experience of a process of conversion that embraced one's whole life, and could even be celebrated simply for its own sake, for example, as an act of piety or asceticism, or to obey a Church law. Thus, in recovering its signifying power in the model of modern confession, reconciliation with the Church as the ecclesial effect could not regain its ancient meaning of "communion," but required a meaning that emerged from the sacrament of penance itself.

---

[171] Rahner, *The Church and the Sacraments*, p. 94. B. Leeming, *Principles of Sacramental Theology*, 2nd ed., London, Longmans; Westminster, MD, The Newman Press, 1960, pp. 361-362, also notes the foundational works of Xiberta and Amann for this understanding. As Riga, *Sin and Penance: Insights Into the Mystery of Salvation*, p. 111 comments, this is also the view of Poschmann, Schmaus and de Lubac.

[172] Leeming, *Principles of Sacramental Theology*, p. 363.

To begin with, reconciliation with the Church impresses upon the forgiven penitent a deep sense of *belonging*. Every sin by a member of the Church not only disrupts his or her relationship with God; they oppose the very nature of the Church and touch the other members of the community.[173] Thus, in its reaction towards a gravely sinful member

> the Church binds, or draws away from him or her, by some form of exclusion similar to the present-day exclusion from holy communion with the obligation of confession [so that] the sinner is no longer regarded by God as belonging to that holy community. If the Church looses on earth through a renewal and full recognition of reconciliation with the Church, God effectively regards the person in the full sense as a member of that community.[174]

This means that when the Church forgives a sinful brother or sister, then they are really forgiven "on earth." That is, in terms of their relationship to the Christian community, the reconciled sinner is drawn back into the Church as a fit subject for grace, so that precisely in and through the sacrament, the individual is a member of the Church.[175]

This basic meaning is enriched and extended by the suggestion that reconciliation with the Church offers the penitent a *new beginning*. For the restored member, the sacramental experience of forgiveness, rather than representing a finality, gives a person the impetus and encouragement for a fresh start on the life-long journey of conversion and integration into the life of the Church that leads to holiness.[176] This clearly indicates that the experience of being drawn into the Church through reconciliation is both a process of development and progressive in its intensity, because by celebrating the sacrament "the penitent [is led] to a deeper realization of his place in the Body of Christ.

---

[173] Sin has an ecclesial and social dimension and impact because participation in the divine life can only be received and lived within the community of believers. As Riga, *Sin and Penance: Insights Into the Mystery of Salvation*, p. 59 notes: "In the Church we are not alone, we find ourselves bound together in charity with the Blessed Trinity, together possessing a common divine life. My refusal given in sin is not just for God, but also for my brothers and sisters who are one with me in the same life and love."

[174] Rahner, *The Church and the Sacraments*, pp. 93-94.

[175] McCauley, "The Ecclesial Nature of the Sacrament of Penance," p. 213 and von Speyr, *Confession: The Encounter With Christ in Penance*, p. 91. See also Schillebeeckx, *Christ the Sacrament of Encounter With God*, p. 184.

[176] Anciaux, *The Sacrament of Penance*, p. 121.

and of his importance as a functioning knowledgeable member of the Christian community."[177]

The Church, therefore, in reconciling the penitent with itself, assists that person through its role of sanctifying and imparting grace, thereby developing the conversion that is already present.[178] Crucial to the effectiveness of this growth in conversion is the gift of suitable and helpful works of satisfaction. In a most significant way, "the atonement which is made for sin avails not merely as an individual good act of the penitent, but also as united to the Church's power of atonement in union with Christ's. The whole Mystical Body shares with the penitent in his atonement, and this is the effect of reconciliation with the Church."[179]

United to the Church in atonement and gratitude, the penitent thus looks forward, within the embrace of the community, to the breaking of all bonds by which he or she is held from full union with Christ.[180] It thus follows that the special ecclesial union into which the reconciled person enters through the sacrament cannot be regarded as merely juridical. This understanding of reconciliation with the Church exposes, and assists the investigation of, other significant aspects of the sacrament of penance.

The remaking of one's relationship with the Church and with God through a conversion process, in which the sacrament of penance finds a central place, is generally marked by stages that may encompass a more or less lengthy period of time. Whether it be for reconciliation after mortal sin or for spiritual growth, if repentance is to be effective and conversion authentic, then the person must willingly reject the way of sin, condemn it and depart from it.[181] The validity of reconciliation with the Church as the

---

[177] McCauley, "The Ecclesial Nature of the Sacrament of Penance," p. 218.

[178] Anciaux, *The Sacrament of Penance*, pp. 78, 155, 157.

[179] Leeming, *Principles of Sacramental Theology*, pp. 363-364. Connected to this was the question concerning the slight or minor nature of the contemporary works of penance imposed. Such an approach was justified precisely because it brought out "more clearly, by way of contrast, the importance of this more general disposition [that is, penance as a virtue which encompassed the whole of life], including progressive liberation from sin, union with Christ's suffering by the acceptance of trials, deeper rooting in charity." See Martimort, *The Signs of the New Covenant*, p. 256.

[180] Häring, *The Law of Christ* I, p. 416.

[181] Anciaux, *The Sacrament of Penance*, pp. 99, 101. The teaching of the Church maintained the divine law requirement that all mortal sins committed after baptism be submitted to the priest in the

sign of divine pardon, therefore, needs something more than the free acknowledgement of sin and acceptance of a penance: the ecclesial effect must correspond to an inward *metanoia*; the exterior sign must be a mirror of the interior sentiment.[182] The part of the sinner who repents; that is, the personal engagement and active cooperation in the celebration of the sacrament with faith and love is, therefore, an essential element of ecclesial penance,[183] and places a crucial emphasis upon the process of conversion embodied within the sacrament itself.

The purpose of this process is without doubt the infusion of the personal acts of the repentant sinner with an unique sacramental dignity and value.[184] As a human response to God's loving and merciful initiative, they represent the sincere, personal prayer which integrates the penitent into the sacramental visibility of the Church and brings him or her into contact with the heavenly saving act of Christ.[185] Sorrow amounting to at least imperfect contrition is the primordial element and indispensable action for entering into conversion within the sacrament, because it reveals the person's disposition and response as genuine and acceptable. Having become perceptible in external manifestation and given a deeper dimension through the penitent's confession and purpose of amendment, it is lifted up and transformed by the power of the sacrament into that perfect final activity without which forgiveness and reconciliation is not possible.[186]

It follows that the confession of one's sinfulness takes its necessary place in the sacramental process from its definition as an element of contrition.[187] As the principal

---

sacrament of penance, together with an explanation of the circumstances which change their nature. Many authors note, however, the increasing emphasis on the Christian's calling to grow in Christ, with the consequent development of penance into a sacrament of spiritual progress. See for example Martimort, *The Signs of the New Covenant*, p. 257.

[182] Schillebeeckx, *Christ the Sacrament of Encounter With God*, p. 186 and Martimort, *The Signs of the New Covenant*, p. 230.

[183] Riga, *Sin and Penance: Insights Into the Mystery of Salvation*, p. 167.

[184] Häring, *The Law of Christ* I, p. 410.

[185] Schillebeeckx, *Christ the Sacrament of Encounter With God*, p. 170.

[186] Häring, *The Law of Christ* I, pp. 410, 452 and 454; Martimort, *The Signs of the New Covenant*, p. 248 and Schillebeeckx, *Christ the Sacrament of Encounter With God*, p. 170.

[187] Riga, *Sin and Penance: Insights Into the Mystery of Salvation*, p. 118.

means of penitential expiation, the act of a humble and integral confession represents a person's absolute submission to God's word which aims to reproduce the disposition of the Son before the Father.[188] In this identification with Jesus, the repentant sinner is enabled to trustfully acknowledge the sins by which not only grace has been lost, but also have affected his or her relationship to the Church, and so the confession incarnates the desire for that relationship to be restored.[189] Having exposed one's life by means of these dignified and sacred actions, it remains for the priest confessor to judge the nature of the penitent's disposition and response to God's grace and love. This judicial ministry of the priest climaxes, as it were, the penitent's graced and human encounter with the risen Christ, and so "a transparent self-surrender is the natural posture of the sinner. He wishes to see himself as he is because God is forgiving and accepting him as he is. On the other hand, the Church in granting absolution is not granting an amnesty; she is restoring this part of herself to herself."[190] The prayer of absolution prayed by the priest is, therefore, a powerful and effective symbol; it elevates the Spirit-guided acts of the penitent to the nobility of divine worship and indicates to the penitent that the disposition manifested in the sacrament is sufficient for reconciliation with the Church as a genuine sign of reconciliation with God.[191]

Significantly, the Church's legislation in force at the time which supported the sacrament of penance was primarily concerned with this judicial absolution of the priest because by it, along with the formal cooperation of the penitent, the sacrament was effected: "In the sacrament of penance, by the judicial absolution imparted by a lawful minister, sins committed after baptism are remitted to the faithful properly disposed."[192] Whilst this canonical text did not explicitly mention reconciliation with the Church, the

---

[188] Von Speyr, *Confession: The Encounter With Christ in Penance*, pp. 69-70.

[189] McCauley, "The Ecclesial Nature of the Sacrament of Penance," p. 217.

[190] Ibid., p. 220.

[191] Häring, *The Law of Christ* I, pp. 449-450; Anciaux, *The Sacrament of Penance*, p. 78 and Martimort, *The Signs of the New Covenant*, p. 253.

[192] *Codex iuris canonici (=CIC 17)*, Pii X Pontificis Maximi iussu digestus, Benedicti Papæ XV auctoritatæ promulgatus, Romæ, Typis Polyglottis Vaticanis, 1933, c. 870: "In poenitentiæ sacramento, per iudicialem absolutionem a legitimo ministro impertitam, fideli rite disposito remittuntur peccata post baptismum commissa."

priest, in his position as a judge of the *society* founded by Christ, exercised the power of the keys through his act of judgement of the forgiveness or retention of the sins submitted to him by the penitent in the course of the sacramental procedure.[193] Accordingly, the law implied in this understanding that the priest represents the Church as its duly authorized minister, who effectively pronounces the Church's response to the repentant sinner which is ratified by (or accurately conforms to that of) God. "The Christian has sinned against the Church; because of his status, he must confess also before the Church, which turns to him with the face of divine mercy."[194] The ecclesial effect, as the sign of one's relationship with God, is therefore presented in the canon, although it is somewhat submerged.

The meaning and importance of this priestly and ecclesial function was further informed by c. 888 §1: "The priest shall remember in hearing confessions that he takes the part both of a judge and of a physician and has been appointed by God a minister of divine justice as well as of mercy, in order that he promote the divine honour and the salvation of souls."[195] Evident from the purpose of confession as previously explained, these two aspects of the priest's ministry – judge and physician – worked together for the human and spiritual benefit of the penitent. The *judge* sought to obtain from the penitent all that was required for a just judgement and ensure the validity of the sacramental event, whilst the *physician* carefully applied the necessary means against the wound inflicted by sin, in order to prevent a relapse and promote healthy growth in the Christian life, since this was the main obligation for every member of the faithful.[196] In the person of the priest then, the reconciling mission of the Church: to receive repentant sinners, to administer to them God's saving justice and restore them to grace, and to guide them into

---

[193] C. Augustine, *A Commentary on the New Code of Canon Law* IV, third, rev. ed., St Louis, MO: London, B. Herder Book Co., 1925, p. 249.

[194] Häring, *The Law of Christ* I, p. 448.

[195] "Meminerit sacerdos in audiendis confessionibus se iudicis pariter et medici personam sustinere ac divinæ iustitiæ simul et misericordiæ ministrum a Deo constitutum esse ut honori divino et animarum saluti consulat."

[196] J.A. Abbo and J.D. Hannan, *The Sacred Canons: A Concise Presentation of the Current Disciplinary Norms of the Church* II, St Louis, MO; London, B. Herder Book Co., 1952, p. 16; Augustine, *A Commentary on the New Code of Canon Law* IV, p. 300 and Riga, *Sin and Penance: Insights Into the Mystery of Salvation*, p. 51.

deeper holiness and conformity with Jesus as a concrete expression of their reconciliation with the Church, was brought to faithful realization.

The judicial absolution of the priest was also enlightened by c. 901, stipulating the integral nature of the sacramental confession: "One who has committed grave sins after baptism, which have not yet been directly remitted through the keys of the Church, must confess all of which after a careful examination he is conscious, and explain the circumstances in confession, which change the species of the sin."[197] This precept of positive divine law enshrined the teaching that complete confession of serious sins as part of the sacramental process of conversion, and submitted according to the capabilities of human nature, was required of the penitent as a means of salvation.[198] It preserved the understanding that the Church has been given the fullness of power by Christ to forgive and retain sins. The obligation that the penitent make this confession and have the sins remitted through the reconciling ministry of the Church in the form of the priest's absolution, indicated that only through a complete confession could the priest form an accurate appraisal of the penitent's condition, and come to an informed judgment. Therefore, the willingness to make a complete confession was an effect and sign of a genuine spirit of repentance and this law a prudent and mild norm, to protect and ensure the essential character of this ministerial act of the priest, and to support its necessary role in the Church's assistance of repentant sinners.[199]

2.2.2.6 Towards a Communal Sacrament of Reconciliation

Having determined and entered into the ecclesial nature and effect of the sacrament of penance in its richness and different perspectives, it remains that arguably the most perplexing theological aspect discussed prior to Vatican II Council was the sacrament's *communal* dimension. Whilst quite distinct its explanation, especially relative to the

---

[197] "Qui post baptismum mortalia perpetravit, quæ nondum per claves Ecclesiæ directe remissa sunt, debet omnia quorum post diligentem sui discussionem conscientiam habeat, confiteri et circumstantias in confessione explicare, quæ speciem peccati mutent."

[198] Abbo and Hannan, *The Sacred Canons* II, p. 28.

[199] Häring, *The Law of Christ* I, pp. 448-449.

experience of penitents in the contemporary ritual, generally remained at the theoretical rather than the practical level, authors tending to merge this aspect into the ecclesial dimension, with which it is closely associated. For example, with the Church presented in the image of the mystical body of Christ, then a communal aspect could be perceived in the ministry of the priest, exercising the power of the keys *of the Church*,[200] but this had a limited, essentially symbolic and intangible character.

Meanwhile, the extremely privatised and individual nature of the sacramental celebration contrasted sharply with a growing appreciation of the corporate solidarity existing in both the secular world and the Church. Recognizing that the human vocation, the law of one's being and life, is love, the love of God and humankind, it is apparent that human beings develop and fulfil themselves in communion with others in a community of love.[201] Accepting the notion of sin as both a separation from God and a breakdown in one's union with the Christian community, then the work of salvation is not purely a matter of an individual relationship between a person and God nor the result of personal effort, but grace and gift from God experienced and lived out within the sacred community.[202]

In light of this, it may be proposed that *metanoia* provides the basis for both the individual member's relation of solidarity with the Church and of the obligation, in terms of cooperation and working with other members, to be concerned with the community's needs, thus forming and concretely manifesting one body with all who belong to Christ.[203] Maintaining this attitude of and openness to constant and sincere conversion (the genuine mark of life "in Christ"), the restoration of a sinful member becomes the work and responsibility of the whole body, inspired and guided through the indwelling of

---

[200] Martimort, *Signs of the New Covenant*, p. 60.

[201] Anciaux, *The Sacrament of Penance*, p. 27. Judging by the author's arguments, it seems reasonable to conclude that the perception of a social aspect to sin assisted and influenced the recognition of this corporate dimension to the Christian life and calling. See also Martos, *Doors to the Sacred*, pp. 357-358.

[202] Anciaux, *The Sacrament of Penance*, p. 29 and Häring, *The Law of Christ* I, pp. 412 and 415.

[203] Häring, ibid., p. 413.

the Holy Spirit.[204] In a very real sense then, each person who approaches the sacrament of penance does so as a member of the community of penitents, who journey together in faith strengthened and renewed in the mercy of God's unconditional love.[205]

It follows that by celebrating in a sacramental form this conversion inherent to Christian life, modern private penance, as an act of divine worship and an action of the whole Christian community, must reflect in its ritual structure and process some perceptible expression of a communal dimension. Although theologians admitted that penance was the sacrament in which the awareness of a communal character had been most lost, they drew on the experience of penance in the ancient Church, especially its witness and interpretation of the faith-filled *prayer* of the community: "Today [the communal aspect's] obscure but nevertheless still true expression is found in the prayers that precede the absolution. The Church is busy on the penitent's behalf long before he kneels down in the confessional. Sins are forgiven because Christ, together with his Church, prayed for their forgiveness."[206] This means that in the conduct of the sacrament, the community's prayer is sacramentally identified with the prayer of Jesus. As the prayer of God's Son, this never fails to be heard and consequently assures the grace of forgiveness to the repentant sinner.

Despite this attempt to renew this traditional connection to the (intercessory) prayer of the community, the explanation, although solid in theory, also highlighted the concurrent fragility in actualising the communal aspect within the practice of the sacrament itself. In effect, it remained very much a personal and private experience, regarded more in terms of a dialogue (or "common action") between the priest and penitent than as a liturgical ceremony that might involve the active participation of the

---

[204] Ibid., p. 417 and Leeming, *Principles of Sacramental Theology*, p. 366.

[205] Von Speyr, *Confession: The Encounter With Christ in Penance*, pp. 89-90, who also notes that the penitents' obedience to Church law and teaching gives further depth to this communal dimension. Yet the same author frankly admits that "the penitent easily forgets that he is a member of a community and performs a communal act!"

[206] Schillebeeckx, *Christ the Sacrament of Encounter With God*, pp. 81-82. See also the comments of Anciaux, *The Sacrament of Penance*, pp. 146-147.

community or its interrelation with the penitents in the process of their reconciliation with the Church and to God.[207]

Notwithstanding this state of affairs, the awareness of the sacraments – including the sacrament of penance – as communal acts of worship led to suggestions for, and even experimentation with, "communal" services, which began by situating the private, individual form of modern confession in a communal-type setting and group celebrations without a sacramental absolution.[208] The intention prompting these initiatives was the desire to give greater visibility and impact to the ecclesial effect of the sacrament, that is, reconciliation with the Church, by attempting to actualise its communal effect, situating the sacramental celebration of penance in the presence and with the full and active participation of the community.[209] Along with these efforts directed to more tangible expressions of the ecclesial and communal aspects of the sacrament of penance, came a response to the spiritual and pastoral needs and circumstances of the penitents themselves. In particular, relating the sacrament in a deeper and more intimate way to everyday life and the other sacraments, especially baptism and Eucharist, came to be seen as an important priority along the pathway to reform.[210] The non–official character of these initial and rather restrained adaptations and proposals indicated the gradual emergence of a major pastoral innovation that would lead to a new model of reconciliation. Significantly, this form became "one of the few instances in recent history of such an innovation eventually receiving official approval and the only emergence of a completely new form of penance in a millennium."[211]

---

[207] See for example von Speyr, *Confession: The Encounter With Christ in Penance*, p. 97. Note also the interesting comments in Martimort, *The Signs of the New Covenant*, pp. 57-58, where the author, in discussing the reception of the sacrament, neglects to mention any kind of communal help, prayer or guidance.

[208] Dallen, *The Reconciling Community*, p. 190 and F. Heggen, "The Service of Penance: A Description and Appreciation of Some Models," in *Concilium*, vol. 7, no. 1 (Jan. 1971), pp. 135-136.

[209] Martimort, *The Signs of the New Covenant*, asks on p. 261 whether "some common expression of repentance on the part of all by means of the reading and singing of some appropriate biblical texts" could be introduced.

[210] Dallen, *The Reconciling Community*, p. 193.

[211] Ibid., p. 190.

CONCLUSION

The presentation of theological values considered essential to the ministry of reconciliation has shown a great fluidity in emphasis throughout the Church's historical experience, with reference to both the values themselves as well as particular aspects that pertain to each of them. If the purpose of laws is to accurately reflect and serve values discerned by a community as suitable to promote and sustain the fullness of its activity and growth, then the laws must give clear evidence, in terms of their expression and application, that they are effectively permeated by these values, or they may become burdensome or tend towards a self-justifying abstraction. In the life and mission of the Church, those responsible for the laws supporting the sacramental ministry of reconciliation and their theological foundation, have generally shown a knowledgeable awareness of these essential values, though not always at the most desirable level of clarity or perception.

From the analysis of the theological values provided in the first part of this chapter, the conclusion emerges that their primary function is to deepen the *communion* the members experience between themselves and with God, specifically elaborated as entering more fully into the reality and power of God's reconciling love.[212] This engagement with the divine mercy attains further depth when explored in its human and spiritual dimensions. As a radically *human* experience fundamental to the Christian character, the movement towards reconciliation reveals both social and personal elements, the interconnection of which leads members to an enriched consciousness of solidarity in the community itself. As a deeply *spiritual* experience, this same graced encounter works to progressively renew and nourish members, as individuals and groups, in the genuine expression of their discipleship, so that the body of Christ become a more visible and effective instrument of reconciliation in the world. Only in this sense of ongoing conversion may the significance of reconciliation with the Church be pursued to

[212] Communion is actualised and develops because the members are at once reconciled and reconciling. The presence of sinful members impels the Church to assist them in a context of corporate responsibility, thus manifesting its true nature.

the full extent of its meaning and effect, as a sign of God's infinite mercy and forgiveness.

In 1953, an essay written by K. Rahner was published under the title "Forgotten Truths Concerning the Sacrament of Penance."[213] Along with such fundamental matters as the recovery of the ecclesial dimension of both sin and reconciliation, Rahner spoke in a prophetic way about the sense of participation the sacrament should evoke, noting that the penitent "is not only the passive recipient of this grace but the one who, together with the priest, actively celebrates the sacred *mysterion* itself which is the sacramental cause of the grace which he receives."[214] Whilst always a part of the Church's consciousness of faith, familiar and even self-evident, the contemporary sacramental celebration seemed to overlook or conceal these truths, to the extent that they were deprived of their full significance in the meaning and practice of this ministry. Since sacraments "refer back in their signs to the mysteries of the life and death of Christ and point ahead to the end of the whole history of salvation ... we [thus] have the duty to penetrate more and more, and in ever new ways, into the infinite breadth and depth of divine truth."[215]

Theological reflection on the Church's ministry of reconciliation and, consequently, the sacrament of penance, tended to accelerate in the years immediately prior to Vatican Council II. Numerous theologians joined in the theoretical recovery of important values and aspects contained in this mystery, and discussed them in relation to the model of modern, "judicial" confession.[216] Whilst there were solid attempts to justify the contemporary rite with arguments supporting its adequate embodiment of these values, cautious comments and experimentation also emerged which hinted that the liturgy of penance, and thus its associated law, could be expressed more effectively. Of special concern was the restoration of the sacrament's communal nature, whose concealed

---

[213] The article is contained in a book of collected essays by Rahner, *Man in the Church*, Theological Investigations, II, trans. by K.-H Kruger, Baltimore, MD, Helicon Press, 1964, pp. 135-174.

[214] Ibid., p. 159.

[215] Ibid., pp. 174 and 136.

[216] By way of example, K. Rahner, "Penance as an Additional Act of Reconciliation with the Church," in *Writings of 1965-67*, 2, Theological Investigations, X, trans. by D. Bourke, New York, Herder and Herder, 1973, pp. 125-128, notes the controversy surrounding Xiberta's thesis that in the sacrament of penance an additional reconciliation of the sinner takes place with the Church, and lists the many voices for and against this insight.

presence seemed a major hindrance to a more meaningful celebration of reconciliation as a salvific encounter of the repentant sinner with God, situated and made present through the response and participation of the ecclesial community.

This academic and pastoral activity made the period leading up to Vatican II an important and influential time of transition for the Church's sacramental ministry of reconciliation, and set the foundations for further debate and initiatives. Indeed, the fathers of the Council would give the sacrament serious consideration and confirm the imperative nature of its enrichment and reform.

CHAPTER 3: VATICAN II AND BEYOND: THE EVOLUTION OF GENERAL ABSOLUTION AS A FORM OF SACRAMENTAL RECONCILIATION

"We are only beginning! It may take us a generation until the renewed sacrament becomes a normal part of our Christian living once more. But God's Spirit has set us upon the road, and it is up to us to follow his lead."[1] With such cautious optimism the Church welcomed its officially approved revision of the rite of sacramental reconciliation, published in December 1973 following a lengthy period of study, proposal and assessment which had its genesis in the reform agenda set down by the Second Vatican Council.

Keenly aware of the changes required for the Church to maintain a relevant and effective role in the lives of contemporary men and women, this Council mandated as a key part of its programme a major enrichment and renewal of the Church's sacramental theology and practice. In doing so, the Council fathers expressed their desire that the sacrament of reconciliation not be neglected in this process of reform, even providing certain criteria upon which the work might profitably be based.

The purpose of this chapter is to examine the events, documents and issues which either independently or in combination exerted a significant influence as the Church strove to address the form and meaning of this fundamental though complex aspect of its sacramental life. The text begins, therefore, with foundational conciliar teaching that serves to ground and introduce an analysis of the considerable scholarly debate and pastoral experimentation which the Council stimulated throughout the Church.

Given the emphasis of the communal dimension of reconciliation within this debate and the growing effort among pastors to provide liturgies for God's people more expressive of this value, the next section examines the origin and initial development of general absolution, together with the doctrinal, canonical and pastoral issues involved in its theoretical understanding and practical application, as a valid and credible response to the pastoral needs then emerging in the lives of the faithful. This will be followed by an outline of the official reform process from which, for the first time, a ritual emerged that

[1] "Historical Background," in *National Bulletin on Liturgy*, 9 (Jan.-Feb. 1976), p. 13.

included a complete and separate liturgical rite for general confession with collective sacramental absolution.

3.1 THE SECOND VATICAN ECUMENICAL COUNCIL

On 25 December 1961, Pope John XXIII officially summoned the Second Vatican Council by means of the Apostolic Constitution *Humanæ salutis*. The principal aims of the Council as stated in this document were threefold; namely, the better internal ordering of the Church, unity among Christians, and the promotion of peace throughout the world.[2] Present at the Council were delegates representative of the entire Church, assisted in their work by persons expert in various ecclesiastical disciplines. In attendance as observers were members of Christian Churches not in full communion with the Roman Catholic Church.[3]

The Council met each autumn from October 1962 until December 1965 and produced sixteen major documents. The first of these to be approved, at the solemn session on 4 December 1963, were the Constitution on the Sacred Liturgy *Sacrosanctum Concilium* and the Decree on the Mass Media *Inter mirifica*, the former containing the Council's terse directive for the reform of the sacrament of penance.[4] The subsequent deliberations of the Council provided important teaching for those entrusted with this reform which not only encompassed specific comments concerning the sacrament, but also the person and work of Christ, the nature and mission of the Church and the sacraments of the Church in general.

---

[2] Tanner, p. 817.

[3] Ibid., pp. 817-818. The introduction specifies that "some 2,300 fathers attended the Council, assisted by several thousand experts in theology, canon law and Church history. A college of twelve cardinals was appointed to preside over the Council. [The observers] had either been sent by their own Churches or been invited by the Secretariate for Christian Unity, which John XXIII had created."

[4] Constitution on the Sacred Liturgy *Sacrosanctum Concilium* (=*SC*), 4 December 1963, no. 72, in Tanner, p. 834.

3.1.1 THE PERSON AND WORK OF JESUS CHRIST

The documents of Vatican II do not contain a systematic exposition of teaching about Jesus.[5] Instead, the Council's understanding of Christ, noteworthy for the development it sustained in the course of the fathers' work, appears diffused throughout the documents, often as introductory or particular references. The following points represent in outline form some basic elements of this teaching, which were carefully related by the Council to the principal subject of the document under preparation.

Whenever the Council spoke of the mystery of Christ, it did so in certain characteristic terms.[6] In the mind of the Council, Jesus Christ is the *primal sacrament*, the eschatological final revelation both of God and human beings.[7] The Council taught that God sent his Son, the Word made flesh, to be the true mediator between God and humankind. As mediator, Jesus is at once the image of the invisible God, who enlightens the human race by speaking the words of God, and the perfect human, who has raised human nature to a supreme dignity.[8] Jesus perfected this unique revelation of the Father's love on the Cross, so that by freely shedding his blood, he expiated sin and brought God's redemption of humankind to its fullness and completion. This same Jesus, raised for our justification and now reigning gloriously in heaven, has gifted his disciples with the Holy Spirit and made the people of the new covenant a kingdom, priests to his God and Father.[9] In Jesus Christ "the perfect peace which is our reconciliation came into being, and it became possible for us fully to express our worshipful relationship with God."[10]

---

[5] Osborne, *Reconciliation and Justification*, p. 217.

[6] The principal Conciliar sources for the notes which follow are: *SC* 5; Dogmatic Constitution on the Church *Lumen gentium* (=*LG*) 2-10; Dogmatic Constitution on Divine Revelation *Dei verbum* (=*DV*) 4; Decree on the Missionary Activity of the Church *Ad gentes* (=*AG*) 3 and Pastoral Constitution on the Church in the World of Today *Gaudium et spes* (=*GS*) 22 and 32.

[7] W. Kasper, *Theology and Church*, trans. by M. Kohl, New York, Crossroad, 1989, pp. 116 and 120. Several important contemporary theologians were influential in the Council's reception of this position.

[8] *DV* 4 and *GS* 22, in Tanner, pp. 972 and 1081-1082 respectively.

[9] *LG* 9 and 10, in ibid., pp. 855-856.

[10] *SC* 5, in ibid., p. 821. The Latin text reads: "nostræ reconciliationis processit perfecta placatio, et divini cultus nobis est indita plenitudo."

When the Council subsequently presented its teaching on the Church, the fathers understandably began with a perception of the Church as "the tremendous sacrament which ... arose from the side of Christ as he slept on the cross,"[11] and connected Christ and his work of reconciliation with the inauguration of the Church and its mission. Consequently, Vatican II clearly asserted the definitive role of Jesus in establishing the Church and traced its genesis to the Lord's preaching, his miracles and "in the very person of Christ, Son of God and Son of man, who came 'to serve and give his life as a ransom for many' (Mk 10:45)."[12]

In elaborating the dynamics of the bond between Christ Jesus and the Church, the Council employed language evocative of spousal intimacy and cult, together with images strikingly vivid for their physicality and reverence.[13] Given the intimate nature of this relationship, the fathers perceived a special relevance in the biblical image of the *body* of which Jesus, before all things and holding all things together, is the head and life principle.[14] "All people are called to this union with Christ, who is the light of the world; from him we come, through him we live and towards him we direct our lives."[15]

The Council extended its teaching about Jesus in the presentation on divine revelation. The fathers interpreted the beautiful image of light to emphasize the presence and self-manifestation of Jesus, who lived among humankind precisely to reveal the Father and accomplish the mission of salvation for which he was sent.[16] In the total

---

[11] Ibid. The complete Latin text reads: "Nam de latere Christi in cruce dormientis ortum est totius ecclesiæ mirabile sacramentum." *LG* 3, in Tanner, p. 850, repeats the idea in these words: "Quod exordium [et incrementum] significantur sanguine et aqua ex apero latere Iesu crucifixi exeuntibus."

[12] *LG* 5, in ibid., p. 851. The Latin text reads: "in ipsa persona Christi, Filii Dei et Filii hominis, qui venit 'ut ministraret et daret animam suam redemptionem pro multis' (Mr 10, 45)."

[13] *LG* 6, in ibid., pp. 851-852 offers several examples, including a temple built of living stones, a chosen vineyard planted by the heavenly vinedresser, and a bride adorned for her husband.

[14] *LG* 7, in ibid., p. 853. They state that in the paschal mystery, Jesus in his human body delivered himself up for the Church and, having bound it to himself by an indissoluble covenant, continually nourishes and cherishes it with love. This thought is also expressed as the desire of Christ to join the Church to himself and perpetually enrich it with heavenly goods. See *LG* 5 and 6 in ibid., pp. 851-852.

[15] *LG* 3, in ibid., p. 850. The Latin text reads: "Omnes homines ad hanc vocantur unionem cum Christo, qui est lux mundi, a quo procedimus, per quem vivimus, ad quem tendimus."

[16] *DV* 4, in ibid., p. 972. The text thus firmly anchors the eternal Word of God in the reality of human life and enriches the sacramental character of Christ's person and work.

reality of his presence Jesus incarnated the message that God is with his people and, through the Holy Spirit, active in an ongoing way that makes reconciliation an ever-present reality in the world.[17]

The recognition of this connection between the saving activity of Christ and its Spirit-led continuation by means of the Church's inherent missionary role, enabled the Council to deepen its explanation of the pivotal role of Jesus and the unique dignity of his person.[18] Jesus, in his work of redemption and restoration, made human beings sharers in divine nature and, at the same time constituted the human race a community of brothers and sisters, of which the Church is a fundamental example.[19] Through this communal aspect of salvation, the Council reaffirmed in its exploration of the mystery of humankind that Christ, in restoring to human beings the divine likeness, has united himself with every person, so that each one can say that Christ loved me and gave himself for me (Gal 2:20).[20]

Since God has willed that all persons form a single, united family, this social characteristic is being perfected and completed in the work of Jesus, especially his reconciling death on the Cross.[21] By sending disciples to preach the message that human beings become this family of God united in love, Jesus revealed the distinctly *communal* nature of reconciliation and salvation.[22] This solidarity among people must continually increase until the day of its accomplishment, for insofar as Jesus is the primary realization in historical form of God's eternal saving plan, it is by means of his reconciled

---

[17] *DV* 4 and 7, in ibid., pp. 973-974.

[18] *AG* 3 and 4, in ibid., pp. 1012-1013. Jesus is fully God, since in him the whole fullness of deity dwells bodily, and fully human so that, full of grace and truth, he is appointed head of a renewed humanity.

[19] Ibid., pp. 1012 and 1014. Consequently, the relationship between Christ and the Church is effectively extended to the whole of humanity. This broad notion of community is significant, and is taken up further in *Gaudium et spes*.

[20] *GS* 22, in ibid., pp. 1081-1082. Thus Jesus "laboured with human hands, thought with a human mind, acted with a human will, and loved with a human heart." The Latin text reads: "Humanis manibus opus fecit, humana mente cogitavit, humana voluntate egit, humano corde dilexit."

[21] *GS* 24 and 32, in ibid., pp. 1083 and 1088. The union of God's children as a family in truth and love, therefore, bears a certain similarity to the union of the Blessed Trinity.

[22] *GS* 32, in ibid., p. 1088. This continuing work is expressed most effectively when God's children *behave towards each other as sisters and brothers*, serving each other in accordance with the various gifts imparted to them.

community that the grace, love and mercy of God are constantly actualised and experienced in the world.

3.1.2 THE NATURE AND MISSION OF THE CHURCH

The fathers of Vatican II employed a variety of complementary images to express the mystery of the Church in its richness and vitality, "which mutually interpret and also correct one another."[23] Perhaps the term best suited to describe this mystery is contained in the statement that "the Church is in Christ *as a sacrament* or instrumental sign of intimate union with God and of the unity of all humanity,"[24] since it indicates that the nature and mission of the Church lies precisely in its relationship to and reflection of the person and work of Jesus Christ.[25] The Council's aim was to express and interpret the truth that although the Church comes wholly from Christ and remains in a permanent relationship to him, as a sign and instrument it is also wholly there in order to minister to men and women and the world.[26]

As a community through which God's love is made present for human beings in a *sanctifying encounter* with the risen Christ, the Church of necessity is "a visible assembly and a spiritual community, an earthly Church and a Church enriched with heavenly gifts ... forming one complex reality comprising a human and a divine element."[27] The Church is at once the fruit and means of salvation, "for it is both an actualizing *sign* of God's

---

[23] Kasper, *Theology and Church*, p. 115. *LG* 6 and 7, in Tanner, pp. 851-854 contain several examples including, in addition to temple, bride and body of Christ, sheepfold, building and field. *LG* 9 then introduces the term "people of God," which receives an extensive treatment. See ibid., pp. 855-856.

[24] *LG* 1, in Tanner, p. 849. The Latin text reads: "ecclesia sit in Christo *veluti sacramentum* seu signum et instrumentum intimæ cum Deo unionis totiusque generis humani unitatis." As Kasper, *Theology and Church*, explains on p. 118, the term "sacrament" is used in its fundamental biblical sense, meaning "that transcendent, salvific divine reality which reveals itself in a visible way." See also Gula, *To Walk Together Again*, pp. 74-75.

[25] Osborne, *Reconciliation and Justification*, p. 215. The principal Conciliar sources for the notes which follow include *LG* 8, 9 and 48 and *GS* 40, 42, and 44-45.

[26] Kasper, *Theology and Church*, p. 118.

[27] *LG* 8, in Tanner, p. 854. The full Latin text reads: "coetus adspectabilis et communitas spiritualis, ecclesia terrestris et ecclesia coelestibus bonis ditata, non ut duæ res considerandæ sunt, sed unam realitatem complexam efformant."

salvation in Jesus Christ, and a sacramental *instrument* for passing on this eschatological salvation to all human beings."[28] The Church in its visibility to the world must embody the example set by Jesus in his life among humanity if it is to reveal his mystery faithfully. It is called to copy Christ's example of poverty, spreading humility and self-denial, and his gentleness to the poor, broken-hearted and lost, surrounding with love all who are afflicted, endeavouring to relieve their need. Consequently, whilst the sinless Christ "came only to expiate the sins of the people, the Church, containing sinners in its bosom, is at one and the same time holy and always in need of purification and it pursues unceasingly penance and renewal."[29]

In applying the notion of sacramentality to the Church, the Council taught that Christ wishes to express himself as Saviour of the world in every facet of the Church's life and in the behaviour of each member for the benefit of all humankind.[30] In terms of the individual, the primary goal is to be formed into the likeness of Christ, since "all the faithful of every state and condition are called by the Lord, each in their own way, to that perfect state of holiness whereby the Father is perfect."[31] Complementing this is a social dimension of the Church's sacramental nature, that justifies the role of the Church as "a leaven and sort of soul of human society, which is to be renewed in Christ and transformed into God's family."[32] The Church thus offers humanity an example of unity consisting in the practice of faith and love founded in the Holy Spirit. At the same time, it receives the benefit from the development of human life in society, thereby gaining a

---

[28] Kasper, *Theology and Church*, p. 121.

[29] *LG* 8, in Tanner, p. 855. The Latin text reads: "sola delicta populi repropitiare venit, ecclesia in proprio sinu peccatores complectens, sancta simul et semper purificanda, poenitentiam et renovationem continuo prosequitur." The Council's *analogous* use of the term "sacrament" is thus clearly evident. The Spirit of Christ works in the Church in a similar, but not identical, manner to the Word acting through the human nature he assumed.

[30] K. McNamara, "The Mystery of the Church," in K. McNamara (ed.), *The Church: A Theological and Pastoral Commentary on the Constitution on the Church*, Dublin, Veritas, 1983 reprint of 1968 ed., p. 79.

[31] *LG* 11, in Tanner, p. 858. The Latin text reads: "christifideles omnes, cuiusvis conditionis ac status, ad perfectionem sanctitatis qua Pater ipse perfectus est, sua quisque via, a Domino vocantur."

[32] *GS* 40, in ibid., p. 1093. The Latin text reads: "fermentum et veluti anima societatis humanæ in Christo renovadæ et in familiam Dei transformandæ exsistit."

deeper appreciation of its constitution given by Christ, so that it may express and adapt this more successfully to the present day.[33]

In its capacity as the universal sacrament of salvation and unity, the Church shows forth and effects the mystery of God's love for humanity.[34] This saving activity is given primary expression in the sacramental liturgy for "when the whole people of God gathers for full and active participation in the same action, around the same altar, in the unity of prayer [there is realized] the supreme manifestation of the Church."[35] For it is by sacramental acts of worship that the grace and love of God is effectively extended into the lives of people in every age.[36]

3.1.3 THE SACRAMENTS OF THE CHURCH

In light of the teaching presented above, the Council approached the subject of the sacraments as if to unfold or "break open" the sacramental nature of the Church.[37] The Council described sacraments as the work of the Holy Spirit, through whom Christ Jesus constitutes disciples as his own mystical body, stating that "in this body the life of Christ is communicated to believers, who by means of the sacraments in a mysterious but real way are united to Christ who suffered and has been glorified."[38] In this sense, sacraments

---

[33] *GS* 42 and 44, in ibid., pp. 1095 and 1098-1099 respectively.

[34] *GS* 45, in ibid., p. 1099.

[35] A. Bugnini, *The Reform of the Liturgy 1948-1975*, trans. by M.J. O'Connell, Collegeville, MN, The Liturgical Press, 1990, p. 42.

[36] *SC* 10, in Tanner, p. 823.

[37] The principal Conciliar sources for these notes include *SC* 9-11 and 59 along with *LG* 7 and 9-11.

[38] *LG* 7, in Tanner, p. 852. The Latin text reads: "In corpore illo vita Christi in credentes diffunditur, qui Christo passo atque glorificato, per sacramenta arcano ac reali modo uniuntur." The Council made a conscious effort to reflect contemporary endeavours to bring the Holy Spirit into the centre of Christian life and sacramental activity. In this regard, the fathers both acknowledged with equal right and dignity and drew upon for inspiration Eastern sacramental theology and practice, which gave great stress to the role of the Holy Spirit in sacramental celebrations and the pneumatic dimension of liturgical prayer. This provided an important foundation for enriching the more juridical view of sacraments long maintained in the tradition of the Latin Church. See J. Vellian, "The New Rite of Reconciliation: Understanding Its Newness from Eastern Tradition," in *Ephemerides liturgicæ*, 91 (1977), pp. 377-379. A beautiful example of the prayer form is noted by D. Kirk, "Penance in the Eastern Churches," in *Worship*, 40 (1966), p. 153.

are salvific actions by which the character and structure of the Church are effected and through which the Spirit sanctifies and guides the people of God.[39] Sacraments are thus properly called sacraments of *faith*, possessing a pre-eminent place in the spiritual life of the faithful, and at the same time practically related to the fundamental call to holiness.[40]

The visible expression of this holiness, and especially its fostering of unity and mutual love, is the celebration of the community's liturgy, with all taking part actively, knowing what is going on, and receptive to its benefits.[41] From this, the Council recognized a threefold purpose for the sacraments: "to make people holy, to build up the body of Christ, and finally, to express a relationship of worship to God."[42] For sacraments to achieve this purpose, they must possess suitable power and effective means of signification. The Council notes that they draw this power from the paschal mystery, in such a way that Christ himself is present and active in their celebration. The Church's sacramental liturgy continuously enacts the priestly role of Jesus, with the result that the sanctification of human beings and the praise of God is effected through the intermediacy of the Church.[43]

Whilst this work of sanctification is directed to individuals, it is at the same time intended for building up the life and structure of the whole Church. In their discussions, the Council fathers deliberately added the phrase "to build up the body of Christ" in reference to the purpose of the sacraments to indicate the social and ecclesial aspect in *each* of them.[44] This aspect of sacraments stressed that their liturgical celebration belongs

---

[39] *LG* 11, in Tanner, pp. 857-858.

[40] *SC* 59; *LG* 21 and 11, in ibid., pp. 832, 865 and 857-858.

[41] *SC* 10-11, in ibid., p. 823.

[42] *SC* 59, in ibid., p. 832. The Latin text reads in full: "Sacramenta ordinantur ad sanctificationem hominum, ad ædificationem corporis Christi, ad cultum denique Deo reddendum." Since sacraments also have a teaching role, opening people up to receive grace in order to enact divine love, the Council hinted that sacraments are not part of some exclusive "religious" dimension, but penetrate and affect men and women in their everyday life and world.

[43] *SC* 61 and 7, in ibid., pp. 832 and 822. In this way, the Church exercises its central and irreplaceable role of intervention, with the spiritual riches bestowed by Christ, in the faith journey of each member. A sacrament thereby effects or deepens a bond between God and the one who approaches the celebration with suitable dispositions of heart and mind. See *SC* 11, in ibid., p. 823.

[44] P. Adnès, "Penance and Reconciliation in Vatican II," in R. Latourelle (ed.), *Vatican II: Assessment and Perspectives*, 2, trans. by L. Wearne, New York, Mahwah, Paulist Press, 1988-1989,

to the whole body of Christ, and so "a community celebration ... is to be preferred, as far as possible, to a celebration of them by one person alone, as it were in private."[45] Consequently, "communal celebrations show forth the nature of the Church as an hierarchically organized community; all play a part, but each member has his or her task, depending on the ministry received, the nature of the rite and the principles of liturgy."[46] Together with the relationship of sacraments to the paschal mystery and their nature as ecclesial acts of worship, this factor provided the basis for the Council's teaching on the sacraments and desire for their individual reform.

3.1.4 THE SACRAMENT OF PENANCE

In harmony with the other sacraments, the context for the Council's teaching about the sacrament of penance is the Church's essential role in God's plan for the salvation and unity of all humanity in him. Although persons are fully incorporated into the Church who, possessing the Spirit of Christ, accept its whole structure and all the means of salvation established within it, each member must strive to persevere in Christian love and respond to the grace of Christ in thought, word and deed.[47]

According to the Church's constant tradition, the Council presented the Eucharist as "the source and culmination of all Christian life."[48] In a complementary way, the Council attributed a special value to the virtue of penance and practice of penitential

---

p. 101. Whilst McNamara, "The Mystery of the Church," p. 79, views sacraments as point-like divine interventions in the world from outside, the recovery of social and ecclesial elements indicates an interpretation which regards them as part of a much broader process of Christian life and growth.

[45] *SC* 27, in Tanner, p. 826. The full Latin text reads: "Quoties ritus, iuxta propriam cuiusque naturam, secum ferunt celebrationem communem, cum frequentia et actuosa participatione fidelium, inculcetur hanc, in quantum fieri potest, esse præferendam celebrationi eorundem singulari et quasi privatæ."

[46] Bugnini, *The Reform of the Liturgy 1948-1975*, p. 42, a comment based on *SC* 28 in Tanner, p. 826.

[47] *LG* 14, Tanner, p. 860. The principal Conciliar sources for the notes which follow include *SC* 72, 109-110; *LG* 11; Decree on the Ministry and Life of Priests *Presbyterorum ordinis* (=*PO*) 5 and *GS* 13 and 25.

[48] *LG* 11, in ibid., p. 857. The Latin text reads: "totius vitæ christianæ fontem et culmen." See the comment of St Thomas Aquinas on p. 71 of this dissertation.

works, for the growth of the Church's mission and the spiritual welfare of local communities and their individual members.[49] Within this broad concept and experiential awareness of penance the Council affirmed the necessary place of the sacrament, and its vital contribution to growth in all aspects of the Christian life.[50] In this light, the fathers presented genuine and continuous repentance, renewed and enriched through the sacrament of penance, as "the constant dynamic of Christian holiness achieved by living in the community of the Church and sharing in the Church's mission."[51]

In its role as a special focus of Christian penitential life, Lenten penance provided the Council fathers with an important source for teaching relevant to the sacrament of penance. Of particular note are comments regarding the twofold dimension of sin, and that penance "should not only be inward and individual, but also public and collective."[52] For the first time, a document of the magisterium emphasized both theological and social aspects of sin – as an offence against God which also has consequences in society – although the latter are not described in any detail.[53] It is significant, however, that this comment regarding the nature of sin was placed beside another confirming the Church's role in penitential activity, and its illustration by the example of prayer for sinners.[54] This probably represents an element of the public and collective aspect of penance to which the text subsequently refers, and supports the Council's desire that during Lent the whole Church must be seen in a state of penance. Given this appreciation of the social aspect of

---

[49] See Adnès, "Penance and Reconciliation," pp. 116-117. The author provides numerous references in support of this comment.

[50] Decree on the Pastoral Office of Bishops in the Church *Christus Dominus* (=*CD*) 30, in Tanner, p. 933. See also *PO* 18, in ibid., p. 1065.

[51] J. Dallen, "Theological Foundations of Reconciliation," in Kennedy (ed.), *Reconciliation: The Continuing Agenda*, p. 17.

[52] *SC* 110, in Tanner, p. 839. The Latin text reads: "non tantum sit interna et individualis, sed quoque externa et socialis."

[53] Adnès, "Penance and Reconciliation," p. 105. Whilst this connection may imply that sin has direct repercussions upon the local Christian community and even the Church as a whole, it would take later Conciliar documents to cast further light on this important area.

[54] It is appropriate to recall that such prayer was a major component in the earliest models of reconciliation practised in the Church.

sin and penance and the Church's function in the penitential life of the faithful, the Council's instruction for a revision of the rite of penance may be clarified and explored.

The text proposed for this reform initially mentioned only the effect of the sacrament, its brevity and absence of clear parameters causing the Council some concern.[55] Other comments provoked by the text were mainly pastoral and concerned problems associated with ministering effectively to large numbers of penitents. Significantly, broader application of *general or collective absolution* was raised as a possible solution, but this attracted little attention at the time.[56] Following the interventions, the fathers added the word "nature" to the original text, intending the reformed rite express this nature – especially the social and ecclesial aspects – more clearly.[57] The text's final form thus captured the Council's purpose: that "the rites and formulæ of penance are to be revised in such a way that they express more clearly what the sacrament is and what it brings about."[58]

As many commentators on this article of *Sacrosanctum Concilium* have noted, the directive presupposes that the contemporary interpretation and ritual celebration of the sacrament failed to manifest its nature and effect adequately for the modern world.[59] Whilst these few words did not commit the Council to any particular theology or practice of penance – even to the extent of appearing unsure as to what should be done – it did accept some current theological opinions about the sacrament and encouraged further development.[60] This thought is confirmed by the concise but powerful text on the

---

[55] Adnès, "Penance and Reconciliation," p. 102. As he subsequently notes, concrete though meagre proposals which had been originally appended, but then omitted from the schema, helped inform the fathers about the reforms envisaged.

[56] Ibid., pp. 103-104. This lack of response may indicate its contentious nature, or perhaps scant practical experience of this rite among those present. Soon after the Council, however, it would develop into a major pastoral (and legislative) issue.

[57] Dallen, *The Reconciling Community*, p. 205 and T.L. Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance and the Communal Nature of the Sacrament*, Roma, Pontificia Studiorum Universitas a S. Thoma Aq. In Urbe, 1981, p. 8.

[58] *SC* 72, in Tanner, p. 834. The Latin text reads: "Ritus et formulæ pænitentiæ ita recognoscantur, ut naturam et effectum sacramenti clarius exprimant."

[59] See for example W. Freburger (ed.), *Repent and Believe: The Celebration of the Sacrament of Penance*, Notre Dame, IN, Ave Maria Press, 1972, p. 6; Kasper, "Confession Outside the Confessional?" p. 17 and Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, p. 7.

sacrament of penance in *Lumen gentium*, which effectively provided a set of criteria to guide the reform, in conjunction with more general norms pertaining to the renewal of sacramental liturgy as a whole.[61]

3.1.4.1 First Reform Criterion: The Meaning and Effect of Sin

The Constitution on the Church clearly describes sin as an offence committed against God which is, at the same time, a wound inflicted on the Church. In the context of a Church striving to be the visible sacrament of Christ's saving unity in the world, sin is a power which opposes and disrupts this unity, separating people from God and each other.[62] Without prejudice to the importance of the first effect, the presence of sin injures the Church in its role as sign and instrument of salvation: as a *sign*, when members fail, through sin, to bear full witness to the power of God's grace within them; as *instrument*, when they remain in their sinful condition and oppose the dynamic process of salvation, insofar as its action in the world depends on them.[63] Since sin possesses this twofold aspect, it shows why the sacrament of penance also has a twofold effect of pardon granted by God and reconciliation with the Church.[64]

The Council explored the question of sin further in *Gaudium et spes* and examined it from both a personal and social perspective. Placing sin firmly into a context of relationality, its fundamental effect is to cause a division within each person, influencing

---

[60] Dudley, "The Sacrament of Penance in Catholic Teaching and Practice," p. 80 and Kasper, "Confession Outside the Confessional?" p. 17.

[61] *LG* 11 and *SC* 21-40, in Tanner, pp. 857 and 825-829 respectively.

[62] *LG* 9, in ibid., p. 856 and K. McNamara, "The People of God," in McNamara (ed.), *The Church: A Theological and Pastoral Commentary*, pp. 129-130. Since the faithful come to salvation only through perseverance in love, sin, to a greater or lesser extent, affects their relationship with God and loosens the intrinsic bond of love between a member and the community of the Church, impairing the life of grace to which all are called. See *LG* 14, in Tanner, p. 860 and A. Grillmeier, "The People of God," trans. by K. Smyth, in H. Vorgrimler (gen. ed.), *Commentary on the Documents of Vatican II*, 1, Freiburg, Herder and Herder; Montréal, Palm Publishers, 1967, p. 162.

[63] See Adnès, "Penance and Reconciliation," p. 110 and Grillmeier, "The People of God," p. 162. As the latter author notes, the holiness of the Church does not exist apart from the members who, although justified in the blood of Christ, remain subject to sin throughout this life.

[64] Adnès, "Penance and Reconciliation," p. 108.

the interior life to the detriment of one's relation to God and the world. Subject to a consequent dulling of conscience and limitation of human freedom, only through God's initiative can people experience the liberation, strength and interior renewal that brings reconciliation and peace.[65]

In social terms, the Council viewed the continued growth in mutual relationships and dependence as a mixed blessing for human persons and their communal life. On the one hand, it strengthens and increases human qualities, safeguards rights and helps people fulfil their vocation. Nevertheless, since social conditions and structures are brought about and sustained by human beings, they may deter people from doing good and even encourage the practice of evil. The combination of tensions in the infrastructure of society with human pride and selfishness give rise to disturbances in the social life of humanity, the consequences of which can only be resisted by continual struggle with the help of grace.[66] Careful and authentic reform of the sacrament of penance should, therefore, make adequate provision for these conciliar reflections on the meaning and effect of sin.

3.1.4.2 Second Reform Criterion: A Twofold Reconciliation

In a complementary way, the Constitution states that those who approach the sacrament, through the mercy of God obtain pardon for sins committed against him, and at the same time are reconciled with the Church. With the recovery of an ecclesial dimension of reconciliation and its incorporation into a document of the magisterium for the first time, the Council fathers formally acknowledged an important insight which had emerged from recent historical study.[67] Significantly, however, they did not determine the precise nature of the relationship between these two effects of the sacrament. Rather, through a simple juxtaposition of terms the fathers affirmed their simultaneity, but also

---

[65] *GS* 13, 16-17, in Tanner, pp. 1076-1078.

[66] *GS* 25, in ibid., p. 1084.

[67] Rahner, "Penance as an Additional Act of Reconciliation with the Church," p. 125.

maintained an openness to both a diversity of opinion and continued discussion among theologians.[68]

Despite its reticence on this matter, it is noteworthy that the Council inserted its statement on penance into a paragraph which describes how "the sacred character and organic structure of the priestly community are brought into effect by means of the sacraments and virtues."[69] Given this context, the Council clearly taught that the Church exercises its priestly function in this sacrament in such a way that the entire community has a role in the reconciliation of its sinful members. In doing so, the Council opened the way for sacramental penance to include and respond to the personal and social consequences of sin, helping the faithful to a renewed sense of solidarity, interdependence and the meaning of membership in the Church.[70]

The twofold effect of penance is echoed in *Presbyterorum ordinis*, which states simply that "in the sacrament of penance [priests] reconcile sinners with God and the Church."[71] The context of the statement shows that the ministry of priests is intimately associated with the person and role of the bishop, and is centred upon the Eucharistic celebration and assembly over which the priest presides. This suggests that his unique and irreplaceable role in reconciliation is not of an exclusive nature, but works in conjunction with the equally dignified ministry of the entire community in bringing sinful members to repentance and peace.

---

[68] Adnès, "Penance and Reconciliation," p. 107. As the author notes on p. 109, it is interesting that the Council did not make a connection here with its doctrine of the Church as a universal sacrament of salvation. This may have permitted developing the idea that reconciliation with the Church plays a primordial role in the re-entry of the penitent sinner into grace with God, of which such reconciliation would be the effective sign.

[69] Tanner, p. 857. The Latin text reads: "Indoles sacra et organice exstructa communitatis sacerdotalis et per sacramenta et per virtutes ad actum deducitur."

[70] McNamara, "The People of God," p. 130. As the author notes, the sacrament of penance is a healing ordinance not only for the individual but for the body of Christ as a whole.

[71] *PO* 5, in Tanner, p. 1047. The Latin text reads: "sacramento poenitentiæ peccatores cum Deo et ecclesia reconciliant."

3.1.4.3 Third Reform Criterion: How the Church Works for Reconciliation

With the formal recovery of the ecclesial nature of the sacrament, the Constitution then notes that the Church, although wounded by sin, strives for the conversion of sinners through charity, example and prayers. These activities recall the practice of the ancient Church, which involved the whole community in a process whereby repentant sinners were restored to communion with their brothers and sisters in the body of Christ and thus reconciled with God. Given the Council's teaching on the sacraments in general, it appears that the fathers considered the context of a process fundamental to the celebration of the sacrament, and that the community ministry be regarded an essential element of the *sacramental* process of reconciliation itself.[72]

This conclusion is justified because the call to conversion which leads to peace with the Church responds to a situation characterized by a disunity or rupture between sinful Christians and their community. Sinful persons remain members of the Church, but through sin effect an inner withdrawal from living union with their brothers and sisters which is externally reflected in the visible, societal aspect of the Church. In terms of the sacrament, the repentant sinner who journeys towards reconciliation becomes the responsibility of all the members in their communal existence. The Council vindicated this by the special role its accords the lay faithful: "Sharing in Christ's priestly, prophetic and kingly office, the laity have an active part to play in the Church's life and work. They bring to the Church those who may have wandered far; ... by the offering of their own particular skills they make the care of souls ... more effective."[73] The implications of this communal response are, for sinners, consolation and support; for the community, a duty in love to come to their assistance.[74]

---

[72] Indeed, all the members have a right and responsibility to actively participate in this continuing work of sanctification. See for example *SC* 11-12, 26, 33, 59 and 61 in ibid., pp. 823-824, 826-827 and 832.

[73] Decree on the Apostolate of the Laity *Apostolicam actuositatem (=AA)* 10, in ibid., p. 988. The Latin text reads: "Utpote participes muneris Christi sacerdotis, prophetæ et regis, laici suas partes activas habent in ecclesiæ vita et actione. Homines longe fortasse versantes, ad ecclesiam adducunt; ... oblata sua peritia curam animarum ... efficaciorem reddunt."

[74] McNamara, "The People of God," p. 130.

The Council offers three ways that a community may exercise its responsibility towards sinful members. Although cast in broad terms, these suggestions represent traditional responses by which Christians cooperate with God's initiative and grace in reconciling the sinner. Invited to share in the process of sacramental penance, it is proper that the body of Christ be visibly involved in the conversion and restoration of repentant sinners to the fellowship of communion in the assembled community. This work of the community is brought to a climax when all together participate in Eucharistic communion, because "the other sacraments, and indeed all ministrations in the Church and apostolic works, are attached to and lead towards the holy Eucharist."[75] Consequently, when members share in the body and blood of Christ, they manifest before their brothers and sisters the culmination and fullness of their reconciliation with God and the Church.

3.1.5 THE SACRAMENT OF PENANCE AND CHRISTIAN MATURITY

The preceding comments concerning the various reform criteria show the Council's deliberate emphasis on the role of penance in developing greater Christian maturity and depth in the individual and communal life and witness of the faithful. Since "all the members must be made into his likeness until Christ is formed in them,"[76] it was the Council's purpose to recognize the value of the sacrament in assisting this growth to perfection. The fathers articulated their concern in *Christus Dominus* where they state that, "in carrying out the work of sanctification, parish priests must also bear in mind how greatly the sacrament of penance contributes to fostering Christian life."[77] Similarly,

---

[75] *PO* 5, in Tanner, p. 1047. The Latin text reads: "Cetera autem sacramenta, sicut et omnia ecclesiastica ministeria, et opera apostolatus, cum sacra eucharistia cohærent et ad eam ordinantur." The fathers base this thought on the teaching of St Thomas Aquinas, *Summa theologiæ*, IIIa, q. 65, a. 3 and q. 73, a. 3, 3, the latter of which describes the Eucharist as the bond of perfectedness and the source of spiritual perfection since, as the document continues, the Eucharist contains the whole spiritual treasure of the Church, which is Christ himself.

[76] *LG* 7, in Tanner, p. 853. The Latin text reads: "Omnia membra ei conformari oportet, donec Christus formetur in eis."

[77] *CD* 30, in ibid., p. 933. The Latin text reads: "In perficiendo opere sanctificationis, meminerint etiam parochi quam maxime sacramentum poenitentiæ ad vitam christianam fovendam conferre." Adnès, "Penance and Reconciliation," notes that an interesting aspect of the spirituality adopted by the Council

Presbyterorum ordinis instructs all "to submit their sins to the Church in the sacrament of penance with a contrite heart, and thereby turn daily more and more to the Lord."[78] The Council clearly proposed the sacrament of penance, therefore, as an essential element of an ongoing penitential spirit which permeates the whole of the Christian life in both its personal and social dimensions.

The Council's open and thoughtful approach to the sacrament and its application to the perspective of Christian maturity suggests that the fathers successfully captured the five theological values identified in the historical models of reconciliation. With the paschal mystery as the basis of its teaching, the Council carefully illuminated the link between the sacrament of penance and the Eucharist and embraced the process nature of the sacramental experience within the broader concept of the Christian life as a journey of faith and conversion. The Council also confirmed the essential character of the Church's official intervention for the assistance of sinful members through the sacrament and, though deeply respectful of the personal response of the individual, revealed its desire that the communal or social dimension of this loving help and support be expressed in a more tangible manner. The fathers of Vatican II thus established a suitable theological foundation for a meaningful and extensive study and renewal of sacramental penance for the Church in the world of today.

3.2 THE LEGACY OF VATICAN II

The mandate and criteria for reform provided in the documents of Vatican II produced a considerable sense of anticipation and hope in relation to the form and extent the proposed revision might assume. This anticipation seemed justified when, within a few months of the Council's closure, a papal document appeared on the virtue and

---

was the special place of penance in the areas of apostolate and mission, especially the work of evangelization. On pp. 116-117 he gathers a number of Conciliar texts to illustrate this point.

[78] *PO* 5, in Tanner, p. 1048. The Latin text reads: "peccata sua corde contrito ecclesiæ in sacramento poenitentiæ submittere, ita ut magis magisque in dies ad Dominum convertantur."

practice of penance in the Christian life.[79] Significantly, this document affirmed the sacrament of penance as a means to restore and strengthen the gift of *metanoia* for those who sin after baptism, enabling the faithful to join themselves more closely to Christ through a deeper conversion of heart. The document drew upon and sought to harmonize important conciliar teaching about the sacrament, and promoted penance as an essential element in the daily life of the faithful as they gave witness to the paschal mystery at work in them.[80]

The momentum of the Church's official response for reform proceeded with the creation of a study group, whose work centred on the preparation of a schema for forms of celebration in cases anticipated in existing law.[81] From its initial enquiries, the *Consilium* recognized the need to manifest the external and social aspects of sin and reconciliation, and indicated its hope that the group might produce a communal rite of penance as a complement to the existing individual, privatised procedure. The *Consilium* was aware of extant concessions to the contemporary rite, and directed they be given a proper liturgical context that would ensure the efficacy of the sacrament. The group thus incorporated into its plan an examination of reconciliation through general absolution without prior individual confession.[82]

---

[79] Pope Paul VI, Apostolic Constitution *Pœnitemini*, 17 February 1966, in *AAS*, 58 (1966), pp. 177-198. English trans. in A. Flannery (gen. ed.), *Vatican Council II: More Postconciliar Documents*, Vatican Collection, 2, Northport, NY, Costello Pub. Co., 1982, pp. 1-12.

[80] See *AAS*, 58 (1966), p. 180. English trans. in Flannery (gen. ed.), *More Postconciliar Documents*, p. 4. The relevant passage may also be found in *Documents on the Liturgy 1963-1979: Conciliar, Papal, and Curial Texts* (=*DOL*), published for the International Commission on English in the Liturgy, Collegeville, MN, The Liturgical Press, 1982, p. 938. The elements of teaching included the Church's role in reconciling sinful members, the personal and communal dimensions of sin and repentance and a broader, more processed based understanding of conversion and reconciliation. Historically the document received little attention and was generally regarded as no more than a relaxation of Church discipline on fasting and abstinence. According to Dallen, "Recent Documents on Penance and Reconciliation," in Kennedy (ed.), *Reconciliation: The Continuing Agenda*, p. 98, this was "a sure sign ... that the institutionalized structures of the Counter-Reformation Church would not easily be converted and transformed."

[81] Bugnini, *The Reform of the Liturgy 1948-1975*, p. 665. The group was established by the *Consilium ad exsequendam Constitutionem de sacra liturgia* on 2 December 1966. Archbishop Bugnini provides a list of its members on p. 664, as does Osborne, *Reconciliation and Justification*, p. 200; Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, pp. 161-162 and Dallen, *The Reconciling Community*, p. 210.

[82] Bugnini, *The Reform of the Liturgy 1948-1975*, p. 665. The official revision process is considered in section 3.4 of this chapter.

Alongside this work begun at the official level, Vatican II effected in its wake some contentious discussion points relevant to the sacrament of penance. Given that conciliar teaching was assimilated into the life of the Church against the backdrop of a downward spiral in the frequency of confession practice,[83] the scope and vigour of the reform debate may be indicated by three topics; namely, the concept of grave or mortal sin, the sacramental nature of the Church, and pastoral creativity in the liturgical celebration of reconciliation.

3.2.1 A RE-ASSESSMENT OF GRAVE SIN

In the latter half of the 1960s, a growing uncertainty among the Catholic faithful about what constituted grave sin rapidly developed into a revolution as the authority of the Church in important moral matters came under intense pressure and scrutiny.[84] Since the Council of Trent had neglected to define grave sin in itself, but in its effects, and did not determine the elements of which it was composed,[85] questions concerning its contemporary prevalence and adequate explanation in a progressive, modern world were at once inevitable and difficult to answer.[86] Although authors struggled to liberate sin

---

[83] The observations of Curran, "The Sacrament of Penance Today I," p. 510; C.M. Whitley, "Understanding and Attitudes: Some Suggestions for Appreciating Communal Penance," in *Review for Religious*, 30 (1971), p. 218 and G.-M. Nissim, "Communal Penance: A Liturgical Commentary and Catechesis," in *Theology Digest*, 16 (1968), p. 30 are typical of the period.

[84] Martos, *Doors to the Sacred*, pp. 360-361 and J.F. McCue, "Penance as a Separate Sacramental Sign," in *Concilium*, vol. 7, no. 1 (Jan. 1971), p. 58. By way of example, the latter author opines on p. 59 that the crisis over artificial forms of birth control revealed "a fairly widespread scepticism within the Church regarding the traditional moral theology [and] significantly contributed to the loss of moral authority on the part of the clergy and the hierarchy." Nevertheless, as A.M. Carr, "Penance as 'Celebration' and as Sacrament," in *The Homiletic and Pastoral Review*, 68 (1968), p. 443 suggests, this movement was not linked to negative feelings towards the Church, for at the same time that confessions declined, Eucharistic participation increased.

[85] The Council of Trent, Teaching Concerning the Most Holy Sacraments of Penance and Last Anointing, Chap. 5, in Tanner, p. 706. "Mortal sins ... make people children of wrath and enemies of God." The Latin text reads: "mortalia peccata ... homines iræ filios et Dei inimicos reddant."

[86] These points are exemplified in the first Episcopal effort to apply the teaching of Vatican II, "A Pastoral Letter of the Bishops of Holland," 16 March 1965, in *Worship*, 40 (1966), especially pp. 278-279. Even the section entitled "Sin" in the General Catechetical Directory *Ad normam Decreti*, 11 April 1971, published by the Sacred Congregation for the Clergy, in *AAS*, 64 (1972), pp. 134-135, provides but a brief and general explanation of the topic. An English trans. for the relevant article of the Directory may be found in Flannery (gen. ed.), *More Postconciliar Documents*, pp. 564-565.

from its conceptualisation as external, isolated actions of varying intensity centred primarily upon individual persons, a notion of sin corresponding to biblical teaching and a modern perception of the human person attracted increased favour.[87] This trend to a more *relational* concept of sin employing personalist metaphors and emphasizing individual responsibility within a community setting, achieved substantial importance in assisting the study concerning the nature and manner of manifesting conversion in a sacramental ritual.[88]

Vatican Council II endorsed the relational quality of sin when the fathers officially recognized its social nature and the ecclesial dimension of reconciliation.[89] Coupled with the Council's affirmation of the Church's developing involvement in and responsibility for the common life of all humankind, a more political and corporate sense of sin intensified among the faithful. The conviction which emerged from this understanding of sin was that although it attributed to sin a much more present and pervasive reality, what was arguably most serious and basic about human sinfulness now went far beyond a person's capacity to articulate simply and clearly as separate acts in the context of individual, private confession.[90] Since it is a ministry of the Church to mediate God's

---

[87] The difficulty is illustrated by Rahner, "Penance as an Additional Act of Reconciliation with the Church," p. 131 and there is a helpful discussion in D. Donnelly, "The Problem With Penance," in *America*, 128 (1973), pp. 325-326. See also Funke, "Survey of Published Writings on Confession over the Past Ten Years," p. 120 and Curran, "The Sacrament of Penance Today I," p. 518.

[88] P. Samway, "Faith and Communal Penance," in *Worship*, 43 (1969), pp. 298-299. As a means to give greater balance, this quality placed the concept of sin firmly within the command of Christ to love God and neighbour, moving people to look more deeply at the meaning and dynamic nature of their Christian lives. See D. Doherty, "The Sacrament of Penance: Pastoral Considerations," in *Resonance*, 2 (1966), pp. 111-112.

[89] This quality received further confirmation by the Council's inclusion of both the personal and cosmic aspects of sin, which also served to deepen the corresponding religious aspect of reconciliation with God. The Church's grave concern for the dangers inherent to imbalanced emphases in relation to these aspects was reflected in the letter of the Sacred Congregation for the Doctrine of the Faith (=SCDF) sent to conferences of bishops on 24 July 1966, paragraph 7. The text may be found in *AAS*, 58 (1966), pp. 660-661. An English trans. is provided in *The Canon Law Digest* (=*CLD*), 6 (1963-1967), p. 262.

[90] McCue, "Penance as a Separate Sacramental Sign," pp. 57-58. Taking as their point of departure early experiences of communal penance services, R. Schlick and R. Stalter, "La puralité de la pratique pénitentielle face à la législation canonique," in *Praxis juridique et religion*, 1 (1984), pp. 226-227, note that "the awareness of sin as far as a moral and religious element was concerned ... became especially an awareness of the group. The act of the individual could then appear to have little meaning as compared with this enormous social awareness group. Sin [could] exist ... as something outside a precise and obvious act: it is an attitude. In this case, confession becomes difficult since the 'matter' is in itself more in the order of vague consciousness instead of a precise act." In this context of inquiry, see the reflection on the above

forgiveness and mercy to the repentant sinner, the apparent lack of an appropriate liturgical rite to express corporate or social sinfulness appears a principal reason for the marginalized character of confession in the contemporary experience of the faithful.[91] This dilemma generated further examination of the meaning and extent of grave sin and the consequences for its expression as a necessary element in a celebration of reconciliation.

The inadequacy of regarding sin purely in terms of legal metaphors and the subsequent shift to a concept largely dependent upon a personal model of relationality, directed the attention of theologians to inner intention and the role of the individual conscience.[92] Within this framework was a theory which proposed that every person at some stage of life makes in their heart a *fundamental option* for or against God of such depth that it informs all their future actions. Although this decision was considered more or less permanent, the sequential character of human life suggested that further change was still possible.[93] According to this theory, mortal or grave sin affected a person at the

---

noted letter of the SCDF by K. Rahner, "Theology and the Church's Teaching Authority After the Council," trans. by G. Harrison, in *Writings of 1965-1967*, 1, Theological Investigations, IX, New York, Herder and Herder, 1972. The author observes on pp. 92-93 that the more practical questions of life and piety, including concrete forms of penance, will become more urgent and impress upon the Church the need to foresee doctrinal and practical developments, lay hold of them in good time and direct them into the right paths. On the other hand, he sagely adds that "it is inadmissible to think that everything is clear and that only muddle-heads have new problems with the old questions, which have been answered clearly long ago."

[91] The historical context of the period under review revealed a growing secular framework of Christian existence and responsibility. The emphasis on social involvements, socio-political structures and their transformation and on community, illumined the presence of evil and sin *in the world*, for which people felt increasingly responsible. This secularising tendency in turn affected human perception of the God presupposed in the sacramental ritual of the day. If every one of us, as the Bishops of Holland state in their "Pastoral Letter," p. 280, is "personally and collectively responsible for every existing sin in the human community," the problem arises of how the faithful might bring this sinfulness before a transcendent God in a credible way that acknowledges its presence and effect in an individual's personal and communal life. See McCue, "Penance as a Separate Sacramental Sign," p. 56 and C.J. Peter, "Renewal of Penance and the Problem of God," in *Theological Studies*, 30 (1969), pp. 493-495.

[92] Martos, *Doors to the Sacred*, p. 357. As the author further states on p. 361, "Theologians emphasized the importance of personal responsibility in moral decisions, and the [Vatican] Council itself sanctioned the modern idea of freedom of conscience. More often than ever before, Catholics felt they had to decide things for themselves according to their own conscience rather than according to clear and certain moral precepts." The Council's teaching on conscience may be found in *GS* 16 and 17, in Tanner, pp. 1077-1078.

[93] Funke, "Survey of Published Writings on Confession over the Past Ten Years," pp. 120-121. For a presentation of the state of the question at this time, see the extensive summary of the theory advocated

very core of his or her being; the external act, viewed in itself, was basically ambiguous and had meaning only insofar as it was revelatory of human persons and their relationships with others. This meant that a particular act would only involve grave sin if it expressed a definitive break by a person in their fundamental relationship of love with God and neighbour.[94] Like conversion, which is itself a matter of the heart indicative of a permanent intention, a person moved towards the state of grave sinfulness through a process, although it probably culminated in a final and decisive refusal to accept God's love.[95] With due regard for maintaining a balanced and serious perspective towards the personal, social and cosmic aspects of sin, the theory of fundamental option offered a thoughtful approach to the meaning and effect of grave sin and concluded that the moral life of human beings was judged ultimately in the light of their permanent intention.[96]

The combination of a fundamental option and a deeper awareness and emphasis on social and communal factors relating to sin created a certain degree of confusion among the faithful for determining the correct level of their sinfulness and its appropriate expression in the sacramental ritual of penance.[97] The problem was exacerbated by the requirement of integral confession as specified by the Council of Trent, where according to divine law penitents must manifest the grave sins of which they are conscious of an

---

by H. Reiners, in E.J. Cooper, "The Notion of Sin in Light of the Theory of the Fundamental Option," in *Louvain Studies*, 9 (1983), pp. 364-368.

[94] Curran, "The Sacrament of Penance Today I," pp. 522-523; Linley, "The Falling Number of Confessions: Development or Deviation?" p. 434 and Z. Alszeghy, "Problemi dogmatici della celebrazione penitenziale comunitaria," in *Gregorianum*, 48 (1967), p. 583.

[95] As Whitley, "Understanding and Attitudes: Some Suggestions for Appreciating Communal Penance," notes on p. 226, only an infantile approach to sin would believe that a person could stop loving God in a moment. Curran, "The Sacrament of Penance Today I," p. 523 held a similar opinion.

[96] Funke, "Survey of Published Writings on Confession over the Past Ten Years," p. 121. The theory was subsequently reviewed by the SCDF in its Declaration on Certain Problems of Sexual Ethics *Persona humana*, 29 December 1975, in *AAS*, 68 (1976), pp. 80-90. English trans. in Flannery (gen. ed.), *More Postconciliar Documents*, pp. 493-494. Reference to this review will be made in chapter five of this dissertation.

[97] This refers not only to a confession that was valid and licit according to the norms of canon law, but also one which effected a prayerful, spiritual encounter with the risen Lord Jesus where the love and mercy of God, together with the forgiveness and welcome of the Church wounded by the sinfulness thus expressed, was truly and richly experienced. See the interesting comments in D.F. O'Callaghan, "Communal Penitential Services," in *The Irish Ecclesiastical Record*, 108 (1967), pp. 339-340.

obligation to confess.[98] Although authors unanimously agreed that the confession of sin remained an essential part of sacramental penance, the teaching of Vatican II and its openness to a broader understanding of sin and reconciliation indirectly raised the question that integrity of confession might be achieved in ways other than a detailed list of sinful actions and omissions.

The practical consequences of this situation included suggestions for new categories of sins, or at least a greater precision in defining those considered more traditional, together with assistance for both the clergy and lay faithful by means of more thorough and appropriate preparation and education.[99] An important element of this assistance comprised active participation in communal celebrations of penance.[100] Underlying this was the deeper desire to make conversion and reconciliation an event that was ecclesially visible, a tangible and meaningful experience of the mystery of God's love.[101] In a complementary way, therefore, increasing calls emerged for experimentation with new forms of sacramental rituals inclusive of the various dimensions of sinfulness and reconciliation, and faithful to the theology of sacrament proposed by Vatican II Council.

---

[98] The teaching of Trent on integrity of confession rapidly assumed a dominant place in the study and debate about reforming the sacrament of penance. It will be treated in later sections of this chapter, especially 3.3.2.1.

[99] For example, F.J. Heggen, *Confession and the Service of Penance*, trans. by P. Tomlinson, London and Melbourne, Sheed and Ward, 1967, p. 75, attempted to delineate *serious* sins, which were decisions taken on impulse, from *mortal* sin, which really separated a person from God's love. Curran, "The Theology of Penance Today I," shifted the emphasis from the "matter" of sin and concluded that grave sin was not a common occurrence in peoples' lives. He further stated on p. 528 that *venial* sin "illustrates the condition of a person who constantly falls short of the total love union with God, neighbour and the world to which he or she is called." He also speaks of the many manifestations of sin that are visible in the global situation. The catechetical element is noted by Whitley, "Understanding and Attitudes: Some Suggestions for Appreciating Communal Penance," p. 226 and F.V. Manning, "Private Confession: Pros and Cons," in *Pastoral Life*, 13 (1965), p. 230.

[100] According to the Bishops of Holland, public and communal celebrations of penance "should be like an invitation towards a more personal, more authentic private confession." See their "Pastoral Letter," p. 279.

[101] Samway, "Faith and Communal Penance," p. 293. This indicated that improved catechesis, although of immense value, was not in itself an adequate solution, but required supplementation through satisfactory means to articulate and manifest the real existential situation of sin and forgiveness for individuals and communities.

3.2.2 A FRESH APPROACH TO SACRAMENTALITY

A radical outcome of conciliar teaching on the nature and mission of the Church and general sacramental theology was the effective exposition of the contemporary Church to the limitations of a juridically oriented understanding and practice of its sacramental life and worship. In the mind of the Council, the Church, formed into one as a community of charity and imbued with a missionary spirit, is in Christ as a sacrament, and makes the mystery of the Lord Jesus present in time and space.[102] According to this presentation, the *local community* holds the place of the Church visibly established, primarily as a particular Church but perhaps more proximately for the individual person as a parish.[103] This community of salvation is fundamentally actualised by means of its sacramental celebrations, in which members are meant to experience themselves as Church gathered in prayer and encounter the risen Christ present in their midst.[104] Through regular conduct of these celebrations, local communities become "effective means, for those who do not yet believe, of pointing and preparing the way to Christ and his Church, and of arousing the faithful, nourishing and arming them for their spiritual warfare."[105] The progress and completion of the sacramental reform urged by Vatican II thus rested upon a deep sense of such a community present and active in the lives of all the faithful.

Significantly, theologians and commentators contemporary with the period under review readily acknowledged the apparently dormant state of ecclesial and communal

---

[102] Conciliar references are *CD* 30, *PO* 6 and *LG* 1 which may be found in Tanner, pp. 933, 1050 and 849 respectively.

[103] Nissim, "Communal Penance: A Liturgical Commentary and Catechesis," p. 32. The principal Conciliar references are *SC* 41-42 and *CD* 11 and 30, in Tanner, pp. 829, 924 and 932-933 respectively.

[104] According to *PO* 6, the maturity of a local community may be effectively determined by the fullness and sincerity of its Eucharistic celebrations. From a survey of biblical materials Gallen, "A Pastoral-Liturgical View of Penance Today," pp. 142-144, concludes that the Eucharist "is clearly a symbol and celebration of reconciliation, salvation and communion with one another and with the Lord." Furthermore Bugnini, *The Reform of the Liturgy 1948-1975*, p. 41, notes that "the liturgy is the primary and indispensable source for which the faithful can derive the true Christian spirit."

[105] *PO* 6, in Tanner, p. 1050. The Latin text reads: "Ipsa enim instrumentum efficax constituit quo nondum credentibus via ad Christum eiusque ecclesiam indicatur vel sternitur, quo etiam fideles excitantur, aluntur et ad pugnam spiritualem roborantur."

awareness in their respective regions.[106] Given the conciliar insistence that in making up the one body of Christ, all share a common existence as Church, the life of each faithful attains the fullness of meaning only in *relation* to the community of which they are an unique and beloved part.[107] The Council was equally concerned that the faithful have available to them appropriate liturgical means to express their personal and communal experiences of God for the growth and enrichment of their human and Christian lives.[108] The sacramental character of the local community thus provided an opportune basis for extending the Council's fundamental theology of sacrament into the various individual rites and grounding them sufficiently with a broader, community-centred meaning and framework.[109]

The intended model of sacramental reconciliation to emerge from this teaching may be described as an action or event celebrated in prayer and with the official intervention of the Church, in which the community is actively present and involved. In that celebration, the members express their faith as a witness to the redeeming action of Christ, acknowledge their sin in response to the proclamation of God's salvific Word, ask the Lord for true conversion of heart as part of the fulfilment of Christ's mission and, in the context of reconciliation with their brothers and sisters, receive from the Church an effective and meaningful sign of God's mercy and forgiveness.[110] A critical component

---

[106] For example, Curran, "The Sacrament of Penance Today II," p. 608, states that "there is lacking in most pastoral situations today a truly existential realization of the Church as the community of the people of God." See also Heggen, *Confession and the Service of Penance*, p. 92 and Nissim, "Communal Penance: A Liturgical Commentary and Catechesis," p. 32.

[107] *LG* 7 and *CD* 30 in Tanner, pp. 853-854 and 932-933.

[108] See for example *SC* 26, 33 and 59 in ibid., pp. 826, 827 and 832.

[109] Constituted in this manner as an effective sign of the Church, a sacrament thereby becomes a true means to encounter the living God.

[110] B. Cooke, "The Social Aspect of the Sacrament of Penance," in *Proceedings of the Catholic Theological Society of America*, 22 (1967), pp. 174, 179, 180 and 182. Since the human and Christian life is a continuous process of becoming, and the Church lives more basically from the sacraments than from any other activity in which it is engaged, a sacrament is most properly designated an "event" to reiterate its own process aspect and its part in the broader process of conversion. See Doherty, "The Sacrament of Penance: Pastoral Considerations," p. 111; Cooke, ibid., p. 173; Linley, "The Falling Number of Confessions: Development or Deviation?" pp. 435-436 and Whitley, "Understanding and Attitudes: Some Suggestions for Appreciating Communal Penance," p. 224. Further helpful comments may be found in J.D. Crichton, *Christian Celebration: The Sacraments*, London and Dublin, G. Chapman, 1973, pp. 219-221 and 228, where he states that the sacrament of penance "is the sign of Christ's ministry of reconciliation

of such a sign would be a formula of absolution expressive of the penitent's solidarity with Christ and with the entire Christian community, the true nature of sin and the loving mercy of God.[111] Application of this understanding to the practice of individual, private confession revealed it incarnated and experienced, but commentators readily admitted the presence of factors which made it hard to discern.[112] At the same time, reflection upon the Council's teaching that all sin possessed an ecclesial and social aspect helped authors to a general consensus that reconciliation with the Church was the first and immediate result of sacramental penance.[113] Since the sign value of private confession was thought weak and ineffective, Church officials and scholars, besides recognizing the need to restore a more tangible sense of the communal dimension of sin to the individual rite, began to consider the fledgling communal-type celebrations as an appropriate and relevant means to capture the full meaning and power of the reconciling event.[114]

---

operated in the Church but also taking up into itself the life of people, expressing that too and re-integrating it into the communion of the Church."

[111] Doherty, "The Sacrament of Penance: Pastoral Considerations," p. 117. According to Curran, "The Sacrament of Penance Today II," pp. 616-618, this would preserve a judicial meaning of the sacrament, locating it in the proclamation of God's saving word and the authoritative intervention of the Church publicly declaring the divine mercy and forgiveness and mediating it to sinners in the celebration.

[112] See for example Rahner, "Penance as an Additional Act of Reconciliation with the Church," p. 146, where he states that "in any true penance, the will to be reconciled with the Church is implicitly included." Conversely, on pp. 147-148, he mentions negative factors such as the emphasis on the external, juridical character of the Church to the detriment of the Church as sacrament and the stress on salvation as a matter worked out between God and the individual considered in isolation. Others noted its lack of resemblance to a truly religious event, its impersonality and routine nature, and the absence of a prayerful context. From a different perspective Cooke, "The Social Aspect of the Sacrament of Penance," p. 181, asks: "Does it illustrate that what people are doing is part of the Church's mystery of corporately professing its faith in the Passover mystery of Christ?"

[113] See for example Funke, "Survey of Published Writings on Confession over the Past Ten Years," pp. 121-122; Freburger (ed.), *Repent and Believe*, p. 15 and the interesting comments of Y. Congar, "Points d'appui doctrinaux pour une pastorale de la pénitence," in *La Maison-Dieu*, no. 104 (4e trimestre 1970), p. 78.

[114] The purpose of these communal celebrations was suggested variously to *educate* the faithful, as in P. Riga, "Communal Penance," in *The Priest*, 26 (1970), p. 45, to *augment* private confession, as in C. Curran, "The Sacrament of Penance Today III," in *Worship*, 44 (1970), p. 14 or to possibly *subordinate* the private form to a more or less marginalized position, as in McCue, "Penance as a Separate Sacramental Sign," p. 61. O'Callaghan, "Communal Penitential Services," p. 342, considered the sign value of the sacrament of penance central to future debate concerning its nature and practice.

3.2.3 A PHENOMENON OF PASTORAL CREATIVITY

The genesis of increased liturgical experimentation in the sacrament of penance following Vatican II may be identified in pastoral initiatives which occurred in certain European countries after the close of the Second World War. Acting primarily as a common preparation for private confession, these services used texts informed from existing materials, careful studies of historical and liturgical sources and contemporary pastoral needs, which together formed a serious attempt to inculcate a more profound experience of the individual sacramental rite among the faithful.[115] This trend was further enriched and empowered by preconciliar developments in theology, which began to stress sacraments in general as cultic acts and community celebrations of praise and thanksgiving, and confession in particular as a liturgy where admission of sin and worship of the God who forgives is an action involving the whole Church.[116] At the same time, a corresponding strand of thought which appreciated penance as part of a total sacramental system illumined the process aspect of sin and conversion and broadened the sacramental locus of forgiveness and reconciliation.[117]

The Second Vatican Council's published guidelines for renewing the celebration of sacraments and other liturgical rites of the Church clearly incorporated elements of this movement and provided an official basis for its progress.[118] Subsequent scholarly discussion and careful observation in the context of developing liturgical experimentation at the pastoral level detected two main tendencies in the celebration of sacramental penance: the integration of private, individual confession into a service with a communal framework, and the more or less radical distinction between a liturgy of communal penance and the private form of confession.

---

[115] See for example Funke, "Survey of Published Writings on Confession over the Past Ten Years," pp. 125-126 and Heggen, "The Service of Penance: A Description and Appreciation of Some Models," pp. 135-136. These authors identify Belgium, France and regions where French was spoken as the places communal services initially emerged. Schlick and Stalter, "La pluralité de la pratique pénitentielle face à la législation canonique," p. 215 also note their connection with the liturgical movement.

[116] See for example Schillebeeckx, *Christ the Sacrament of Encounter with God*, pp. 77, 81-82.

[117] Various scholars worked to link penance more deeply with baptism, last anointing and the Eucharist as noted in Funke, "Survey of Published Writings on Penance over the Past Ten Years," p. 130.

[118] See especially *SC* 21-40, in Tanner, pp. 825-829.

The form of celebration illustrative of the first-mentioned tendency was generally known as a communal penance service, which provided the opportunity for individual confession in a context of common preparation and thanksgiving.[119] The structure and content of the preparation was very important, because in gathering for biblical readings, a homily, prayers and an examination of conscience, the assembly *as a community of penitents* radically experienced the social and ecclesial nature of the sacrament and expressed their common disposition of *metanoia* and desire to return to God.[120] Given a well-planned and thoughtful preparation, a full personal confession could be celebrated in a calm, sincere manner in an atmosphere of prayer and mutual support. Significantly, some authors suggested the Eucharist as a fitting thanksgiving for the celebration, since "this arrangement highlights the role of the Eucharist in the forgiveness of sins and also serves to effect the actual reconciliation of the penitents with the worshipping community of the Church."[121] Initially preferred for small, homogenous groups with sufficient confessors for absolving the individual penitents, this form assumed a variety of subtypes, including celebration with larger, more diverse congregations and/or the provision of communal absolution.[122]

---

[119] The principal elements of the service are described by G. Rinaldi, "La confessione comunitaria," in *Vita religiosa*, 6 (1970), p. 284. The author favoured this form since it contradicted neither the principles of theology nor the disciplinary norms of the Church.

[120] P.F. Palmer, "Communal Penance: What Are the Options?" in *America*, 124 (1971), p. 64. See also Heggen, *Confession and the Service of Penance*, p. 102 and Riga, "Communal Penance," pp. 45-50. The latter author notes the important catechetical value of both the preparation and the service as a whole. It is also noteworthy that various conferences of bishops gave their approval and encouragement to this communal service. See Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, pp. 133-140 for a helpful summary. Some conferences insisted certain conditions be observed. An example is recorded by M. Desdouits, "Absolutions collectives," in *Esprit et vie*, 82 (1972), pp. 9-10.

[121] Freburger (ed.), *Repent and Believe*, p. 75. Riga, "Communal Penance," p. 53 notes that it would "show the intimate and unbreakable bond between the sacrament of penance and its very object and end, the Eucharist." See also L. Heuschen, "The Sacraments and the Care of Souls," trans. by R. Cunningham, in W. Baraúna (ed.), *The Liturgy of Vatican II* 2, English edition ed. by J. Lang, Chicago, IL, Franciscan Herald Press, 1966, p. 150. From a different perspective, A. Nocent, "L'acte pénitential du nouvel 'Ordo Missæ': sacrement ou sacramental?" in *Nouvelle revue théologique*, 91 (1969), pp. 956-976, considered the penitential rite (or some other public admission of guilt) contained in the Mass a possible form for a communal rite of penance which might be declared a sacramental forgiveness of sin, in conjunction with a *votum sacramenti penitentiæ* for those in grave sin. His argument is summarized in Funke, "Survey of Published Writings on Confession over the past Ten Years," p. 131. See however SCDF, Reply, 11 July 1968, (private), in *CLD*, 7 (1968-1972), p. 664, which clearly restated the discipline that required sacramental absolution before Eucharistic sharing for those conscious of mortal sin, and the subsequent reflection by Congar in "Points d'appui doctrinaux pour une pastorale de la pénitence," pp. 82-83.

The less radical variety of the second tendency was commonly known as a penitential service.[123] In effect, this service consisted simply of the communal elements extracted from the liturgy mentioned above celebrated as a separate, distinct ceremony. The separation served to heighten the educative and formative aspects of the service, enabling pastors to use it as an invitation to more personal and authentic private confessions.[124] The penitential service was not without its controversy, however, as queries inevitably emerged about the status of its sacramental character. Although it was freely admitted that these services could become a clear sign that people were reconciled, the question of their sacramentality remained "a controverted theological problem" which required "the determination and recognition of the Church's magisterium."[125]

The more radical distinction between communal penance and private confession rested on the premise that, in the strict sense, the sacrament of penance exists primarily to reconcile persons who, by grave sin, have deliberately separated themselves from God and the Church community. This role would preserve the place of individual confession and absolution, and in turn not deny its value for pastoral counselling, spiritual discernment and guidance and individual devotional confession.[126] The complementary form of communal liturgy combined a common expression of sinfulness with a collective sacramental absolution which corresponded to the everyday sinful situation experienced

---

[122] Heggen, *Confession and the Service of Penance*, p. 102; Samway, "Faith and Communal Penance," pp. 300-301; McCue, "Penance as a Separate Sacramental Sign," p. 62; Palmer, "Communal Penance: What Are the Options?" pp. 64-65 and A.M. Carr, "Communal Penance: Wave of the Future?" in *The Homiletic and Pastoral Review*, 70 (1970), p. 640. The anecdotal evidence used by Carr reveals that the numbers of persons and time constraints may seriously affect the integrity of the individual confessions. Rinaldi, "La confessione comunitaria," discusses the issues concerning collective absolution on p. 286.

[123] This form is mentioned by the Bishops of Holland in their "Pastoral Letter," p. 277. The bishops advise the use of this service when large numbers of the faithful are gathered in parishes. See ibid., p. 280.

[124] Ibid., pp. 277-279 and Heggen, *Confession and the Service of Penance*, p. 104. As Heggen further noted on p. 97, the penitential service and private confession thus completed one another in the life of the Christian.

[125] The Bishops of Holland, "Pastoral Letter," pp. 277 and 280. Nevertheless, the Bishops suggested "that the priest with the care of souls gradually introduce the faithful to a deeper and broader understanding of the notion of sacramentality, so that they may better understand the affirmation 'Christ is sacrament' and not continue to ignore the fact that our whole Christian life and conduct have a sacramental meaning." O'Callaghan, "Communal Penitential Services," also discusses this problem on pp. 342-343.

[126] Kasper, "Confession Outside the Confessional?" pp. 20-21; Funke, "Survey of Published Writings on Confession over the Past Ten Years," pp. 128-129, 132 and Gallen, "A Pastoral-Liturgical View of Penance Today," p. 150.

by the majority of the faithful.[127] The result of this proposal, which generated a great deal of theological and pastoral debate, was a "two-tiered" system of sacramental penance designed to be both adaptable and sensitive to the dynamic and pilgrim like character of Christian life presented by Vatican II.[128]

The remarkable vitality of thought and action exhibited during this brief period of Church history exemplified a more widespread contemporary preoccupation with meaning and credibility. As an encounter between sinful human beings and God the Father through the mediation of the risen Lord Jesus, the sacramental liturgy of penance should commend the theistic conviction its ritual signs both presuppose and seek to strengthen.[129] Although the rite of penance which reconciled persons in an individual, private manner possessed the capacity to effectively address all levels of human sinfulness, the apparent decline in its use showed this positive aspect outweighed in the perception of some commentators by the desire among God's people for a richer and more meaningful experience of faith than that afforded them in the privatised ceremony.[130] Experimentation in liturgical responses to human sinfulness was a necessary and valid attempt to embrace this problem, but the ability to develop liturgy truly expressive of and to the community proved to be a delicate and contentious matter. If the abiding threat to reform was a superficiality born from the failure to confront the radical situation of human religious experience,[131] serious efforts to incorporate and express in a balanced way the theological values considered essential to reconciliation were destined to engage fundamental doctrinal, legal and pastoral issues as work continued in the development of new and authentic forms of sacramental penance.

---

[127] This celebration was supported by Eppacher, who theorized that the idea of penance as reconciliation with the Church was obscured by equating obligatory confession of mortal sins and purely devotional confession in the one available ritual of penance. His argument is summarized in Funke. "Survey of Published Writings on Confession over the Past Ten Years," pp. 124-125.

[128] Kasper, "Confession Outside the Confessional?" p. 21 and P.E. Fink, "Communal Penance: An Update," in *America*, 124 (1971), p. 202. The latter author notes that in order for the sacrament of penance to respond adequately to the experience of sin, it must reflect development in contemporary moral theology and the current pastoral needs of the faithful.

[129] Peter, "Renewal of Penance and the Problem of God," p. 494.

[130] Samway, "Faith and Communal Penance," pp. 293-294.

[131] Gallen, "A Pastoral-Liturgical View of Penance Today," p. 140.

Persistent endeavours, both theoretical and practical, to include a liturgy of reconciliation with general confession and absolution among such forms, have been a striking feature of this work until the present time.

3.3 THE ORIGIN AND INITIAL DEVELOPMENT OF GENERAL ABSOLUTION

As a pastoral response to the devastating effect of a civil war and restrictions on the movement of clergy in 1962, Pope John XXIII granted the local Church in Sudan a special concession to reconcile sacramentally several penitents together with general confession and absolution.[132] The concession was noteworthy because it did not require penitents to confess the mortal sins of which they were conscious in a subsequent individual confession. The local Church continued this practice until the promulgation of the new *Ordo pœnitentiæ* in 1974, which obliged it to comply with the relevant norms contained therein. Similarly, on 17 June 1966 the SCDF granted the local Church in Papua New Guinea permission to celebrate general sacramental confession and absolution when necessity required, and especially in conjunction with major feast days and similar occasions.[133] This concession *included* the obligation for the faithful to make subsequent individual confession of mortal sin absolved in this manner when circumstances provided them with a suitable opportunity.[134] Although further requests, mainly from mission territories, were referred to this response, some indults *without* the

---

[132] This information was supplied by Archbishop G. Wako of Khartoum in his intervention at the 1983 Synod of Bishops in Rome. There is a text of the intervention, given in English on 6 October 1983, entitled "When General Absolution is Needed," in *Origins*, 13 (1983-1984), p. 368. There seems to be no other written evidence to confirm the existence of this indult.

[133] C. van der Geest, "Die Generalabsolution in Papua-New Guinea," in *Liturgisches Jahrbuch*, 21 (1971), p. 174. Although there is no documentary record of the complete text it may be largely reconstructed from the article cited. In addition, the full text of an indult granted by the Sacred Congregation for the Propagation of the Faith on 25 August 1966 for what was apparently the second such request (from the bishop of Arua, Uganda) is recorded in *Leges Ecclesiæ*, 3 (1959-1968), no. 3461, col. 5022. This indult specifically refers to the reply given the bishops of Papua New Guinea and appears the only example preserved in the available sources.

[134] Ibid. The text of the rescript reads: "Mens est ut peccata gravia hoc modo absoluta, quando ad illud opportunitas data fuerit, coram sacerdote singula confitenda sint." It is interesting that the document did not require that priests first contact the local Ordinary for permission before celebrating general absolution.

requirement for subsequent individual confession of grave sin were also granted.[135] These decisions, together with extensive theological discussion and incidents of local innovation in the practice of sacramental penance not only effected a radical change in the contemporary discipline of confession for some local Churches, but also implied that similar change was possible in a much broader ecclesial context.[136] The following section presents some historical notes designed to situate the debate surrounding this controversial form of sacramental reconciliation in its modern-day setting.

3.3.1 AN HISTORICAL CONTEXT FOR GENERAL ABSOLUTION

A possible historical precedent to the sacramental form of a general confession and absolution has been identified in a complex of vernacular rites celebrated within Mass at various times and places during the medieval Church period.[137] Considered a kind of parallel to, rather than a substitute for, the practice of individual confession, the rite embodied the essentials of sacramentality in that the faithful together placed their confession of sinfulness before the community as a sign of repentance and the Church, by official intervention in their conversion through preaching, prayer and the words of absolution, visibly manifested the mercy and love of God.[138] Although vestiges of this

---

[135] Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, p. 131. Although this author provides no details concerning these indults a missionary working in the Philippines, D. Morrison, "Confession and the New Code," in *The Furrow*, 20 (1969), p. 526 speaks, from personal knowledge of "one African diocese [and] another diocese in Burma (now Myanmar)," where individual confession was not required following general absolution.

[136] Morrison, "Confession and the New Code," pp. 526-527, 528.

[137] The reader is referred to comments made in section 1.2.1.4 of this dissertation. In addition to the authors cited, see the interesting comments by B. Newns, "General Absolution: Tradition and Recent Trends," in *The Clergy Review*, 62 (1977), pp. 65-66. As Jungmann, *Die lateinischen Bussriten in ihrer geschichtlichen Entwicklung*, notes on pp. 279-280, the twelfth century ritual in the diocese of Prague involved a sermon, an invitation for the people to make a sign of repentance, the praying of the *Confiteor*, and an absolution for the remission of sins.

[138] Newns, "General Absolution: Tradition and Recent Trends," p. 66 and Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, p. 84. Fleming notes that, according to the thesis of Eppacher proposed in 1968, there was no difference between individual confession and this rite of general absolution from the ecclesial aspect, because both expressed the Church's involvement in Christ's activity through the Holy Spirit; in both the Church worked as "judge" and in both the meaning of the absolution was the Church's authoritative prayer of intercession and thus a judicial act of the Church.

rite survived in some religious orders as annual general absolutions for faults against their rule, it had far greater significance as a forerunner of the official indulgences which were later granted by the Church.[139]

Following the desuetude of these medieval absolutions, developments in theology and canon law approved the understanding that where moral or physical impossibility prevented the individual integral confession of mortal sin as explained by the Council of Trent, a general sacramental absolution might validly and licitly be granted to repentant sinners.[140] In the actual practice of this method of sacramental celebration, the rite was most often conducted with individual persons, "but particularly with the changed circumstances of the twentieth century the necessity for the wider use of such absolution for groups of penitents increased and the practice began to come into greater prominence in the life of the Church."[141]

The most radical of these circumstances were identified by bishops in Europe when the dark clouds of warfare, on a scale previously unknown to humankind, began to gather as the world entered the new century. As tensions escalated and the arms race gathered momentum, great numbers of military personnel were mobilized for their respective countries' war effort. The first step undertaken by the Church to meet this potentially serious pastoral situation in an effective manner was to declare every soldier in a state of warlike assembly, or "mobilization," *ipso facto* in danger of death, so that he could be

---

[139] Newns, "General Absolution: Tradition and Recent Trends," p. 66 and Smith, "General Sacramental Absolution," p. 239. See *The Roman Ritual in Latin and English with Rubrics and Plainchant Notation*, III, The Blessings, trans. and ed. with introduction and notes by P.T. Weller, 2nd rev. ed., Milwaukee, WI, Bruce Pub. Co., 1952, pp. 153-155 for a text. An example of a revised absolution approved by the Sacred Congregation for Rites on 9 April 1968 may be found in *Commentarium pro religiosis*, 51 (1970), pp. 82-83. English trans. in *CLD*, 7 (1968-1972), pp. 26-27. The petition, from the Master General of the Order of Preachers, was in response to the revision of indulgences following Vatican Council II. See Pope Paul VI, Apostolic Constitution *Indulgentiarum doctrina*, 1 January 1967, Norm 14, in *AAS*, 59 (1967), p. 23. English trans. in *DOL*, no. 386, p. 1007.

[140] See the notes in section 1.2.3.3, including references to the relevant official documents. The usual cases involved danger of death and language difficulties, and although it was necessary for the individual penitents to confess their mortal sin to a priest if the opportunity arose later, the absolution was effective for all the penitent's sins and not conditional in nature.

[141] Smith, "General Sacramental Absolution," p. 248. For a summary of some documents mentioned in this section, see R. Pagé, "L'absolution collective au Canada," in *Studia canonica*, 29 (1995), pp. 495-496.

absolved by any priest he met.[142] Once hostilities commenced, the unprecedented situation of great numbers of persons considered in proximate danger of death together with insufficient confessors to hear their individual confessions in the time available, motivated the grant of special faculties to all military chaplains which enabled them to absolve large groups of faithful together at one time.[143] In doing so, the Church built upon established principles so that a priest, having reminded penitents of their obligation to make individual confession of mortal sin if the dangerous circumstances ceased, was obliged to give absolution provided they gave a sign of their willingness to confess and were properly disposed.[144] A specific confession of sins was not required and the penitents did not have to approach the confessor individually before receiving the Eucharist.[145] With the eventual return of peacetime conditions the special faculties were withdrawn and the relevant principles preserved in norms of the 1917 Code of Canon Law.[146]

---

[142] The dubium originated with the bishop of Verdun in 1912. The relevant text may be found in a subsequent declaration of the Sacred Apostolic Penitentiary dated 29 May 1915 in *AAS*, 7 (1915), p. 282. The question was put as follows: "Utrum miles quicumque in statu bellicæ convocationis, seu, ut aiunt, *mobilitationis*, constitutus, ipso facto æquiparari possit iis qui versantur in periculo mortis, ita ut a quovis obvio sacerdote possit absolvi." The English text is adapted from *CLD*, 1 (1917-1933), pp. 411-412.

[143] Sacred Apostolic Penitentiary, Declaration, 6 February 1915, in *AAS*, 7 (1915), p. 72. A corresponding series of official announcements extended various faculties to other clergy, indicating the Church's grave concern for the spiritual welfare of these faithful. See *AAS*, 6 (1914), p. 712 and *AAS*, 7 (1915), pp. 130, 281 and 526. It is very significant that the faculties were principally designed to remove any and all obstacles for the soldiers to *receive the Eucharist* and the deep spiritual nourishment it provided them. Since the recommended practice for a worthy participation in Holy Communion for those conscious of mortal sin was a prior individual, integral confession, the sacrament of penance had to be celebrated in an acceptable manner with due regard for the law and the difficult circumstances at hand. A general confession and collective absolution of the assembled penitents was deemed a satisfactory solution because together with a subsequent sharing in the Eucharist, the penitents received both the grace of repentance and the inner disposition to fulfil their residual obligation should the opportunity have presented itself at some future time.

[144] F.M. Cappello, *Tractatus canonico-moralis de sacramentis*, 2, *De poenitentia*, 7th ed., Romæ, Marietti, 1962, p. 40 and K. Lehmann, "General Absolution, Private Confession, Penitential Liturgy," in *International Catholic Review*, 1 (1972), pp. 319-320. The individual accusation of mortal sin was to be made by the penitents *suo tempore* (in their own time). See also the concise discussion in M. Dooley, "Communal Absolution and Confessional Rooms," in *The Furrow*, 29 (1978), pp. 425-426.

[145] McKeever, *The Necessity of Confession for the Sacrament of Penance*, p. 185.

[146] Sacred Consistorial Congregation, Decree, 22 February 1919, in *AAS*, 11 (1919), p. 74 and *CIC 17*, cc. 882, 892 and 901, as explained in Abbo and Hannan, *The Sacred Canons* II, p. 11 and Augustine, *A Commentary on the New Code of Canon Law* IV, pp. 309 and 338-339. An English trans. of the decree may be found in *CLD*, 1 (1917-1933), p. 416. Smith, "General Sacramental Absolution," p. 249, interprets the

When global conflict erupted for a second time the special faculties were restored to military chaplains, initially at the request of the German bishops, and later extended for use by the relevant clergy in all nations and regions subsequently involved in or affected by the war.[147] Although the faculties contained the same general conditions as before for military personnel, their drafting revealed the Church's desire for greater clarity and precision to better assist all those entrusted with their practical application.[148] It is evident from subsequent decisions that this tendency was not entirely successful.[149] On an equally significant note, the Church wisely allowed for the more sophisticated and devastating warfare exhibited by the combatants in making similar provisions for the spiritual welfare of civilians, especially those affected by air-raids and saturation or carpet bombing.[150]

As World War II progressed, doubts persisted concerning the precise interpretation of the special faculties and inconsistencies became evident in their practical

---

Church's purpose in revoking these faculties as "not to leave any doubt in the minds of the faithful as to what the normal sacramental practice was in the ordinary circumstances then obtaining." Dooley, "Communal Absolution and Confessional Rooms," p. 426 seems to agree with this opinion. From another perspective, however, the wartime emergency illustrated that in a period when such matters were tightly controlled by Rome, the extension of faculties underlined the fundamental reality of the Church's pastoral mission, the *salus animarum*.

[147] Sacred Apostolic Penitentiary, Decree, 30 August,1939, in *Leges Ecclesiæ*, 1 (1917-1941), no. 1494, para. 2 and 3, cols 1934-1935 and Sacred Consistorial Congregation, *Index facultatum*, 8 December 1939, in *AAS*, 31 (1939), no. 14b and c, p. 712. There is an English trans. of the latter text in *CLD*, 2 (1933-1942), pp. 143-144 and a partial trans. in E. García, "First Norms on General Absolution," in *Boletín eclesiástico de Filipinas*, 68 (1992), p. 211.

[148] Smith, "General Sacramental Absolution," p. 250. The document explicitly retained the primary pastoral emphasis as worthy reception of Holy Communion, here specifically designated *viaticum*, and thus maintained the complementary relationship between the Eucharist and the general form for celebrating sacramental penance to reconcile penitents under these emergency conditions.

[149] Sacred Apostolic Penitentiary, *Dubium*, 10 December 1940, in *AAS*, 32 (1940), p. 571. English trans. in *CLD*, 2 (1933-1942), p. 146. This response gave priests greater discretion in judging when it was necessary to absolve a body of soldiers with regard to the prevailing circumstances. Other extensions to the original faculties permitting general absolution were sought by individual bishops and approved in order to meet particular circumstances existing in their dioceses. Texts are provided by E. Bergh, "Absolution collective," in *Nouvelle revue théologique*, 67 (1945), pp. 944-945. As Smith, "General Sacramental Absolution," p. 252 notes, the extended faculties granted Cardinal A. Bertram of Breslau (now Bratislava, capital of Slovakia) are noteworthy because they were the first to explicitly mention the role of the *local Ordinary* in determining the presence of the conditions under which general absolution could be given. Permission to celebrate general absolution was essentially for the good of souls and the faculty endured for the duration of the causes impeding individual integral confession.

[150] Sacred Consistorial Congregation, *Index facultatum*, no. 14c, p. 712. English trans. in *CLD*, 2 (1933-1942), p. 144.

application.[151] These factors occasioned a new document which attempted to set out in a clear and concise manner "the principles on which such absolution was based, the circumstances in which it could be given, and the conditions and obligations of the penitent who received the sacrament in this form."[152] Although inclusive of special faculties relevant to war emergencies and other cases involving danger of death, the document tended to a general statement of doctrine designed to inform and assist the competent authority when the conditions stated were verified.[153]

The instruction presented the norms for absolving penitents under certain circumstances by a general formula or common absolution (*generali formula seu communi absolutione*) and without a previous confession of sins submitted by the individual faithful in seven articles. The first article dealt with the situation of wartime emergency, and effectively restated in condensed form the faculties given to priests at the commencement of World War II, together with the clarification issued on 10 December 1940.[154] The second article incorporated and affirmed the principle upon which extended faculties had been granted to various bishops earlier in the war; namely, that the faithful affected by some grave and urgent necessity other than danger of death, but extrinsic to them and proportionate to the gravity of the divine percept to make an individual integral confession, were similarly permitted reconciliation by means of a general absolution.[155]

---

[151] Dooley, "Communal Absolution and Confessional Rooms," p. 426 and Bergh, "Absolution collective," p. 946.

[152] Smith, "General Sacramental Absolution," p. 253.

[153] Sacred Apostolic Penitentiary, Instruction *Ut dubia*, 25 March 1944, in *AAS*, 36 (1944), pp. 155-156. English trans. in *CLD*, 3 (1942-1953), pp. 377-379. See the comment by Dooley in "Communal Absolution and Confessional Rooms," p. 426.

[154] García, "First Norms on General Absolution," p. 214. The absence of any reference to the Eucharist is a significant omission, since in previous texts of these faculties, the worthy reception of Holy Communion (as *viaticum*) was the principal purpose for granting sacramental absolution in a general manner. In theoretical terms, the instruction radically detached the celebration of penance from its original and primary Eucharistic context.

[155] In addition to the extended faculties, the instruction drew upon well accepted and documented Church teaching, and provided an *example* of what constituted a grave and urgent necessity; namely, if the penitents otherwise without any fault of their own would be deprived for a long time of sacramental grace and of Holy Communion. The local Ordinary was accorded the responsibility for discerning when the appropriate conditions applied, to whom priests, for liceity, had to refer in advance of the celebration, if this was possible. The pastoral value in the role of the local Ordinary is well described by Smith, "General Sacramental Absolution," p. 255. It may be concluded, therefore, that at the official level the Church firmly

The balance of the instruction presented the obligations (for local Ordinaries, priests and penitents) and conditions which together would ensure, when carefully and accurately observed, a licit and valid ceremony.[156] Given proper fulfilment of these norms the penitents, having manifested confession and contrition to some degree, would be duly and *unconditionally* absolved from all their sins.[157] The instruction remained in effect following the end of World War II, but the use of general sacramental absolution rested until the 1960s, with little comment or documentary evidence of its pastoral

---

recognized the value in general sacramental absolution, albeit in connection only with emergency situations.

[156] The three conditions were: a great crowd of penitents, insufficient time to hear the individual confessions and a grave and urgent necessity.

The obligations were as follows:

1. For the local Ordinary:
   a) to inform priests of the norms and their grave duty to give general absolution when authorized, and
   b) to discern and then grant permission for general absolution when the appropriate circumstances prevailed.
2. For the priest:
   a) to obtain permission from the local Ordinary before celebrating general absolution and duly grant such absolution according to the spiritual needs of the faithful.
   b) to inform the faithful to be sorry for their sins and have the resolve to abstain from sinning in the future,
   c) to admonish penitents to give an external sign of their contrition, and
   d) plainly tell the faithful not to purposely evade the fulfilment of their obligation to confess the mortal sins not yet properly mentioned *and forgiven* in confession by waiting for an occasion of general absolution if the obligation of individual, integral confession applies to them by divine or ecclesiastical law (see note below).
3. For penitents:
   a) to have the proper disposition when celebrating the sacrament, and
   b) duly confess all their mortal sins not already confessed the first time thereafter when they approach individual confession.

Note: According to more recent norms issued for celebrating general confession and absolution it is apparent that the instruction's addition of the words *et remissæ* was not appropriate. This is illustrated in the interpretation provided by P.F. Cremin, *Penance: 1. Reserved Sins and Censures; 2. The Integrity of Confession*, Dublin, Clonmore & Reynolds, 1958, p. 61. It must be remembered, however, that the instruction was issued during a wartime emergency situation with the Church still exploring the meaning and consequences of general absolution. It is therefore required that full account be taken of its context and the spirit in which it was written.

[157] Without a Eucharistic reference, this conclusion was based on the understanding that the intention to do as the Church required, including the will to be judged by the Church's minister, could be reasonably assumed by the very presence and attention of the group of penitents, since it was a sign of their desire to submit themselves to the Church's official intervention in their conversion. See Cappello, *De poenitentia*, 2, p. 21 and McKeever, *The Necessity of Confession for the Sacrament of Penance*, pp. 190-192. Although the document spoke only of liceity and not validity, the latter author correctly notes that "if the penitents do not have sorrow and purpose of amendment, irrespective of any instruction by the priest, absolution will be most certainly invalid."

application.[158] Apparently in 1962 the Central Preparatory Commission of Vatican II Council discussed the question whether favourable responses be given to requests for celebrating a general confession and absolution of many penitents together.[159] Subsequent enquires for such permission given affirmative answers were invariably directed to the 1944 instruction, but developments following the Council necessitated promulgation of new norms to regulate this aspect of sacramental discipline.[160]

3.3.2 FUNDAMENTAL ISSUES AFFECTING GENERAL ABSOLUTION

The first and most direct consequence for the postconciliar Church relative to the emergence of officially sanctioned exceptions to individual, integral confession was increasing acquaintance among the faithful with the existence and use of sacramental reconciliation by a general confession and absolution. Without prejudice to the special needs clearly evident in many mission territories, the atmosphere of pastoral creativity and theological debate within the Church led pastors and commentators to reflect seriously on this model in the context of a developing awareness of the social aspect of reconciliation, and consider its possible role in the reform of sacramental penance.[161] This enterprise brought participants into a dialogue with several important issues that spawned opinions and solutions of varying soundness and depth.

---

[158] Smith, "General Sacramental Absolution," p. 257. Häring, *The Law of Christ* I, mentions the possibility of general absolution when discussing the reasons excusing from integrity of confession on pp. 460-463. A helpful case study setting out the principles and correct application of the 1944 instruction is also provided by L. Denis, "Cas de conscience I," in *Revue du clergé africain*, 20 (1965), pp. 424-430.

[159] Denis, "Cas de conscience I," p. 430.

[160] See the interesting comments by Morrison, "Confession and the New Code," p. 526 and Dooley, "Communal Absolution and Confessional Rooms," p. 427.

[161] R. Keifer, "The Ministry of Reconciliation," in R. Keifer and F.R. McManus (eds), *Understanding the Document*, The Rite of Penance: Commentaries, 1, Washington, DC, The Liturgical Conference, 1975, p. 12. Along with this positive rationale, the author also provides a helpful summary of what he terms the negative considerations for the viability of general sacramental absolution.

3.3.2.1 Issues Pertaining to Church Doctrine

Despite the scholarly identification of an evolutionary character to the Church's ministry of reconciliation towards its sinful members, conflict between the teaching of the Council of Trent and the extension of general confession and absolution beyond situations of grave and urgent necessity emerged as the principal doctrinal issue affecting proposals for this form to assume equal status among the reformed rites of sacramental penance. The kernel of this conflict was the Council's seventh canon concerning the sacrament, which stated that for the forgiveness of sins it was necessary by divine law the faithful individually confess each and every mortal sin of which they were conscious after careful reflection, together with the circumstances which changed the character of the sin.[162] Consequently, any significant development concerning the place of general absolution in the sacramental life of the Church, rested on harmonizing its acceptance into the reform process as a genuine response to the real needs of God's people with a faithful interpretation of Trent's teaching in terms of its binding character and the meaning of divine law.

The majority opinion among theologians writing in the period directly following Vatican II regarded the law requiring integral confession of all mortal sins as something more than a purely disciplinary norm established by the Church.[163] Given the frequency and varying levels of meaning with which the Tridentine fathers employed the term *ius divinum*, the particular context was considered a crucial element for a sound interpretation to be achieved. According to the explanation derived by the fathers from

---

[162] The Council of Trent, Canons Concerning the Most Holy Sacrament of Penance, c. 7, in Tanner, p. 712. The Latin text reads: "Si quis dixerit, in sacramento poentitentiæ ad remissionem peccatorum necessarium non esse iure divino confiteri omnia et singula peccata mortalia, quorum memoria cum debita et diligenti præmeditatione habeatur ... et circunstantias, quæ peccati speciem mutant: anathema sit."

[163] See for example H. Jedin, "La nécessité de la confession privée selon le Concile de Trente," in *La Maison-Dieu*, no. 104 (4e trimestre 1970), p. 115; C.J. Peter, "Auricular Confession and the Council of Trent," in *The Jurist*, 28 (1968), p. 294 and Palmer, "Communal Penance: What Are the Options?" pp. 65-66. At the heart of this opinion lies a more fundamental question concerning the Church's ability to determine itself with laws more than human in origin which have the capacity to bind future generations in some way. The definitive paper on this subject had been presented by K. Rahner, "Reflection on the Concept of '*ius divinum*' in Catholic Thought," in *Later Writings*, Theological Investigations, V, trans. by K.-H. Kruger, Baltimore, MD, Helicon Press; London, Darton, Longman & Todd, 1966, pp. 219-243. By way of conclusion, the author proposes on p. 241 that "it must not be said that it is *a priori* and certainly impossible to ask the question as to whether there can be a *ius divinum* which is decided on by the *post*-apostolic Church by an irreversible decision in conformity with her nature."

their examination of the origin, structure and purpose of individual confession as it was then celebrated, scholars tended to the conclusion that integrity meant something willed by God and somehow indicated or established as such in his revelation through Christ to the apostles.[164] The fathers had carefully built their teaching upon the belief that Jesus instituted the sacrament of penance after his resurrection as a religious judgement for the salvation of human beings, from which the model of private confession familiar to them stood in a justifiable line of development.[165] Since the sacrament itself possessed the character of divine law individual elements of the rite, including those associated with the judicial aspect, could be considered a realization of the divine will and required for salvation. The submission of mortal sin to an authorized minister of the Church in a clear and complete manner was one such element.[166]

Although the Council of Trent officially credited integral confession with the quality of divine law, the fathers did not thereby imply that the concrete, institutional form in which it was preserved be interpreted in an absolute manner.[167] Having asserted the obligatory character of integral confession for all members conscious of mortal sin, they logically proposed the example of the method in use as a true and faithful means by which this might be achieved, but in tending to confine their remarks to the issues raised by the reformers, matters such as a specific treatment of the circumstances that demanded (or excused from) integrity, the grave sin to be submitted, and questions concerned with certain theoretical issues went beyond the parameters of their work.[168]

---

[164] Peter, "Auricular Confession and the Council of Trent," p. 295 and see his later article "Dimensions of Jus Divinum in Roman Catholic Theology," in *Theological Studies*, 34 (1973), p. 241. The author's argument for this interpretation is based on a comparison with the Council's earlier teaching on the necessity of absolution from mortal sin as a disposition for receiving Holy Communion, from which he concludes that the Council regarded integral confession as "connected necessarily with Christ's revelation concerning the sinner's return to the Father."

[165] The Council of Trent, Teaching Concerning the Most Holy Sacraments of Penance and Last Anointing, Chap. 5, in Tanner, pp. 705-707 and C.J. Peter, "Integral Confession and the Council of Trent," in *Concilium*, vol. 7, no. 1 (Jan. 1971), pp. 102-103. The judgement was manifested in the role of the priest who, in announcing the words of absolution, exercised a judicial power for the forgiveness of sins.

[166] Peter, "Integral Confession and the Council of Trent," p. 103.

[167] C.J. Peter, "Integrity Today?" in *Communio*, 1 (1974), pp. 64-65.

[168] Ibid., pp. 70-73. For example, the Council fathers reiterated the requirement of Lateran IV stipulating an annual, integral confession of mortal sins, preferably during the Lenten season. They did not, however, discuss whether each confession submitted by the faithful need be integral as specified. See

As an essential element in the celebration of reconciliation integrity of confession, both as a principle and a serious, obligatory act for each penitent in the form sanctioned by Trent, represented one component of a sacrament structured according to an interrelated group of theological and other values. Although the fathers of Trent did not consider the issue, it was not unlikely that one or several of these values might disturb the conduct of the sacrament to such an extent that its integrity be actualised at times in another manner.[169] Consequently, from the experience of its intervention in the sinner's journey of conversion, the Church admitted the possibility of circumstances in which the integral character of confession was formally preserved but when the obligation as concretely expressed in an individual accusation of mortal sins to a priest was postponed or even set aside for the spiritual welfare of the faithful.[170] The catastrophe of modern warfare and problems endemic to mission territories which in recent times had significantly deprived the faithful of regular spiritual care, qualified as situations of sufficient impact to warrant change in the practice of the sacrament. These important examples provided theoretical and practical stimulation to certain strands of liturgical experimentation and adaptation which gathered momentum towards the end of the 1960s.[171] In conjunction with extensive scholarly and pastoral efforts to express more clearly in the rites of penance recently recovered theological values of reconciliation,

---

J. Gallen, "General Sacramental Absolution: Pastoral Remarks on Pastoral Norms," in *Theological Studies*, 34 (1973), pp. 115-116.

[169] Curran, "The Sacrament of Penance Today III," p. 9. The author boldly states: "There are other more important values in the concept of penance so that there could be sacramental rites which do not expressly contain a specific confession of sins by the individual to the minister." See also Peter, "Integrity Today?" p. 74.

[170] Whitley, "Understanding and Attitudes: Some Suggestions for Appreciating Communal Penance," p. 225 and Curran, "The Sacrament of Penance Today III," pp. 7-8. An example may be found in Sacred Congregation of the Holy Office, Instruction *Ecclesia numquam*, 16 May 1943, in *Leges Ecclesiæ*, 2 (1942-1958), no. 1749, cols 2174-2175, which explains at 1° that a complete disclosure of grave sin should take second place to discretion where it would involve a great harm to the penitent or confessor, which is extrinsic to the confession. English trans. in *CLD*, 3 (1942-1953), pp. 379-383. As far as general absolution is concerned, the usual interpretation was that the legal obligation for individual, auricular confession was not applied at the time such a form of absolution was imparted because of the excuse of moral or physical impossibility, with the understanding that individual confession would be made when the excusing cause no longer existed. Nevertheless, on rare occasions official concessions had freed penitents from the law which obliged a subsequent individual confession of mortal sin after a celebration of general absolution.

[171] The article by F.T. Hurley, "Communal Absolution: Anatomy of a Decision," in *America*, 127 (1972), pp. 203-206, provides a helpful example.

they also supplied essential material for reflection in the debate surrounding the reform of the sacrament on the extent to which the Church was bound by the Tridentine teaching on integral confession.

In assessing the normative force of integrity for the sacramental discipline of the Church, three distinct approaches may be identified from the contemporary literature. One of these proposals advocated that Trent intended its teaching on the sacraments be interpreted neither as revealed truth nor derived from revelation.[172] The somewhat fluid position resulting from this notion thus regarded this particular doctrine fully exposed to adaptation or reform by the Spirit-led Church authority.[173] Perhaps equally radical was a contrary opinion which determined a strict and irreformably binding status for both the principle of integrity and its specific form as preserved by the Council of Trent.[174] A central feature of this argument was a reliance on Trent's judicial theology of sacramental penance, founded on its interpretation of the priest as judge and the words of absolution his judgement. This apparently inflexible stance seemed at odds with both the theology of sacrament and the suggested criteria for the reform of penance mandated by Vatican II, and represented a major obstacle for any advance in the issue of integrity at the doctrinal level.[175]

In order to dialogue in a meaningful way with the alternative forms of sacramental penance developing at that time, scholars who advocated this theological position either

---

[172] This suggestion is made by P.F. Fransen, "Réflexions sur l'anathème au Concile de Trente," in *Ephemerides theologicæ Lovanienses*, 29 (1953), p. 671. The author repeats this view in "Unity and Confessional Statements: Historical and Theological Inquiry of R.C. Traditional Conceptions," in *Bijdragen*, 33 (1972), pp. 16-22. See the similar view of Crichton, *Christian Celebration: The Sacraments*, pp. 222-223.

[173] For example McCue, "Penance as a Separate Sacramental Sign," states on p. 61 "that it is not *a priori* necessary that, come what may, the Church must insist that the rite of private confession be maintained in the regular practice of all communities. If in these very troubled times the Church finds that its understanding of itself is not well expressed in the rite of private penance, it has the perilous freedom to attempt to seek other forms of expression."

[174] See for example Manning, "Private Confession: Pros and Cons," pp. 228-229. Following Häring, the author comments that Trent claimed "the divine right and obligation of the Church to require explicit confession, insofar as this is within the power of the penitent, of each serious sin committed after baptism." See also F.J. Connell, "The Reception of Penance by a Group," in *The American Ecclesiastical Review*, 153 (Jul.-Dec. 1965), pp. 116-117.

[175] The article by O'Callaghan, "Communal Penitential Services," pp. 336-343 specifically addressed this problem. The author makes particular reference to the communal value of reconciliation which was a fundamental principle of conciliar teaching.

sought different perspectives upon the context of the Tridentine teaching or shifted discussion from the dogmatic level to a more pastoral aspect. The second of these alternatives included the call for a study of grave sin which incorporated a modern and more complex understanding of human relationships and freedom in both individual and communal dimensions.[176] Along with other practical and theoretical factors, this pastorally-based solution to the problems posed by integral confession led to suggestions for a system of confession allowing a regular and prominent place to communal celebrations of general absolution.[177]

With respect to the first alternative, scholars argued that Trent did not intend to condemn or reject sacramental forms of reconciliation other than individual, integral confession since these were not relevant to the issues with which the Council fathers were confronted.[178] This line of thought was supported by references to the distinctive sacramental rites of penance existing in many Oriental Churches at the time, of which Trent was probably unaware.[179] The rites had a perceptibly communal character, since even the private form of confession originated in a community liturgy and bore the impress of corporate worship.[180] Significantly, these practices also maintained an intimate relationship between penance and the Eucharist, indicating support for the view that

---

[176] L. Örsy, "Communal Penance: Some Preliminary Questions on Sin and Sacrament," in *Worship*, 47 (1973), pp. 341-342.

[177] The reader is referred to section 3.2.1. In such a system, the majority of practising faithful would not be obliged to individual, integral confession, because according to the understanding of grave sin, most would not be in a state of definitive separation from God and the Church. See ibid., pp. 340 and 342. Funke, "Survey of Published Writings on Confession over the Past Ten Years" notes on p. 128 that many theologians were of the same opinion.

[178] Jedin, "La nécessité de la confession privée selon le Concile de Trente," p. 114 and Peter, "Integral Confession and the Council of Trent," p. 108.

[179] For information about the Oriental rites of penance, see L. Ligier, "Dimension personnelle et dimension communautaire de la pénitence en Orient," in *La Maison-Dieu*, no. 90 (2e trimestre 1967), pp. 155-188; N.P. Smiar, "Notes on Byzantine Penance," in *Resonance*, 2 (1966), pp. 97-105 together with Appendix D in the same journal, pp. 130-133 and F. Nikolasch, "The Sacrament of Penance: Learning from the East," trans. by M. Hollebone, in *Concilium*, vol. 7, no. 1 (Jan. 1971), pp. 65-75. According to these scholars, many other *non*-sacramental rites are also part of Eastern penitential tradition.

[180] Nikolasch, "The Sacrament of Penance: Learning from the East," p. 69. This helps to explain their interest for scholars advocating a more visible expression of the communal value of reconciliation.

reconciliation belonged inherently to the meaning of Eucharistic theology and worship.[181] Several of the rites were conducted with generic confession and general absolution and granted pardon of all sins other than grave crimes, for which other penitential remedies were required.[182] This factor forged important links with efforts to refine the concept of grave sin and recover both the theological and liturgical richness of reconciliation, and became an indispensable resource for those promoting more widespread use of communal forms of penance in the Latin Church, including general absolution. Nevertheless, it did not explore a possible distinction between the principle of integrity and its identification with the particular manifestation affirmed at Trent and maintained thereafter in the sacramental practice of the Church with only limited exception.

Despite anecdotal evidence of their popularity and the approval of numerous scholars, proposals for the employment of general absolution as a complementary rite to private confession were regarded by some authors to be inauthentic developments in the sacramental expression of penance and reconciliation.[183] The genius of the contemporary liturgical structure rested on the understanding that the available forms of reconciliation – whether conducted in the usual circumstances with individual persons or situations of grave and urgent necessity in a personal or communal setting – could accommodate all aspects of sinfulness and grant absolution to all sinners.[184] A third interpretation of the

---

[181] Ibid., p. 70. This thought is carefully explained by Tillard, "The Bread and the Cup of Reconciliation," pp. 49-50. See also the comments in Gallen, "A Pastoral-Liturgical View of Penance Today," pp. 149-150.

[182] Nikolasch, "The Sacrament of Penance: Learning from the East," pp. 73-74.

[183] See the critique by Palmer, "Communal Penance: What Are the Options?" pp. 65-66, the comment by Connell, "The Reception of Penance by a Group," p. 117 and the conclusion by Manning, "Private Confession: Pros and Cons," p. 229.

[184] From the perspective of the emergency situations when ceremonies were conducted, general confession and absolution was an integral confession, at least in the form in which it could be celebrated according to the circumstances prevailing at the time, that unconditionally reconciled repentant sinners to God and the Church. The integral character of the confession was guaranteed by the *votum sacramenti poenitentiæ*, expressed in the residual obligation to mention any mortal sin of which a penitent was conscious to the priest the next time individual confession could be celebrated, and the worthy reception of Holy Communion if this followed the reconciliation by general or common formula. See also the comment by Hurley, "Communal Absolution: Anatomy of a Decision," p. 205 and R.A. McCormick, "Notes on Moral Theology. Penance," in *Theological Studies*, 28 (1967), pp. 775-776. Outside situations of grave and urgent necessity and until further study provided a richer and more comprehensive understanding of integrity, the latter author declined to suggest that "a rite of communal generic confession with later private submission of serious sin is in accord with the substance of Trent's teaching."

binding force of Trent's teaching therefore proposed a middle path between the more extreme positions previously cited.

Scholars who approached the subject along this route accepted the normative character of the principle captured by the Tridentine teaching and the definitive place of private, individual confession but in sympathy with the theology of Vatican II Council explored how other ritual forms of reconciliation might actualise the principle of integrity in a manner that represented a genuine evolution of the sacrament.[185] The rationale for this consensus approach affirmed the continuing relevance of Trent's doctrinal formulation but also acknowledged its historical limitation, concluding that answers to contemporary problems required deep reflection and evaluation in order to apply an important teaching in a radically different context with the correct interpretation.

A key aspect in this line of argumentation was its recognition of the presence and importance of theological values which serve to link a formula proposed as a doctrinal precedent with the elements comprising the context within which answers are sought. This approach not only assured serious consideration of the precedent, but also grounded possible solutions in authentic theological soil.[186] Theologians writing in the immediate post-Vatican II period identified several values pertinent to this study which attracted extensive discussion.[187] Whilst it was essential that such values become more visible and effective in a reformed rite of individual penance, celebrations of general confession and absolution were regarded as an ideal method to incorporate and emphasize them in a community setting. For the individual penitent, those having the potential for greatest influence in terms of the integrity of their confession were the personal and process values of reconciliation.

---

[185] See for example Peter, "Integral Confession and the Council of Trent," pp. 108-109; McCue, "Penance as a Separate Sacramental Sign," pp. 63-64 and Morrison, "Confession and the New Code," pp. 535-539.

[186] Peter broaches this subject in "Integrity Today?" pp. 68-70. A crucial component of the argument must be the determination of the essential values embodied in the precedent, so that their realization in other ritual forms and the law with which they are protected and supported may find acceptable achievement.

[187] The reader is referred to sections 3.2.2 and 3.2.3 of this dissertation for acquaintance with scholarly opinion concerning the Eucharistic, ecclesial and communal values of reconciliation.

The proliferation of communal penance services in their various forms was a significant initial response to the perceived crisis in the sacrament of penance, but it also raised serious questions among authors concerning the effect of these services on the integrity of the confessions celebrated. The form in which individual confession was conducted within a communal framework had received widespread support from scholars and conferences of bishops, but avoided the deeper problems associated with the private ritual and risked encouraging so brief a contact between penitent and confessor that integrity might be severely compromised.[188] Services with a general confession were also considered problematic since they postponed or even threatened to eliminate this privileged and much needed encounter.[189] In order to preserve this essential personal value, scholars advocating the regular status of general absolution tended to emphasize its role in realizing a more tangible expression of the process value of reconciliation.[190] The obligation of a private statement of mortal sin subsequent to the grant of general absolution acted as the source for this development. As the place for the dialogue between priest and penitent, it would combine personal and communal elements of reconciliation into a unified procedure, which realized the complete conversion of the penitent over a period of time.[191] Accordingly, in the opinion of these scholars the teaching of Trent understood as a doctrinal precedent did not preclude a richer celebration of general absolution beyond cases of grave and urgent necessity.[192]

---

[188] Heggen, *Confession and the Service of Penance*, p. 103.

[189] See the comments in Funke, "Survey of Published Writings on Confession over the Past Ten Years," pp. 128-129. McCormick, "Notes on Moral Theology," p. 771 (following Höfer) notes that "the penitent is a coplacer of the sacramental sign, an active celebrant of the sacrament. The sacrament will be only as effective as this personal co-operation is rendered possible within the sacrament."

[190] See for example Linley, "The Falling Number of Confessions: Development or Deviation?" pp. 435-436; O'Callaghan, "Communal Penitential Services," pp. 341-342 and Whitley, "Understanding and Attitudes: Some Suggestions for Appreciating Communal Penance," pp. 223-225, who notes that the sacramental experience must reinforce the process of conversion taking place in the everyday life of the penitent.

[191] Linley, "The Falling Number of Confessions: Development or Deviation?" p. 436 and Alszeghy, "Problemi dogmatici della celebrazione penitenziale comunitaria," p. 586. Linley says that "we shall avoid many errors if we try to experience a sacrament not as a thing but as a process, a piece of history, a dramatic event with sequence and denouement. The decisive moment in receiving a sacrament may – and normally does – precede its actual reception."

A related strand within the consensus approach to Trent addressed the doctrine of integrity from the perspective of its biblical foundation. The revolutionary progress made in biblical studies during the twentieth century and formally acknowledged at Vatican II required deeper insight for such critical texts as Mt 16:19 and Jn 20:23 than the apparently literal interpretations employed by the Tridentine fathers.[193] Trent deduced from the power of the keys given by Christ Jesus to the disciples that integral confession of mortal sin was essential to reconciliation, since without this manifestation of sinfulness the Church's minister could not fully judge the genuineness of the penitent's conversion.[194] The Council fathers specified the detailed enumeration of mortal sins and the relevant circumstances a sufficient expression of integrity which provided the proof of repentance necessary for the priest to grant the appropriate judgement. For Trent the New Testament was normative in the sense of indicating the necessity of an institution inclusive of a detailed and clear confession, and to the extent that the Council's teaching on penance mediated the gospel message of conversion, it had a claim to be heard by those who willed to live under the guidance of God's word revealed in Jesus.[195] Nevertheless, alternative interpretations of the biblical passages raised questions concerning the exclusive nature of Trent's reading, and added further weight to proposals for greater flexibility in seeking integrity in the Church's sacramental procedures celebrating the reconciliation of its sinful members.[196] Within this approach the residual

---

[192] This explanation seems to possess a deeper significance than one regarding the residual obligation of private confession in terms of a bald juridic requirement. However, the suggestion concerning the lower prevalence of mortal sin undermines this argument as a solution for the contemporary margination of individual confession.

[193] *DV* 12, in Tanner, p. 976 and Peter, "Integral Confession and the Council of Trent," pp. 105-106.

[194] The Council of Trent, Teaching Concerning the Most Holy Sacraments of Penance and Last Anointing, Chap. 5, in Tanner, p. 706.

[195] Peter, "Integral Confession and the Council of Trent," pp. 104-105.

[196] Ibid., pp. 105-108. One such question discussed by Whitley, "Understanding and Attitudes: Some Suggestions for Appreciating Communal Penance," p. 224, centred on the ministerial function of the priest in the process of reconciliation. Just as in the rite of private confession the priest sought to nourish a true spirit of penance and reconciliation in the individual penitent, so in the celebration of general absolution priest and assembly together prayed for the culmination of the journey of conversion in all the faithful gathered for worship. In contrast, however, to a stress in the private ritual on a juridical meaning of sacramental penance, this communal context shifted the *emphasis* in the priestly competency from a judge

obligation to submit mortal sin to the priest in private confession remained an important element for debate. Consequently, the main canonical issue concerning the role of general absolution in the sacramental life of the Church focussed upon the conditions permitting its celebration and whether and when subsequent individual confession of mortal sin would be required.

3.3.2.2 Issues Pertaining to Canon Law

The major development in canon law concerning sacramental penance until the Second Vatican Council has been identified in the attempt by Church authority to specify and define causes excusing from the precept of individual, integral confession, together with the applicable conditions and obligations; firstly, in relation to wartime emergencies when death threatened and individual confession of mortal sins was impossible, and then, in situations involving a similar grave and urgent necessity, as in the case when penitents were forcibly deprived of sacramental grace and holy communion for a long time through no fault of their own.[197] General absolution granted in the approved manner was, therefore, determined and controlled by the *exceptional nature* of the conditions and circumstances competent Church authority had envisioned for its use. Despite limited application, the existence of concessions based on these excusing causes grew in significance in context of the Council's mandate for sacramental reform.[198] Indeed, the Council itself extended the reference of exceptions to individual, detailed confession when it permitted Catholic faithful to ask for the sacrament of penance from non-Catholic

---

of personal dispositions to a minister of reconciliation who pronounced an authoritative declaration of God's love and mercy.

[197] Dallen, "Recent Documents on Penance and Confession," p. 96.

[198] According to *SC* 23 in Tanner, p. 826, the Council fathers directed that any reform must be founded, among other important criteria, on experience derived from recent liturgical renewal and indults that had been granted from time to time. Nevertheless, there were to be no innovations unless genuinely and certainly required, and new forms should grow organically out of those already in use. Recent experience of general confession and absolution was, therefore, a relevant factor in reforming the sacrament of penance. The indults granted by Rome tended to be very generous in response to specific situations such as poor communications and inaccessible terrain, in which case some of the usual conditions and obligations were set aside.

ministers in whose Church there are valid sacraments.[199] Keeping in mind the Council's preference for communal celebrations, subsequent canonical discussion inevitably focussed on the interpretation of the excusing cause and the conditions for granting general absolution as a meaningful and helpful response to the critical pastoral situation prevailing at that time.

Opinion on this canonical problem was greatly influenced by debate among theologians as well as innovations at the pastoral level, and at least three approaches can be discerned in the literature of that period. One advocated a strict interpretation of the relevant legal norms which limited the use of general absolution to the recognized emergency situations identified in recent pastoral experience.[200] In a positive sense, scholars founded this explanation on its compatibility with teaching on sacramental penance from the Council of Trent but also, somewhat negatively, on the grave concern that increased celebrations of general absolution would tend to eliminate any desire to participate in detailed, private confession, even in the form of a residual obligation to the communal rite.[201]

---

[199] Decree on the Eastern Catholic Churches *Orientalium ecclesiarum (=OE)* 27, in Tanner, p. 907. Such a request could be made whenever suggested by necessity or real spiritual advantage and access to a Catholic priest was morally or physically impossible. The importance of this permission became apparent when placed into a dialogue with scholarly insights concerning the different practices and theoretical understanding of penance in the separated Eastern Churches. Since the Council recognized the sacramental nature of these rites it was possible to suggest that certain elements, such as a form of general absolution, could be given serious consideration for regular status in the reformed Latin ritual for reconciliation.

[200] See for example Palmer, "Communal Penance: What Are the Options?" p. 65 and Connell, "The Reception of Penance by a Group," p. 117. Although Morrison, "Confession and the New Code," p. 528, notes that "it is often difficult to know whether or to what extent relaxations are justified," Connell, whilst in basic agreement, firmly states that no one could hold the position that a group of Catholics, in the normal course of events, might receive sacramental absolution without any detailed confession, when there is a question of mortal sins and no urgent need of confession or communion is present. It seems that authors holding this view considered that excusing causes of a comparable seriousness to those already accepted were unlikely to arise in the foreseeable future.

[201] The thoughts of several authors are summarized in Funke, "Survey of Published Writings on Confession over the Past Ten Years," pp. 128-129. Morrison, "Confession and the New Code," states on p. 535 that "the procedure [of general absolution with residual obligation] does not seem suitable for common use; it seems very suitable for certain very special emergencies." Nevertheless, commentators such as Carr, "Communal Penance: Wave of the Future?" p. 640, argued that access to the same sacramental grace was made available in general absolution as in the individual confession celebrated according to the private form. Furthermore, those who participated in a ceremony of general absolution were bound by the same obligations (including the proper disposition) which required every faithful to confess privately all mortal sins not yet confessed.

Another approach sounded a more liberal note for general absolution, regarding it as a force for positive change in the sacramental life of the Church. Proponents of this view denied the need for an excusing cause to celebrate reconciliation by general confession and absolution and tended to be ambivalent with respect to the obligation for a subsequent individual confession.[202] Aware of the Church's need to proclaim the love and mercy of God with rites of credible signification in the modern world, advocates of this option, whilst admitting that such a communal service seemed to break drastically with traditional forms of penance, worked with the creative context then existing to cautiously suggest that it could *become* fully established as part of the sacramental system through monitored experimentation over a period of time.[203] Although it represented a radical response to contemporary dissatisfaction with private confession and appeared suspect in terms of organic development from existing forms of penance, this interpretation was not without advantage since it provided a structure through which certain essential values of reconciliation might be expressed with appropriate clarity and impact.[204]

A third approach retained the exceptional character of general absolution, the necessity of an excusing cause and the residual obligation of individual confession of mortal sin, but sought to develop this form of reconciliation through an investigation into new examples of applicable circumstances and the conditions which determined its licit application. The impetus for this inquiry originated in the understanding that examples of excusing causes quoted in the 1944 instruction *Ut dubia* were not taxative and allowed for other situations to be discerned from the existing pastoral conditions. In the opinion of

---

[202] There is a rather polemical reference to this proposal in Palmer, "Communal Penance: What Are the Options?" pp. 65-66. See also the summary in Manning, "Private Confession: Pros and Cons," pp. 227-228. Specific examples are provided by Doherty, "The Sacrament of Penance: Pastoral Considerations," p. 118 and Morrison, "Confession and the New Code," pp. 535-537.

[203] McCue, "Penance as a Separate Sacramental Sign," p. 63 and Heggen, "The Service of Penance: A Description and Appreciation of Some Models," p. 140.

[204] In the example offered by Morrison noted above, the process, personal and communal values are particularly evident. The psychological aspect of the suggested format is interesting, especially when related to the comment by Heggen, *Confession and the Service of Penance*, p. 45, that the revelation of great pieces of their intimate life to the priest is something that modern persons will more and more resist. Notwithstanding this problem, the same author in his later article "The Service of Penance: A Description and Appreciation of Some Models," p. 136, paraphrases Vatican II (*SC* 27) by stating that "a communal form of penance should [also] have the effect of stimulating the sense of being personally involved."

some authors, the failure of many faithful to participate fully in the sacraments, the loss of a sense of sin, and the consequent neglect of God's redemptive mercy constituted a grave and urgent necessity sufficient to activate general absolution as a legitimate ecclesial response for the reconciliation of sinful members.[205]

Careful assessment of anecdotal evidence based on this interpretation confirmed the presence of exceptional circumstances not strictly covered by the conditions for which the extant legislation had been provided.[206] From this process of discernment the several factors at work; namely, inadequate religious education, fear and a crisis of confidence, together with a deep appreciation of the particular social and living conditions impacting upon the faithful, were deemed to have created a situation proportionately grave to the precept obliging individuals to celebrate a detailed confession of mortal sin, since they effectively prevented people from participating in the sacraments of penance and the Eucharist.[207] This conclusion suggested that the potential of general absolution as a more readily accessible means for sacramental reconciliation lay in thoughtfully determining and strengthening links between the sacrament of penance and the everyday life of the faithful.[208]

Directly associated with this component of the canonical issue was an important question concerning the role of the priest. The norms specified that a local Ordinary was competent to determine the existence of a grave and urgent necessity permitting the

---

[205] Whitley, "Understanding and Attitudes: Some Suggestions for Appreciating Communal Penance," p. 225. The general emphasis in his article on reconciliation as a mission proper to the whole community also suggests that, at a deeper level, the author considered this method in attending to the needs of God's people also allowed for the incorporation of long-forgotten values of reconciliation into a visible and meaningful liturgy. Commentators such as Carr, "Penance as 'Celebration' and as Sacrament," pp. 442-444 and O'Callaghan, "Communal Penitential Services," pp. 336-343 were more reticent, but at least prepared to entertain increased possibilities for general absolution in relation to questioners concerned with the contemporary pastoral climate.

[206] Hurley, "Communal Absolution: Anatomy of a Decision," pp. 204-205. It seems quite significant that the author was unaware of or did not consult the various indults for general absolution given to other places nor did he request information or permission from Rome.

[207] Ibid. As the author notes, this was an ongoing situation which existed through no fault of the faithful themselves. Furthermore, it was not mitigated by the relatively small number of penitents and the presence of a priest in each parish.

[208] It therefore represented a genuine application of the principles taught by Vatican II and Pope Paul VI in *Pœnitemini* concerning the dynamic character of Christian life and the immeasurable importance of sacramental penance in forming this life according to the will of God. See Doherty, "The Sacrament of Penance: Pastoral Considerations," p. 119.

celebration of general absolution.[209] Nevertheless, a process of open and extensive *consultation* between this official and other persons knowledgeable in theology, canon law and the pastoral needs and circumstances of the people served as an appropriate benchmark prior to any proposal receiving such formal approval. Essential to this process were the parish priests, who both dwelt in the immediate situation and possessed the serious responsibility to assess these needs and circumstances, apply for permission to celebrate general absolution when they deemed it necessary, and conduct this form of the sacrament for the spiritual welfare of those in their care.[210] Consequently, although ultimate direction of the procedure belonged to the local Ordinary, the opinion of pastors in policy formation and practical application should be esteemed and utilized as effectively as possible. The insights gained from both canonical and theological reflection thus implied at the pastoral level serious and intensive efforts to develop an effective programme of education and formation on penance as a sacrament and as an element characteristic of Christian life, together with liturgical rituals which credibly expressed the full meaning of reconciliation to all people living in the world of today that were also suitable for adaptation to particular needs occasioned by their social conditions, cultural background and spiritual life.[211]

3.3.2.3 Issues Pertaining to Pastoral Practice

Through the inclusion of penance in the reform agenda of Vatican II, the conciliar fathers clearly and sincerely expressed their desire that the sacrament reconciling repentant sinners with God and the Church provide every faithful with authentic pastoral care in a setting which enabled them to truly experience the Father's inexhaustible love and mercy. Accordingly, the Council embraced the contemporary theological position which advocated the communal nature of reconciliation as the standard for official renewal of the sacrament, so that the reformed rites might incorporate into the process of

[209] Article II, in *AAS*, 36 (1944), pp. 155-156. English trans. in *CLD*, 3 (1942-1953), p. 378.

[210] Hurley, "Communal Absolution: Anatomy of a Decision," p. 205.

[211] As Morrison, "Confession and the New Code," quoting Nolan states on p. 533: "We should have been in travail all these years to produce a good catechesis and an effective celebration of these mysteries."

repentance and conversion reconciliation with the community of faith as a visible and tangible reality in the sacramental celebration.[212] A distinct trend toward services conducted in common assembly by many local Churches illustrated the more popular direction taken in pastoral practice to pre-empt and inform this renewal as a true perception of the conciliar teaching that was at the same time relevant to the spiritual needs of the faithful.[213] Since any form of sacramental penance should be celebrated with the active and meaningful involvement of each and every participant, this movement revealed that true renewal depended on their understanding more fully all the elements of which the sacrament was comprised.[214]

The importunity of this pastoral issue was illustrated by the rapid emergence of uncertainty and confusion which resulted from the increased use of general absolution following Vatican II.[215] Commentators reflected the bewildered response from parishes to diocesan guidelines approving the introduction of communal penance services and the inconsistent approach by clergy in the celebration of these rituals.[216] Uncritical attempts to employ general absolution, a form of reconciliation which had originated in emergency circumstances, as a means to provide a communal setting for the sacrament of penance were not uncommon during this period.[217] Although it was essential that all the faithful

---

[212] Freburger (ed.), *Repent and Believe*, pp. 15 and 17. This implied something more than mere external or cosmetic changes; rather, it required the identification and inclusion of essential theological values which would effectively draw penitents more deeply into the mystery of their justification and salvation in the life, death and resurrection of Christ.

[213] Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, pp. 133-140. Theoretical arguments were put forward by Nissim, "Communal Penance: A Liturgical Commentary and Catechesis," pp. 30-31; Heggen, *Confession and the Service of Penance*, p. 92 and Gallen, "A Pastoral-Liturgical View of Penance Today," p. 141.

[214] Whitley, "Understanding and Attitudes: Some Suggestions for Appreciating Communal Penance," p. 220 and Curran, "The Sacrament of Penance Today I," p. 514. These comments are concordant with the teaching of Vatican II contained in *SC* 11, 14, 26-27, in Tanner, pp. 823, 824 and 826.

[215] Smith, "General Sacramental Absolution," p. 230.

[216] See, for example, A.M. Carr, "Communal Penance," in *The Homiletic and Pastoral Review*, 70 (1970), pp. 309-313, and Hurley, "Communal Absolution: Anatomy of a Decision," p. 204.

[217] See SCDF, Pastoral Norms *Sacramentum pœnitentiæ*, 16 June 1972, in *AAS*, 64 (1972), p. 510. English trans. in *CLD*, 7 (1968-1972), p. 668. A French trans. may be found in *La Documentation catholique*, 69 (1972), p. 713. The relevant comment is contained in the doctrinal remarks which comprise the introduction to the document. Schlick and Stalter, "La pluralité de la pratique pénitentielle face à la législation canonique," pp. 222-223 provide information regarding the experience of general absolution

knew the importance of testifying, praying and hoping together in their everyday struggle with temptation and sin, a thorough *catechetical preparation and formation* was recognized as the key for priests to pastorally assist penitents with the spiritual riches of the Church through communal services, including celebrations with a rite of general confession and absolution.[218]

In the first place, such catechesis could convey in a positive and moderate way the theoretical framework upon which general absolution was built, including the conditions and obligations expressly approved by the competent authority to ensure its proper celebration. The training would enable priests and people to understand this model of reconciliation more deeply and offset the possibility of scandal or abuse. This knowledge would in its turn allow a sound basis for insightful and sensitive judgements so that the faithful received true pastoral care according to the means licitly available to them.[219] It could also explore and communicate the importance of celebrating general absolution within a suitable penitential service, with a liturgy of the Word and periods of intercession, examination of conscience and private prayer.[220]

Despite this significant step, contemporary scholarship admitted that very serious difficulties existed in developing new and authentic forms of sacramental penance which were credible and genuine cultural expressions of how human persons in the world of

---

services in Europe from 1967 until 1972. According to the authors, the desire to develop and acknowledge within people a more mature *sense of responsibility* was the catalyst for giving a greater choice in ways to celebrate sacramental penance. Although certain liberties were taken, no case can be found where a priest practised general absolution while being opposed to private confession.

[218] See the sobering comments recorded in Carr, "Communal Penance," pp. 311-312. It is significant that whilst the teaching function of liturgy is indisputable, perhaps too much was expected by simply introducing communal penance services in their various forms. McCormick, "Notes on Moral Theology," p. 773 offers a timely reminder in stating that "if the community dimension [for example] does not assume its proper position in other areas of pastoral care, these communal celebrations will remain disengaged curiosities."

[219] Hurley, "Communal Absolution: Anatomy of a Decision," p. 205. The author comments on p. 206 "that abuses might creep in ... just as they creep in to the practice of private confession. But pastoral decisions ought not to be made on the basis of possible abuses. Rather the basis should be the needs of sincere people; and the number of sincere people seeking forgiveness for sins far outstrips those who would seek to take improper advantages of the situation."

[220] Ibid., p. 206, and Kasper, "Confession Outside the Confessional?" p. 20. As the latter author notes on p. 19, confession practised in this form takes on a *liturgical* structure which has strong roots in the tradition of the Church.

today stood in God's presence.[221] Nevertheless, general absolution provided an opportunity for local Churches to link liturgical reform with pastoral needs relating to human experience of God in a particular time and place by means of a careful adaptation of the standard rites and norms.[222] In pursuing this kind of approach, the Church sought to maintain the integrity of its sacramental theology and practice and at the same time attempted to respect and enrich the spiritual and cultural genius of local ecclesial communities.[223] This suggested that at the official level the Church seriously consider various forms and remain sensitive in thought and deed to the importance of adaptation, instruction and testing in the reform process of sacramental penance.[224]

3.4 THE OFFICIAL REFORM PROCESS FOR THE SACRAMENT OF PENANCE

The Church officially reformed the *Ordo pœnitentiæ* by an intensive, complex and somewhat controversial process which occupied many important and influential scholars and several dicasteries of the Roman Curia for nearly ten years. The protracted nature of the reform, along with certain tensions generated by conflicting perspectives which emerged following the initial period of study and preparation, yielded a procedure constituted of three distinct but interrelated phases. The parameters of the first phase are marked by the work of the original committee, which commenced in 1967 and only concluded with the submission of its final report and draft rite at the end of 1969. The second phase is identified with the intervention of the SCDF, which culminated in the promulgation of its Pastoral Norms for celebrating general absolution in June 1972. The

---

[221] Gallen, "A Pastoral-Liturgical View of Penance Today," pp. 141-142.

[222] The justification for this inquiry may be found at *SC* 37-40, in Tanner, pp. 828-829.

[223] An example is related by M. Brulin, "Orientations pastorales de la pénitence dans divers pays," in *La Maison-Dieu*, no. 117 (1er trimestre 1974), pp. 59-60. In July 1971, the bishops of Zaïre (now the Democratic Republic of the Congo) requested the use of general absolution to ensure a genuine interior conversion and purpose of amendment in the faithful of that place. The bishops' intention was to find a balance between private confession and general absolution which would prevent the disappearance of the former and draw important pastoral benefits from the latter, taking into account all the realities which formed the life of the Church and underlined the vitality of the Christian people. A similar intention characterized the experiences summarized in Hurley, "Communal Penance: Anatomy of a Decision," pp. 205-206.

[224] Kasper, "Confession Outside the Confessional?" p. 21, and E. Siedlecki, "Renewing the Sacraments 2," in *Chicago Studies*, 8 (1969), pp. 6-7.

third and final phase may be associated with the efforts of a second committee formed in 1972 to adapt and refine the initial draft according to the evaluations of the competent curial departments until its completion and final approval in late 1973. Each of these phases will be examined in the comments which follow.

3.4.1 THE FIRST COMMITTEE, 1967-1969

On 13 April 1967 the *Consilium* responsible for the oversight of the reform process for sacramental penance approved the plan of work for the expert study group it had formally established the previous December. The group met in May and again in December 1967 and produced a comprehensive report for submission to the meeting of the *Consilium* on 7 April 1968.[225] This schema contained what the expert committee considered to be the principal criteria for the reform of the sacramental celebration,[226] a section presenting the sacrament's historical development including extensive information on general absolution without prior confession,[227] and a ritual.[228] In

---

[225] Dallen, *The Reconciling Community*, pp. 210-211. In its investigation of general absolution, the study group found that the practice of the Congregations, especially regarding mission territories and Latin America, took as valid, and applied, the instruction issued in 1944. See Bugnini, *The Reform of the Liturgy 1948-1975*, p. 666.

[226] The four major criteria discerned by the committee members were: "1. The nature of sin as an offence against both God and the Church; 2. Simultaneous reconciliation with God and the Church; 3. The whole Church collaborating with the sinner's effort at conversion through its charity, example, and prayers; 4. The value of the sacrament of penance in fostering the Christian life. In particular the community aspect of the sacrament should be better expressed in the revised rite than in the present." These criteria may be found in Consilium ad exsequendam Constitutionem de sacra Litugia, "Decima sessio plenaria «Consilii»," in *Notitiæ*, 4 (1968), p. 183. The Latin text reads: "a. Natura peccati simul ut offensa Dei et vulnus ipsius Ecclesiæ; b. reconciliatio simul cum Deo et cum Ecclesia; c. collaboratio totius Ecclesiæ caritate, exemplo, precibus in conversione peccatorum; d. valor sacramenti Pænitentiæ ad vitam christianam fovendam. Præsertim aspectus communitarius in ritu recognito melius exprimi debet quam in ritu hodierno." English trans. in Dallen, *The Reconciling Community*, p. 211 as well as Samway, "Faith and Communal Penance," p. 294. For an outline of the criteria, see sections 3.1.4 and 3.1.5 of this dissertation.

[227] According to Bugnini, *The Reform of the Liturgy 1948-1975*, p. 666, this section showed the existence of varying traditions in the form and manner of celebrating the sacrament in both the Western and Eastern Churches. In addition, the information concerning general absolution, when compared with the practice of the Holy See, made possible a clearer understanding of this sensitive area. For example, using indults previously granted, the committee argued that while confession of grave sin is ordinarily required, a confession subsequent to general sacramental absolution cannot be shown to be absolutely necessary, but is an interpretation of divine law which the Church does not have to insist upon. See Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, p. 180.

accepting the schema, the *Consilium* replied to the questions put to it by the study group and suggested some changes in the proposed rites. The group discussed these responses at meetings later that year and continued its work.[229]

At the next meeting of the *Consilium* on 17 October 1968, the study group submitted a carefully redrafted schema which included three rites of reconciliation and an introduction providing them with a theological, pastoral and canonical foundation.[230] This schema represented an important milestone in the genesis of general absolution as an approved model of the sacrament because it provided for the first time a proper liturgical setting within which this method of reconciliation might be effectively celebrated. Significantly, the rite was presented as a *celebration of community* evoked by songs, prayers and moments of reflection, all centred on a proclamation of God's Word and a homily.[231] The standard obligation required of every penitent absolved according to this form was retained from the instruction of 1944,[232] but the rite expressly included the

---

[228] Bugnini, *The Reform of the Liturgy 1948-1975*, p. 667, mentions that the ritual part of the schema provided a form for individual celebration of the sacrament and another for communal celebration with individual confession and absolution. Dallen, *The Reconciling Community*, p. 212 adds that the committee also proposed a common absolution after individual confessions in communal celebrations. Both authors state that the problem of general absolution was also presented to the *Consilium*, but no rite was provided at that time. The information conveyed by *Notitiæ*, 4 (1968), p. 183 confirms this observation, since under the appropriate heading it notes that "under certain circumstances the Holy See has granted the faculty of giving general absolution without previous individual confession. For such cases it seems very useful to have a suitable rite." The Latin text reads: "Pro quibusdam circumstantiis Sancta Sedes facultatem concessit absolutionem generalem impertiendi absque prævia confessione singulari. Pro his casibus perutile videtur haberi ritum aptum." English trans. in Samway, "Faith and Communal Penance," p. 294.

[229] Dallen, *The Reconciling Community*, p. 212. At this stage of the renewal process, the formula of absolution emerged as a contentious issue for the *Consilium* members; in particular, whether one or several forms should be included and what literary style the form(s) should take. At its April 1968 meeting, the *Consilium* approved one text: "In the name of our Lord Jesus Christ and by the power of the Holy Spirit I absolve you from your sins and restore you fully to the peace of the Church." The members added that when possible, the prayer "May the passion of the Lord..." should follow. See Bugnini, *The Reform of the Liturgy 1948-1975*, p. 668.

[230] Dallen, *The Reconciling Community*, p. 212. According to Osborne, *Reconciliation and Justification*, p. 201, the *Consilium* examined and with some changes approved this introduction.

[231] The rite is set out in Siedlecki, "Renewing the Sacraments 2," pp. 5-6. Noteworthy are the several points given for development in the homily; namely, a. hatred of sin that has offended God, the community, and one's neighbour, b. the mercy of God, c. the necessity of interior penance, and d. reparation for sin by works of penance, but especially by an intensified love for God and one's neighbour. The homily of the celebrant therefore assumes a major role in the ceremony.

[232] Ibid., p. 6. Penitents were obliged to submit in a future individual and auricular confession grave sins of which they were conscious. In addition, they were also obliged to make restitution if they had

understanding that personal grave sins were fully remitted at the time absolution by a general formula was granted.[233] Overall, the proposed ritual allowed for greater flexibility, adaptation and testing, although it did not mention what pastoral reasons would indicate that sacramental reconciliation should be celebrated in this manner.[234]

On 8 May 1969 the *Consilium* was dissolved and effectively replaced by a special commission of the recently constituted Sacred Congregation for Divine Worship.[235] The study group met in July and September that year and submitted a full report as requested by the *Consilium* members the previous October.[236] The commission met on 11 November 1969 and decided that several absolution formulas be provided in the revised ritual.[237] It also requested that the committee rework areas on communal penance and absolution with a view to submitting a final report and draft ritual.[238] This task was duly accomplished and, following a review by the commission, the schema was forwarded to

---

committed an injustice and undertake a fitting satisfaction for their sins. Taken together, these obligations may indicate the opinion of the study group that general absolution could be extended beyond cases of grave and urgent necessity.

[233] The sacramental character of this public and communal celebration therefore applies to all sins without exception. This affirmed the unconditional nature of the absolution and suggested that there was no longer the necessity for postulating a particular time for submitting grave sins in a subsequent private confession. See Funke, "Survey of Published Writings on Confession over the Past Ten Years," p. 128.

[234] Siedlecki, "Renewing the Sacraments 2," pp. 6-7. Having studied the draft, the *Consilium* advised the committee to complete its work by the following autumn and submit a report on the advisability of a variety of absolution formulas at that time. See Dallen, *The Reconciling Community*, p. 212.

[235] Osborne, *Reconciliation and Justification*, p. 201. The new Congregation came about from a division of the former Sacred Congregation for Rites. The remaining part became the Sacred Congregation for the Causes of Saints.

[236] This report analysed arguments for and against a variety of absolution formulas from the preceding stages of the discussion and recommended alternatives based on historical precedent, Eastern practice, and pastoral and theological advantages. See Dallen, *The Reconciling Community*, p. 213 and Bugnini, *The Reform of the Liturgy 1948-1975*, p. 668.

[237] Bugnini, *The Reform of the Liturgy 1948-1975*, p. 668. In addition to the formula already approved, the author states that these two further texts were accepted: "1. Our Lord Jesus Christ sacrificed himself to the Father for us and gave his Church the power to forgive sins. May he, through my ministry, absolve you from your sins by the grace of the Holy Spirit and restore you to the perfect peace of the Church. 2. Our Lord Jesus Christ reconciled the world to his Father by his passion and resurrection. By the grace of the Holy Spirit he forgives your sins through my ministry and restores you fully to the life of the Church."

[238] Osborne, *Reconciliation and Justification*, p. 201.

the SCDF on 9 February 1970.[239] In its completed form, the schema presented a comprehensive reflection of the principal concerns that had occupied both the study group and *Consilium* in their research, drafting and discussions throughout the revision process.[240]

The SCDF examined the schema submitted for the revision of the sacrament of penance and issued an official response on 8 July 1970, which approved for publication the schema's introduction and the rite for individual confession.[241] The section on general absolution failed to gain approval at that time and was held for revision in accordance with new norms that the Congregation promised to promulgate in due course.[242] In the meantime, the inclusion of a communal penitential rite in the Missal of Pope Paul VI issued in March 1970 began to make it possible for the faithful to express repentance within the context of regular community worship, substituting for devotional confession as an effective preparation for Eucharistic participation.[243] In effect, the appearance of the

---

[239] Bugnini, *The Reform of the Liturgy 1948-1975*, p. 669. As the author notes on p. 88, new liturgical texts had to receive a *nihil obstat* from this Congregation before they could be approved for use in public worship. See Pope Paul VI, Apostolic Constitution *Regimini Ecclesiæ universæ*, 15 August 1967, in *AAS*, 59 (1967), nos. 29 and 31, p. 897. English trans. in *The Pope Speaks*, 12 (1967), p. 401.

[240] As Dallen, *The Reconciling Community*, notes on p. 241, the schema "contained a report of the committee's work, the criteria for the reform, a survey of the history of penance, a description of the revised rites, particular problems encountered, and the text of the proposed rite." With respect to the latter, the rite for individual confession followed the rite then current, but with timely alterations and simplifications. The schema did not supply a true and proper rite for communal celebration with individual confession and absolution, but did include a rite for collective absolution without prior confession in an individual format. See Bugnini, *The Reform of the Liturgy 1948-1975*, p. 669. According to Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, p. 164, the basis for the rite of general absolution comprised the practice of the Eastern Church, indults previously granted by the Holy See, and the common teaching of theologians. It is interesting to note that in this primary phase of revision, great awareness and sensitivity were shown the modern developments in theology, canon law and pastoral practice which the study group strove to incorporate into the new ritual.

[241] Bugnini, *The Reform of the Liturgy 1948-1975*, p. 669. The author adds that the Congregation preferred the use of only one formula of absolution and chose the one mentioned in footnote 229 above. It also reiterated the role of the minister as pastor and judge, and stated that the absolution must be given by the confessor who heard the confession. This latter comment was probably directed to the not uncommon practice (and opinion) of granting absolution generally following individual confessions celebrated in a group setting.

[242] Bugnini, *The Reform of the Liturgy 1948-1975*, p. 669. This action effectively delayed publication of the revised ritual.

[243] Dudley, "The Sacrament of Penance in Catholic Teaching and Practice," p. 82 and Dallen, *The Reconciling Community*, pp. 217-218. The impact of this innovation may be partly reflected in the concerns of the Sacred Congregation for Divine Worship which, as noted by Bugnini, *The Reform of the Liturgy*

norms thus ended a difficult period of hiatus in the official revision process and foreshadowed an intense final phase in drafting the new Rite of Penance.

3.4.2 PASTORAL NORMS FOR GENERAL ABSOLUTION, 1972

The Pastoral Norms *Sacramentum pœnitentiæ* for imparting sacramental absolution in a general manner composed by the SCDF were approved by Pope Paul VI on 16 June 1972 and came into effect from the date of their promulgation.[244] The document combined an introductory doctrinal statement with thirteen legal norms to assist local Ordinaries concerned about certain pastoral problems and various theoretical opinions regarding the sacrament of penance.[245] In accordance with their objectives, therefore, the Norms confirmed a licit and necessary place for general absolution in celebrating reconciliation, but did not state in a clear and precise manner the "erroneous theories regarding the doctrine of the sacrament of penance" to which they referred.[246] This

---

1948-1975, p. 670, wrote frankly to the Pope towards the end of May 1971 saying "dissatisfaction with this sacrament has now become general: on all sides we see new initiatives, studies, researches, study groups. Individual bishops and even episcopal conferences have published their own documents or are preparing them. Clarification from the central authority is becoming increasingly necessary and is increasingly expected, if only to avoid what are seen as abuses. But the matter must be dealt with ... before it is too late."

[244] See footnote 216. The usual *vacatio legis* of three months did not apply in this case. See M. Desdouits, "L'absolution collective," in *Esprit et vie*, 83 (1973), p. 104. According to the Pope's address to a general audience on 19 July 1972 in *Insegnamenti di Paolo VI*, X (1972), p. 763, the Congregation only presented the Norms "after many studies and consultations, after careful efforts to interpret the obligations laid upon us by the will of Christ in His mercy, and after giving responsible pastoral consideration to the real benefit of the Church and of the individual faithful, as well as to the duties and importance of the priestly ministry." English trans. published under the title "The Importance of Individual Confession," in *The Pope Speaks*, 17 (1972), p. 273.

[245] This indicates that the Norms were motivated by both pastoral and doctrinal reasons. As stated in the Norms' introduction, a particular pastoral concern was the difficulty had by many faithful in celebrating individual confession because of a dearth of priests existing in some places. In addition, there appeared to be a growing tendency to grant general sacramental absolution in circumstances which did not warrant this practice. Significantly, J. Werckmeister, "L'absolution collective: évolution de la pratique en France," in *Revue de droit canonique*, 34 (1984), pp. 311-312 quoting J. Visser, a consultor to the SCDF in 1972, notes that the *primary* purpose of the Norms was to answer some concrete pastoral needs "while leaving the door open to reflections and doctrinal decisions, especially on the problem of the obligatory character *iure divino* of private and integral confession of mortal sins. On a temporary basis, the Norms of 1972 were content, therefore, with using the classical notion of *causa excusans* in order to justify the omission of personal, auricular confession. The result of this is that one cannot exclude a later development of legislation."

official response to these important concerns was carefully structured upon the fundamental guiding principle that "individual and integral confession and absolution continue to be the only ordinary way by which the faithful can reconcile themselves with God and with the Church unless physical and moral impossibility excuses from this kind of confession."[247] The pastoral approach proposed in the Norms was founded on a double strategy; namely, to foster private confession, especially devotional confession, and to make provision for those exceptional cases when, following a generic confession, sacramental absolution might be granted to many persons simultaneously by means of a general or common formula.[248]

Authors who commented upon this document in the period immediately following its publication generally agreed that the new Norms were but a modest advance on the previous instruction issued in 1944.[249] Nevertheless, scholarly opinion recognized norm III as the key for understanding the Church's official stance on celebrating general

---

[246] Introduction. Nevertheless, some indications may be deduced from the content of the Norms themselves; namely, instructing the faithful to avoid individual confession, either deliberately or negligently, so as to avail themselves of general absolution (norm VIII); explaining penitential services in a way which confused these liturgies with sacramental penance (norm X), and disparaging frequent or "devotional" confession (norm XII). See Osborne, *Reconciliation and Justification*, pp. 226-227.

[247] Norm I. The Latin text reads: "Individualis et integra confessio atque absolutio manet unicus modus ordinarius, quo fideles se cum Deo et Ecclesia reconciliant, nisi impossibilitas physica vel moralis ab huiusmodi confessione excuset." See M. Zalba, "Commentarium ad Normas pastorales circa absolutionem sacramentalem generali modo impertiendam," in *Periodica*, 62 (1973), p. 194. Given this basic principle J. Medina, "Un nuevo documento de la S. Sede sobre el sacramento de la penitencia," in *Teologia y vida*, 13 (1972), p. 110, cautions that the term "ordinary" did not imply that in all cases individual confession might in practice also be the more frequent manner of reconciling repentant sinners.

[248] C.J. Peter, "The New Norms for Communal Penance: Will They Help?" in *Worship*, 47 (1973), p. 4. This was given further affirmation in norm X which stipulated the use of a special liturgical ritual (to be included in the new Rite of Penance) for the proper conduct of its celebration. See T. O'Neill, "General Absolution," in *African Ecclesiastical Review*, 15 (1973), pp. 99-100.

[249] See for example Desdouits, "L'absolution collective," p. 105; Gallen, "General Absolution: Pastoral Remarks on Pastoral Norms," p. 121 and Peter, "The New Norms for Communal Penance: Will They Help?" p. 10. Given the context within which the Norms appeared, Gallen wrote that "this document can be interpreted as a step in a process towards the full acceptance of communal celebration of penance as one of the normal and usual forms of the sacrament." An opposing view was put forward by Örsy, "Communal Penance: Some Preliminary Questions on Sin and Sacrament," p. 338, who stated that "the norms are indeed hardly more than the codification of the classical rules found in manuals of moral theology for granting absolution in common to a group of persons in cases of grave necessity or imminent danger. The norms are not a new beginning and they are not intended to be so."

sacramental absolution and proposed that it be given a broad interpretation.[250] A critical factor at work in their decision was a discernable lack of clarity in the norm, which suggested that an extension in the practice of this sacramental form might be permissible within the specified conditions.[251] This approach betrayed a fundamental flaw of argumentation, however, by apparently interpreting the conditions set down for the licit authorization of general sacramental absolution as merely an *example*, in light of which local Ordinaries might determine an array of cases according to other equally grave conditions existing from time to time in their particular regions.[252] Conversely, a more circumspect appreciation of the Norms proposed that only in circumstances which rendered individual and integral confession of mortal sin impossible according to the conditions imposed by norm III might a local Ordinary form an accurate judgement to permit the exercise of general sacramental absolution.[253] Viewed in this rather limited

---

[250] Pope Paul VI himself regarded the content of this norm as the central component of the document, since it presented the conditions according to which a licit authorization of general sacramental absolution could be determined. The conditions were described as a grave necessity when penitents, through no fault of their own, would be forced to remain for a long time without the grace of the sacrament or holy communion because so many were present that the available confessors were unable to hear individual confessions within a suitable time. See "The Importance of Individual Confession," p. 273. Commentators who advocated a broad interpretation included Lehmann, "General Absolution, Private Confession, Penitential Liturgy," p. 320, and O'Neill, "General Absolution," p. 99, who also provided a list of possible reasons (pp. 102-103) and cases (pp. 104-106). It is interesting, and indeed became significant in the understanding of those bishops who later applied these norms that, whilst authors at the time did not mention or analyze it, the word *urgent* was dropped from the text of the 1944 Instruction in qualifying the necessity which provoked the use of general absolution.

[251] Lehmann, "General Absolution, Private Confession, Penitential Liturgy," p. 320 compares the Latin text, an English translation and the Italian text of the allocution by the Pope and concludes that "the text to my mind does not make it sufficiently clear whether the 'grave necessity' means only the lack of confessors or whether in addition other emergencies are conceivable. Is that deliberately left open?" Following suit, Peter, "The New Norms for Communal Penance: Will They Help?" concluded on p. 5 "that the cases where general absolution is or can be authorized are not reduced by the present Norms to the situation in which many would otherwise suffer much loss for a long time because of a schedule limiting the activity of too few priests."

[252] Evidence of such confusion is illustrated in the reasoning of Peter, "The New Norms for Communal Penance: Will They Help?" p. 3 and O'Neill, "General Absolution," p. 102. It may have been generated by the meaning attributed to the corresponding norm in the 1944 Instruction, as noted on p. 159 of this dissertation. This misunderstanding exhibited a remarkable tenacity in the work of commentators and moderators of penitential discipline beyond the publication of the new *Ordo pœnitentiæ* and the 1983 *Code of Canon Law*.

[253] Zalba, "Commentarium ad Normas pastorales," p. 198 and Desdouits, "L'absolution collective," pp. 105 and 106. The norm must be read in terms of norm V so that it may be interpreted correctly. Peter, "The New Norms for Communal Penance: Will They Help?" notes on p. 5 that this interpretation suggests

light, the Norms represented a tightening of sacramental discipline which sought to prevent abuses through the restriction of communal-type services and affirm individual confession as a standard against which other forms of the sacrament should be measured.[254]

This moderate approach to the interpretation of these Pastoral Norms required the exclusion of general absolution except in situations where death threatened, or in cases when the conditions described in norm III were verified by the local Ordinary. Although this understanding did not deny the validity of general sacramental absolution in circumstances other than those for which the document provided,[255] it revealed within the document a certain reticence towards the social or communal dimension of sin and its corresponding value in the reconciliation of the repentant sinner.[256] Other than a brief concession to the utility of liturgical and communal penitential rites as a preparation for individual confession and amendment of life, those responsible for drafting the Norms discerned no intrinsic value for services held in common assembly.[257] Consequently, the sacramentality of penitential services in the form of general absolution was fixed in an extremely narrow and problematic sense.[258]

---

a radically "quantitative" character to the decision by the local Ordinary based upon the specified conditions.

[254] See Desdouits, "L'absolution collective," p. 107 together with Peter, "The New Norms for Communal Penance: Will They help?" p. 5 and Gallen, "General Sacramental Absolution: Pastoral Remarks on Pastoral Norms," pp. 119-120. This conclusion may be strengthened by the caution that a large gathering of penitents did not of itself warrant the exercise of general confession and absolution, especially when a sufficient number of ministers were present for the celebration of individual rites of reconciliation. The content of the cautionary example originated in a laxist proposition condemned by Pope Innocent XI on 2 March 1679. See the text in *Denz* 2159 (1209). It had also been used in article II of the 1944 Instruction *Ut dubia*, but in a different historical and pastoral context.

[255] According to norm XIII such celebrations were deemed a grave abuse.

[256] Lehmann, "General Absolution, Private Confession, Penitential Liturgy," p. 321.

[257] See norm X. O'Neill, "General Absolution," pp. 98 and 107 was not alone in suggesting that recent theological, pastoral and canonical study undertaken by the official revision committee and other scholars was not reflected in the content of the Norms. Gallen, "General Sacramental Absolution: Pastoral Remarks on Pastoral Norms," considered that the document placed communal penance in second place to individual confession. In reiterating the popular opinion among scholars that both forms were important for the spiritual growth of the faithful, he writes on p. 120 that "the communal celebration ... helps to lay emphasis on the communal dimensions of our situation; in particular, it points to our solidarity in sin and our solidarity in salvation."

The caution displayed by the SCDF towards the communal aspect of sin and reconciliation was similarly reflected in the Norms' presentation of the relationship between the reconciliation effected by sacramental absolution and the Eucharist. According to the perspective contained in norms VII and III, grave sins were fully remitted to the faithful properly disposed through an absolution granted by common formula so that persons might benefit from the grace of the sacrament *or* Holy Communion.[259] Absolution imparted to them at that time was truly a reconciliation with God and peace with the Church, but it did not bear an express orientation to Eucharistic participation. This understanding appeared strengthened by norm X, which required performance of the ritual proper to general sacramental absolution kept completely separate from the celebration of Mass.[260] A different light, however, was cast upon this relationship by norm XI.[261] This interesting norm also set up a distinction between sacramental absolution and the Eucharist, but in a manner which placed a condition on the absolution conferred.[262] Given the radical separation of the two sacraments in the Norms, the content of this rule raised questions about the meaning of absolution and hinted that the Eucharist was properly the sign and grant of reconciliation.[263] Significantly, the rather abstract approach to this subject also neglected important

---

[258] Lehmann, "General Absolution, Private Confession, Penitential Liturgy," p. 321. In parallel to the argument of Peter regarding the credibility of the individual rite, this would place general sacramental absolution in a similar state of disengagement from the needs and the reality of persons in the modern world. See "The New Norms for Communal Penance: Will They Help?" pp. 7-8, 10.

[259] See the comments by Medina, "Un nuevo documento de la S. Sede sobre el sacramento de la penitencia," p. 111 and Gallen, "General Sacramental Absolution: Pastoral Remarks on Pastoral Norms," p. 119. They were obliged, with due regard for the traditional discipline of the Church, to subsequently accuse themselves of these sins before a confessor in conformity with the rules set out in that norm.

[260] According to Desdouits, "L'absolution collective," pp. 106-107, this attempted to eliminate possible confusion between general absolution and the penitential rite at the beginning of Mass. Since the document said nothing about the sacramental status of this introductory rite, the Norms confirm that reconciliation was the only sacrament unable to be celebrated within a Eucharistic context.

[261] The norm concerns the case of a person who is actually a source of scandal to the faithful.

[262] According to the norm, the person should not participate fully in the Eucharistic banquet until the scandal was removed after having recourse to the judgement of a confessor.

[263] Lehmann, "General Absolution, Private Confession, Penitential Liturgy," for example asks on p. 321 "how in that case is absolution 'peace with the Church and with God'? Can the two sacraments be separated in that way?" The relationship between reconciliation and the Eucharist continued to be a major topic of discussion for later authors and will be developed further in subsequent chapters of this dissertation.

pastoral issues relevant to the correct implementation of norms X and XI in certain local Churches.[264]

An apparent lack of awareness relative to the more complex pastoral environment and spiritual needs of the faithful living in the contemporary world also motivated scholarly critique of both the content and the manner by which the Norms presented the topic of private, integral confession.[265] In terms of content, the document exhibited a notable emphasis on teaching from the Council of Trent and confirmed that the applicable laws based on that doctrine remained fully in force.[266] Consequently, in addition to the fundamental guiding principle already mentioned, the Norms laid stress on the grave importance of the confession ministry (norms IV and IX, which reflected c. 892), the annual obligation for all the faithful to confess individually to a priest the mortal sins of which they were conscious and not already so confessed unless excused by moral or physical impossibility (doctrinal introduction and norms I and VII, which reflected cc. 901 and 906), and the judicial meaning attributed to the role of the priest in hearing confessions (doctrinal introduction and norm XI, which reflected cc. 870 and 888 §1).[267] The document also credited major importance to the practice of frequent confession, promoting its wider celebration among the faithful because of the rich benefits such devotion provided (norm XII, permitted by c. 902).[268]

---

[264] According to the information provided by Brulin, "Orientation pastorales de la pénitence dans divers pays," pp. 60-61, the Philippines requested permission in November 1972 to celebrate general sacramental absolution either at the beginning of or during Mass based on the reasoning that, since it would be impossible to expect the faithful to attend two separate celebrations in the one day, local Ordinaries would be unable to authorize general absolution in areas where a priest could visit only on rare occasions.

[265] Lehmann, "General Absolution, Private Confession, Penitential Liturgy," p. 322; Gallen, "General Sacramental Absolution: Pastoral Remarks on Pastoral Norms," p. 121 and Peter, "The New Norms for Communal Penance: Will They Help?" pp. 7 and 8. Although the Pastoral Norms conceded a place to general sacramental absolution and provided a set of rules for its valid and licit celebration, O'Neill, "General Absolution," p. 107 echoed a number of commentators when he recognized that the "real preoccupation throughout the document [was] to defend, boost and praise individual confession."

[266] This was clearly stated by Pope Paul VI in "The Importance of Individual Confession," pp. 272-273.

[267] These elements were noted by O'Neill, "General Absolution," p. 103 and Desdouits, "L'absolution collective," pp. 106 and 104 respectively.

[268] Both Zalba, "Commentarium ad Normas pastorales," and O'Neill, "General Absolution," p. 108 note that here the norms relied on the teaching of Pope Pius XII contained in his Encyclical letter *Mystici corporis Christi*, para. 88.

From a positive aspect, the inclusion of these authoritative elements of Church teaching and practice into the Pastoral Norms were designed to remind and call people back to the relevance of the sacramental grace of penance for their daily Christian lives. It would help the faithful to regain an awareness of sin and a clear, solid moral sensitivity so that they might experience the liberating mercy of God in the ministry of reconciliation given to the Church.[269] Conversely, even though the Norms incorporated a more express understanding of the Church's essential intervention in the conversion process of the repentant sinner and reiterated the fundamental nature of the personal engagement of the penitent in the celebration of the sacrament as expressed in the rite of individual confession at that time, scholars suggested that these elements provided an incomplete teaching on the sacrament and a synchronic concept of sin not in harmony with the modified attitudes towards the meaning and place of the sacrament in the religious priorities of many faithful.[270] Much of the difficulty may be attributed to the manner in which the doctrine was presented.

The procedure adopted throughout the Pastoral Norms for affirming the primacy in both doctrine and practice of individual, integral confession tended to avoid the use of explanatory or qualifying statements.[271] Given the context of sacramental revision in which the document appeared along with the purposes that motivated its composition, the mere repetition of the Tridentine teaching without acknowledgement or exploration of the difficult issues then under academic scrutiny and pastoral reflection produced an account which lacked accuracy, depth and persuasion.[272] Whilst this method occasioned

---

[269] Pope Paul VI, "The Importance of Individual Confession," p. 274.

[270] Örsy, "Communal Penance: Some Preliminary Questions on Sin and Sacrament," p. 338; Gallen, "General Sacramental Absolution: Pastoral Remarks on Pastoral Norms," pp. 116-117 and Peter, "The New Norms for Communal Penance: Will They Help?" p. 8.

[271] In the absence of such statements Crichton, *Christian Celebration: The Sacraments*, queries on p. 224 whether the document laid down an official interpretation of Trent or represented a disciplinary regulation which appealed to that Council for confirmation. The latter alternative may have been the more accurate assessment.

[272] See Peter, "The New Norms for Communal Penance: Will They Help?" p. 7 and Gallen, "General Sacramental Absolution: Pastoral Remarks on Pastoral Norms," pp. 116-120. It is important to note that since the Council of Trent itself did not address the sacrament of penance in all its various aspects, the simple transposition of these particular elements in the text of the Pastoral Norms without the consideration and inclusion of truths and values recovered from modern study effectively compromised the clarity and relevance of their application in the post-Vatican II Church.

examination of recent experience and even allowed room for continuing study and the possibility of further reform, doubts were raised in relation to the effectiveness of the Norms in countering what was termed "a growing policy of benign neglect toward the sacrament of penance."[273] This problem was only exacerbated by the policy scholars perceived in the Norms to create a dichotomy between individual confession and general sacramental absolution, which appeared to evade the fundamental question of how best conversion and reconciliation could become a living reality in the modern Christian community.[274]

A feature which broached both individual and communal aspects of the sacramental discipline and perfectly illustrated the complexity and the possibilities inherent to this important issue, was the puzzling yet imperative obligation for those absolved by general formula to make a subsequent individual accusation of their grave sins before a priest in due time.[275] Given the difficulty associated with the explanation of this obligation to faithful unconditionally absolved from all their sins,[276] the Pastoral Norms provided an ideal platform to go beyond the straightforward assertion that a subsequent individual confession was required, and offer an explanation which enriched

---

[273] Peter, "The New Norms for Communal Penance: Will They Help?" p. 9. The author notes on p. 8 the document's unfortunate omission of any suggestions for improvement in the way private confession was then celebrated. Such a concerned and sensitive procedure "would not have been at all out of place in Norms designated as pastoral." See also Lehmann, "General Absolution, Private Confession, Penitential Liturgy," p. 322.

[274] As Lehmann, "General Absolution, Private Confession, Penitential Liturgy," states on p. 321, this led the document to arrive "at some rather impractical and pastorally dubious or merely, 'symbolic' solutions." The author describes norm IX, for example, as "abstract drawing-board theology [in which] the good intention reaches a limit where it is no longer really possible of achievement." By way of balance, both Desdouits, "L'absolution collective," p. 106 and O'Neill, "General Absolution," p. 104 refer to this particular norm as "practical or good pastoral advice."

[275] In the Latin text, these sins are variously referred to as *peccata lethalia, mortalia,* or *gravia.* The intention to make such an accusation was specified in norm VI as one of the several elements required for the validity of the sacrament which together formed the proper disposition for penitents to take advantage of general sacramental absolution. The shift from previous legislation to the *intention* to confess grave sins rather than the act of confessing itself reflected the pastoral emphasis contained in the Norms. The remaining elements were sorrow for sin, purpose of amendment and resolve to repair any scandal or harm done. Additional regulations specifying the temporal parameters of the residual obligation were contained in norm VII.

[276] The comments of Hurley, "Communal Absolution: Anatomy of a Decision," pp. 205-206 provide interesting evidence of practical experience in this matter.

both its nature and purpose in terms of deeper conversion and spiritual growth.[277] Absolution communally received and personally integrated by each penitent for the transformation of their relationships with God and one another by means of an individual dialogue with a priest might be an effective way to rekindle the place of private confession in the ongoing process of personal and community conversion and witness.[278] Instead, the document regarded the exercise of private confession in this circumstance purely as a function of the law which attached to priests as one of their responsibilities in ensuring the valid and licit conduct of the ministry of reconciliation.[279]

Immediate reaction to the Pastoral Norms among commentators was at least cautiously favourable despite the important questions and problems mentioned which in their estimation required either clarification or further study. A similarly careful approach characterized efforts by conferences of bishops to implement the Norms according to local pastoral situations then in existence.[280] Significant initiatives were undertaken in some Latin American countries, and conferences generally saw the primary need in a preliminary and soundly-based catechesis of both clergy and laity before any determination of a firm policy on general sacramental absolution.[281] Notwithstanding

---

[277] Peter, "The New Norms for Communal Penance: Will They Help?" pp. 9-10. The author concludes that "here perhaps more than elsewhere a value which we have scarcely begun to understand in faith is involved."

[278] Hurley, "Communal Absolution: Anatomy of a Decision," pp. 205-206 and recall the suggestion of Alszeghy in Funke, "Survey of Published Writings on Confession over the Past Ten Years," p. 129. The commentary on the Norms by the Canadian Conference of Catholic Bishops, in *National Bulletin on Liturgy*, 6 (1973), pp 97-98, also published under the title "Le sacrement du pardon," in *La Documentation catholique*, 69 (1972), p. 1125 clearly seeks to inject a process value of reconciliation into its justification of this obligation.

[279] See the various comments of Desdouits, "L'absolution collective," pertaining to norms IV, VI and VIII on p. 106.

[280] According to Werckmeister, "L'absolution collective: évolution de la pratique en France," p. 293 the survey of Brulin concludes that "one can single out somewhat different positions that range from a very strict interpretation to adaptations that are motivated in different ways by the pastoral climate of each country." This view is corroborated by the applications of The Federal Republic of Germany, Austria, Canada, France and Mexico set out in A.M. Carr, "Sacrament of Penance," in *The Homiletic and Pastoral Review*, 76 (Oct. 1975), pp. 73-74.

[281] See Brulin, "Orientations pastorales de la pénitence dans divers pays," pp. 52-59 where the author presents several examples. The bishops of Chile and Colombia for example authorized general absolution with a view to the perspective opened by norm IX. Several observations are also provided by Medina, "Un nuevo documento de la S. Sede sobre el sacramento de la penitencia," pp. 116-117, including close collaboration between bishops and priests (especially in view of situations actually experienced) and

these various responses, the promulgation of the Norms heralded the appointment of a new committee for continuing the revision of sacramental penance, among whose responsibilities was to conform the rite already drafted to these new directives.

3.4.3 THE SECOND COMMITTEE, 1972-1973

The major task of revision given the new study group commenced on 22 June 1972 with a meeting at the Sacred Congregation for Divine Worship so that the members might decide an effective approach for the project to achieve a responsible and successful conclusion.[282] The committee's work, which also included rewriting the introduction in the style of the other new rituals and enriching the three rites of penance themselves,[283] soon developed into a complex and sensitive procedure designed to respect the competencies and involve the collaboration of several agencies of the Roman Curia.[284] After a second meeting of the committee from 5 – 7 October 1972, an initial draft of the new schema was sent to the consultors of the Sacred Congregation for Divine Worship for study and comment.[285] The committee corrected the schema according to the observations gathered during these meetings and presented its revised draft on 30

---

the necessity for conferences of bishops to issue instructions and explanations, possibly incorporated into a larger document on Christian conversion.

[282] Bugnini, *The Reform of the Liturgy 1948-1975*, p. 671. The author also provides a list of the group's members, as does Dallen, *The Reconciling Community*, p. 214; Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, p. 166 and Osborne, *Reconciliation and Justification*, p. 201.

[283] Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, p. 166.

[284] Bugnini, *The Reform of the Liturgy 1948-1975*, pp. 671-672, provides some fascinating insights into the feelings of resentment at suspected prior violations of areas of competency and at the failure to present the matter first to the agencies concerned, which led to suspicion for the entire work of reform.

[285] Ibid., p. 671. The consultors reviewed the document from 8 – 10 November 1972, following which it was submitted to the plenary session of the Congregation on 21 November.

November.[286] The next day the Congregation sent this document out to the various interested agencies for their reactions and suggestions.[287]

At a joint meeting on 2 – 3 March 1973 of the committee members with representatives from the Sacred Congregations for the Doctrine of the Faith, Divine Worship, and Sacraments, the schema was carefully examined and revised in response to the extensive corrections and criticisms generated by the consultation process. Significantly, numerous changes incorporated into the document "showed a keen concern to preserve individual confession and its pre-eminence over communal penance."[288] This was made evident in the schema's introduction where, in addition to the insertion of more "scholastic" terms and the reduction in use of the word "reconciliation" to a minimum, the judicial function of the confessor was stressed and a broader vision of Church as a community of forgiveness and reconciliation was subordinated to the individual dimension of the sacrament.[289]

---

[286] See the comments by Dallen, *The Reconciling Community*, pp. 214-215. He notes that the committee was directed to provide only one prayer of absolution that would contain the current indicative formula.

[287] This consultation process initially involved the Congregations for the Doctrine of the Faith, Sacraments, Clergy, and Evangelization of Peoples, together with the Apostolic Penitentiary. See Osborne, *Reconciliation and Justification*, p. 201. According to Bugnini, *The Reform of the Liturgy 1948-1975*, p. 672, this consultation itself raised curiosity and resentment from those not included, so the schema was also sent to the Congregation for Eastern Churches. In addition, the Commission for the Revision of the Code of Canon Law asked for and received a text of the draft on 10 January 1973. Pope Paul VI also submitted comments through the Secretary of State.

[288] Bugnini, *The Reform of the Liturgy 1948-1975*, p. 673. This observation was consistent with the emphasis which permeated the Pastoral Norms for imparting general sacramental absolution. Nevertheless, subsequent commentary by K. Donovan, "The New *Ordo Pœnitentiæ*," in *The Clergy Review*, 59 (1974), pp. 668-669 and F. Sottocornola, "Les nouveaux rites de la pénitence: commentaire," in *Questions liturgiques*, 55 (1974), pp. 122-125 and 128-129, both of whom were members of the second committee, seem to reveal a rather liberal approach to the rite of general confession and absolution which anticipated important development in its future pastoral application. This will be an important strand within the material presented in subsequent chapters of this dissertation.

[289] Bugnini, *The Reform of the Liturgy 1948-1975*, p. 673. As Dallen, *The Reconciling Community* notes on p. 215, "the divergence between those rigidly adhering to the Tridentine perspective and those pastorally more sensitive to the broader tradition became even more apparent as evaluations were sought from outside Rome." Werckmeister, "L'absolution collective: évolution de la pratique en France," comments on p. 312 that the resultant "alienation between two theologies" – one medieval and Tridentine, the other Scriptural, Patristic and attentive to the contemporary accomplishments of the human sciences – which, as analysed by P. Jounel, "La liturgie de la réconciliation," in *La Maison-Dieu*, no. 117 (1er trimestre 1974), pp. 7-37, became embedded in the new *Ordo pœnitentiæ*, provided the seeds for the conflict over general sacramental absolution that emerged and developed rather publicly from January 1977.

Notwithstanding this intensive and substantial revision the schema which emerged from these contributions retained several areas of major contention, such as the status of penitential services, the text of the absolution formula and the requirements for integral confession. The Sacred Congregation for Divine Worship requested a softening of the statement that according to God's will "each and every grave sin" must be confessed, since it seemed to truncate further discussion and study of the relevant Tridentine decree. The Congregation proposed a more nuanced text that called for integral confession but without deriving its need from the positive will of God.[290] In addition, it suggested that in the formula of absolution the essential words be introduced by "and *therefore*" to express the proper understanding of the sacrament (that God forgives through the Lord Jesus Christ, who in turn acts in his Church) and embrace a genuine liturgical sense that rejected any separation of the essential words from the context in which they were used.[291] The SCDF was unconvinced by these requests and denied both in a letter dated 19 June 1973, in which it also made known serious reservations regarding the inclusion of penitential celebrations in the new Rite of Penance.[292] Once the Rite had been suitably amended, the SCDF gave its unconditional *nihil obstat* and, with the approval of Pope Paul VI, the Rite of Penance was published by the decree *Reconciliationem* of the Sacred Congregation for Divine Worship dated 2 December 1973.[293]

---

[290] Bugnini, *The Reform of the Liturgy 1948-1975*, pp. 673-674. This understanding parallels the thought of Peter, "The New Norms for Communal Penance: Will They Help?" concerning the subsequent confession of mortal sin in the law regulating general absolution. He writes on p. 10 that why such confession is not simply a disciplinary rule of the Church rather than a requirement of divine law "deserves a good deal more attention."

[291] Bugnini, *The Reform of the Liturgy 1948-1975*, p. 674. He adds that the SCDF preferred the formula to read "and *I* absolve you."

[292] Ibid. The Congregation considered some aspects theologically debatable or unacceptable and proposed the section be either replaced with guidelines for the structure of such a celebration or published separately. Bugnini notes on p. 676 the principle concern of the Congregation centred on its understanding of a strictly non-sacramental character to these celebrations and the possible confusion their inclusion in the Rite might cause. Eventually the Pope accepted the view of the Sacred Congregation for Divine Worship that the Rite should be published in its entirety, subject to the corrections mandated by the SCDF.

[293] Ibid., p. 677. See also Dallen, *The Reconciling Community*, p. 215 and Osborne, *Reconciliation and Justification*, p. 202.

CONCLUSION

"Anyone who looked to Vatican II for a doctrine on penance, however undeveloped and unexpanded, would certainly be disappointed."[294] Despite this apparently negative assessment, the several references to penance in the conciliar documents show that the fathers of Vatican II possessed a deep pastoral concern for the meaning, exercise and liturgical credibility of this fundamental aspect of Christian life and worship. Given a secure foundation in teaching on Jesus the Christ, the nature and mission of the Church, and general sacramental theology, the Council's presentation of penance as one of the seven salvific, Spirit-filled rituals of faith celebrated with all taking part actively and with knowledge and the proper disposition, recovered, accepted, and proposed essential theological values through which the sacrament might achieve an enriched and more credible place in the life of the Church.

A careful reflection upon the relevant conciliar materials suggests that the Council fathers' principal contribution to the understanding of sacramental penance was their insistence on a *communal* dimension as the key theological value for the Church to continue its journey of discovery towards the deepest meaning of the nature and effect of the sacrament. Through a clear and faithful expression of theological values, especially the communal value, the sacrament of penance could resist its propensity for representation and become a truly *effective* means for the restoration and strengthening of Christian men and women with respect to their communion with God and one another.

This Spirit-led work of Vatican II provided significant guidance and resources for those who would be charged with the task of sacramental reform. In particular, the official recognition of a communal value in the reconciliation of grave sinners showed that the whole community possessed an active and comprehensive ministry in restoring these members to peace with God and the Church. The value also revealed that when exercised for the development of greater Christian maturity and responsibility, the sacrament encouraged and reflected a corresponding emphasis in the community's visible witness to penance and renewal in daily life. These teachings of the Council, together with its taciturn approach to certain contemporary theories and problems pertaining to the

---

[294] Adnès, "Penance and Reconciliation in Vatican II," p. 100.

sacrament, invited spirited debate among scholars and broad pastoral experimentation which continued to flourish throughout the period of official reform.

The proposal of a communal value of reconciliation ensured that the tremendous energy expended in the immediate postconciliar period on the sacrament's meaning and practice accorded a central and decisive role to the local Christian community. Without prejudice to the serious development in the understanding of each essential theological value, theologians and pastors identified the priority issue for an authentic sacramental reform in renewing among the faithful a deep sense of being part of a healing community of life and love. In order to meet such a serious challenge this focus on the role of the community necessitated the emergence of communal penance celebrations which could embrace the actual faith experience of members with a meaningful religious and human encounter that effected a real change in the lives of the participants. The importance of a community reference for reconciliation was well illustrated by discussion of three influential and related topics.

In accordance with the lessons of history, the field of moral theology continued to provide essential input for the development of sacramental penance, especially in regard to the question of grave sin. An increasingly popular *relational* concept emphasizing mutual and corporate responsibility for sin soon exposed some inadequacies in the contemporary model which required an individual and detailed confession of discrete actions and omissions, but at the same time raised fresh problems for the discernment and integral expression of sinfulness experienced in this broader context. The critical nature of this matter was further highlighted by the favoured postconciliar approach to sacramentality, which recognized that it was in relation to their community that each member discovered the fullness of their life's meaning, giving the community itself a sacramental character. Consequently, the sphere of pastoral activity came to regard liturgies of reconciliation permeated with and expressive of the communal value as viable and appropriate responses for the forgiveness of sin and helping all to grow in holiness. Ceremonies with general confession and collective sacramental absolution provided a serious contribution to the development of this trend.

A survey of the historical data concerning general absolution reveals that the present century had witnessed a gradual precision of the theory and increased

appreciation for the pastoral credibility and application of this new model of sacramental reconciliation. Although its usefulness had been officially approved and readily admitted by theologians and pastors in relation to situations of emergency and legally specified exceptional circumstances, attempts to extend the practice of general absolution or propose its suitability for equal status with the individual form of penance struggled for reasons pertaining to doctrine, canon law and the pastoral discipline of the Church.

The Tridentine teaching and norms mandating integral confession of mortal or grave sins rapidly assumed its place as the primary doctrinal issue confronting general sacramental absolution. Important questions to emerge during this time of study and debate included Trent's understanding of divine law, the possibility of a distinction between the principle of integrity and the manner of its concrete manifestation, and the normative force of the obligation to make an integral confession. Each question attracted a series of explanations which neither gained general consensus nor eliminated the legitimacy of further research and discussion. This served to increase pressure on the meaning of integrity and how it might be fulfilled and strengthened the case for more variety and flexibility in the procedures for reconciling sinful members of the Church. The debate did, however, realize the importance of theological values as a sound means to link a doctrinal precedent such as integral confession with a different context so that new answers sufficient to capture and express these values might be explored and determined.

In the absence of a suitable alternative, the classical concept of the excusing cause remained the major canonical institute to influence efforts justifying the extension of general absolution in the immediate postconciliar Church. The apparent crisis in the exercise of the contemporary individual form of the sacrament revealed several options for interpretation, but the most significant potential emerged in careful reflection on the relationship between the sacrament and the varied circumstances of place, culture and spiritual devotion in which the faithful together lived out their unique Christian vocation. This sensitivity to actual pastoral needs required a thorough and ongoing process of consultation and formation, and a mind open to the investigation and recognition of new conditions which could present themselves at some time in the future.

Initial attempts to translate theoretical justification and enthusiasm into a regular place for general absolution in the Church's sacramental life met serious difficulties from the realm of pastoral practice. Without the benefit of an official, approved ritual, the total absence of a proximate liturgical tradition for this model suggested some accommodation to trial and experiment at the local level before an authentic and valid rite that compassed the essential theological values of reconciliation could be formed. Although efforts lacking a degree of circumspection or coordination produced some uncertainty and antipathy, the development of an appropriate communal liturgy in which the repentant sinner could truly experience God's mercy credibly signified for people in the world of today appeared the main pastoral issue for the Church to address. A notable element to emerge from this question was the necessary freedom for adapting the rite in response to needs and conditions as they existed in local Churches.

Sensitive to the theology of Church and sacrament proposed by the Second Vatican Council, the draft ritual representing the mature product of the first study group charged with the reform of sacramental penance revealed an attitude willing to embrace a significant portion of modern thinking on issues concerning sin and reconciliation. The project showed a tendency to move away from a strictly juridical understanding of the sacrament and focus on the role of the Holy Spirit and the community and present the sacrament as the celebration of a graced personal encounter between the merciful Father and his repentant sons and daughters. A major achievement of this committee was the provision of a liturgical setting for general sacramental absolution incorporating some of the theological values which had been identified in contemporary scholarship.

The Pastoral Norms appeared in 1972 as a guide for the moderators of penitential discipline concerning certain problems associated with the correct application of general absolution. Although adopting a cautious approach to the communal value of reconciliation and basically content to reiterate the traditional discipline, the pastoral focus of the document enabled it to effectively restate the Church's official approval of this model under the appropriate conditions in an uncontentious if somewhat unclear manner without denying the possibility of further clarification or future development. This attitude was subsequently reflected in the work of the second revision committee,

indicating that general absolution might come to assume a more prominent and regular role in the reconciling mission of the Church.

CHAPTER 4: THE *ORDO PÆNITENTIÆ*, 1974

"The Second Vatican Council decreed that 'the rite and formulas of penance are to be revised in such a way that they may more clearly express the nature and effects of this sacrament.' In view of this the [Sacred] Congregation for Divine Worship has carefully prepared the new Rite of Penance so that the celebration of the sacrament may be more fully understood by the faithful."[1] In accordance with instructions set down in this decree of promulgation, conferences of bishops were to have prepared for their approval translations into appropriate vernacular editions so that, having received confirmation from the Apostolic See, the texts might come into effect from the date specified by each conference.[2]

The nature, content and significance of this long-awaited document suggests a three-part strategy for the analysis and comment presented in this chapter. The first section will examine and interpret the theological framework used to stabilize the ritual and support its intelligent implementation to effectively address the needs and enrich the lives of faithful throughout the entire Church. The second part of the chapter explores the three new official rituals whereby penitent faithful celebrate sacramentally their reconciliation with God and the Church. The material in this section will be essentially centred on the five theological values of reconciliation and their varying shades of intensity embodied in each of the ritual forms. The final section will then consider, for the purpose of completeness, the importance of the relationship between the new ritual

---

[1] Sacred Congregation for Divine Worship, Decree *Reconciliationem*, 2 December 1973, in *Rituale Romanum ex decreto Sacrosancti Oecumenici Concilii Vaticani II instauratum, auctoritate Pauli PP. VI promulgatum: Ordo pœnitentiæ (=OP)*, ed. typica, Typis polyglottis Vaticanis, 1974, pp. 5-6. The Latin text reads: "Concilium autem Vaticanum Secundum hæc statuit: «Ritus et formulæ Pœnitentiæ ita recognoscantur, ut naturam et effectum Sacramenti clarius exprimant». Hæc spectans, Sacra Congregatio pro Cultu Divino novum *Ordinem pœnitentiæ* diligenter apparavit, ut actio Sacramenti plenius a fidelibus intellegatur." English trans. in *The Rite of Penance (=RP)*, trans. prepared by the International Commission on English in the Liturgy, New York, Catholic Book Pub. Co., 1975, p. 7. The Latin text was not published, and hence did not come into effect, until 7 February 1974.

[2] See Hellwig, *Sign of Reconciliation and Conversion*, pp. 78-79. According to Dallen, *The Reconciling Community*, pp. 221-222, the English translation approved by the National Conference of Catholic Bishops (USA) was confirmed on 11 March 1975 with implementation set for 27 February 1977. See also the note in *CLD*, 8 (1973-1977), p. 552. The French edition, issued under the title *Célébrer la pénitence et la réconciliation: nouveau rituel*, Paris, A.E.L.F., was not published until 1978.

and the 1972 Pastoral Norms and its impact upon the understanding and immediate future practice of general confession and absolution.

4.1 THE THEOLOGY OF RECONCILIATION

In its final form, the 1974 *Ordo pœnitentiæ* comprised a section of introductory comments, or *prænotanda*, which briefly outline a theology of reconciliation and explain the ritual, chapters for each of the three rites of reconciliation (for individual reconciliation, for several penitents with individual reconciliation and for several penitents with general confession and absolution), a chapter devoted to biblical readings and prayers for use in the sacramental liturgy, and three appendices: one containing the absolution from censures and dispensation from an irregularity, a second with sample penitential services, and the third presenting an outline for the examination of conscience.[3] Founded upon acknowledgement in grateful praise of God's love through a proclamation of Sacred Scripture, the new *OP* invited participants to celebrate the sacrament as a prayerful, communal discernment intended to provide repentant sinners with a joyful experience of forgiveness and spur all to a new or deeper commitment to the Lord. It affirmed that in the process of reconciliation, the Father of mercies calls the faithful through the power of the Holy Spirit to that peace which flows in abundance from the Cross of Christ for restoring and building up the communion of the Church. Consequently, analysis of this document will commence with its presentation of Christ and the Church which he loves.

4.1.1 JESUS CHRIST, RECONCILER

"Through the death and resurrection of [Christ, God] has reconciled the world to himself and sent the Holy Spirit among us for the forgiveness of sins."[4] In conformity

---

[3] Osborne, *Reconciliation and Justification*, sets out this structure on p. 204 in the form of a helpful chart, including the relevant paragraph numbers from the ritual.

[4] Adapted from the prayer of absolution, *OP* 46, p. 27. The complete Latin text reads: "Deus, Pater misericordiarum, qui per mortem et resurrectionem Filii sui mundum sibi reconciliavit et Spiritum Sanctum effudit in remissionem peccatorum."

with the teaching of Vatican II, the *OP* reinforced the understanding that the God-man Jesus: his very existence, his ministry among the people, and his salvific death and resurrection is the primordial sacrament of God's merciful love for sinful humanity.[5] The person and work of Christ – the "Christ-event" – makes reconciliation an historical, dynamic reality offering human persons the possibility of liberation, solidarity, peace and eternal life. A catechesis of Jesus, the light of the world, the sacrament of God's prodigal, forgiving grace is the necessary place to start for a true renewal of penance and its ritual celebration.[6]

"The Son of God made man lived among human beings in order to free them from the slavery of sin."[7] Through his acceptance of flesh, the Word assumed completely the human condition and revealed in his own love the fullness of the Father's love. He shared human brokenness so that men and women could share his glory.[8] Reconciliation was foundational to the ministry of Jesus, who signified his power to reconcile by exhorting all to repentance, welcoming sinners and eating with them, healing the possessed and infirm, and commending the faith of those who believed. He reached out to others so that humanity might know God's compassion.[9]

"He himself died for our sins and rose again for our justification ... and after his resurrection he sent the Holy Spirit upon the Apostles."[10] By means of his obedient death on the Cross, Jesus reconciled the world to his Father and effected the liberation of

---

[5] Osborne, *Reconciliation and Justification*, p. 206 and F. Sottocornola, "Il nuovo «Ordo Pænitentiæ»," in *Notitiæ*, 10 (1974), p. 78. An English trans. of the latter is provided by Bugnini, *The Reform of the Liturgy 1948-1975*, p. 683. Statements quoted from the *Ordo* in this section may be found in *OP* 1, p. 9

[6] Osborne, *Reconciliation and Justification*, p. 216 and again on p. 231 where the author states that "Jesus, the primordial event of reconciliation, provides the essential context for any and every ritualization and legislation. Without Jesus, such rites and regulations cannot find their substance."

[7] "Filius Dei, homo factus, inter homines conversatus est ut eos de servitute peccati liberaret." The Scriptural source cited in the footnotes to the text is Jn 8:34-36.

[8] Nicolas, "The Sacrament of Reconciliation: Theological Considerations," pp. 311-312.

[9] J.D. Crichton, *The Ministry of Reconciliation: A Commentary on the Order of Penance, 1974*, London and Dublin, G. Chapman, 1974, p. 13.

[10] "[Demum] ipse pro peccatis nostris mortuus est, et resurrexit propter iustificationem nostram ... et post resurrectionem suam Spiritum Sanctum in Apostolos misit." Scriptural sources are noted as Rom 4:25 and Jn 20:19-23.

humankind.[11] Made alive in the resurrection, Jesus then brought the human race into a right relationship with God, his worshipful sacrifice becoming for all peoples the source of forgiveness and renewal.[12] In subsequently gifting his disciples with the Spirit of Truth, Jesus revealed the Advocate's presence in the Christian community as reconciliation in act and enabled disciples to preach the good news of repentance and liberation,[13] so that through the Church all could hear the call to conversion and celebrate his victory over sin.

Like its conciliar predecessor, the presentation of the person and work of Jesus in the new *OP* appears as a straightforward though perhaps uncritical synthesis of traditional New Testament texts.[14] Since one of the important motivations for the revision of sacramental penance was to show its relationship with Jesus' paschal mystery,[15] these citations specifically emphasize Jesus as a *reconciler* whose work of liberation and making peace reveals the love of the Father and ushers in the abiding presence of the Holy Spirit. As such, this section of the document exudes a dynamic style and provides a theological context in which penance is made intelligible and significant for the faithful.[16]

---

[11] E. Foley, "Communal Rites of Penance: Insights and Options," in Kennedy (ed.), *Reconciliation: The Continuing Agenda*, p. 144 and Crichton, *The Ministry of Reconciliation*, p. 14.

[12] Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, p. 169 and Nicolas, "The Sacrament of Reconciliation: Theological Considerations," p. 312. For Osborne, *Reconciliation and Justification*, p. 231, this key issue of justification must be considered when reflecting upon important questions regarding the Church's ministry of reconciliation, including general absolution.

[13] Osborne, *Reconciliation and Justification*, p. 214 and Crichton, *The Ministry of Reconciliation*, p. 14.

[14] The synthesis tends to break down towards the end of the paragraph. Firstly, the inaccurate citation from Jn 20:19-23 (the johannine witness never uses the term "apostle") suggests a narrow identification of the reconciling ministry to the ordained, from which a ministerial role for the other members of the community must be *derived*. Contemporary biblical scholarship, however, concludes more favourably for a community based reference for this text, indicating that the ministry of reconciliation pertains to all members of the community and comes *directly* from Jesus himself. In addition, the direct link forged by the authors between the command of Jesus in Mt 16:19 (which deals primarily with disciplinary and administrative power within the community) and the Pentecost day speech of Peter in Acts 2 (as an exemplary act of Christian evangelization) is a little strained.

[15] See *SC* 5 and 61 in Tanner, pp. 821 and 832 respectively.

[16] See the comments in The Catholic Theological Society of America, *Committee Report: The Renewal of the Sacrament of Penance*, Washington, DC, The Catholic Theological Society of America, 1975, p. 42.

4.1.2 THE CHURCH, PLACE OF RECONCILIATION

The Church is the body and fullness of Christ, filled with his divine gifts and the means by which he spreads truth and grace to all. Embracing both saint and sinner, this same people of God is at once holy and always in need of purification, constantly pursuing repentance and renewal.[17] In the context of this theology, the fathers of Vatican II had challenged the faithful with a vision of the Church in Christ as a sacrament, reaching out in love to the lonely, abandoned, alienated and forgotten.[18] The new *OP* accepted this challenge in adopting a model of Christian community which recognized that all members assumed some form of shared responsibility or complementary involvement in the ministry of reconciliation.[19] In seeking this broader understanding of a Church solicitous in calling the faithful to continual conversion and renewal, the *OP* describes a penitent community of proclaimers, intercessors and caring persons who heal.[20]

"Not only does the Church call sinners to repentance by preaching the word of God:"[21] conscious of their vocation to grow in holiness by the progressively deeper adoption of Gospel values, the people of God proclaims the message of repentance and forgiveness and, cognizant of its inherently social character, orients the ministry of reconciliation to the formation and building up of the Christian community. "The whole

---

[17] Text adapted from *OP* 3, pp. 10-11. The Conciliar sources cited in the footnotes are *LG* 7 and 8.

[18] See for example *LG* 8, *AA* 8 and 10, and *PO* 6 in Tanner, pp. 854-855, 987-988 and 1049-1050 respectively.

[19] L.Örsy, *The Evolving Church and the Sacrament of Penance,* Denville, NJ, Dimension Books, 1978, p. 143. According to C.M. Dubitsky and N. Mitchell, "The New Rite of Penance: Its Value for Religious Education," in Mitchell (ed.), *Background and Directions*, p. 100, this ecclesiological vision parallels the theology of Church presented in *The Rite of Christian Initiation of Adults*. It is a community to which all have a right to belong, enjoy and contribute.

[20] C. Grabert, "The Rite of Penance/Reconciliation: Christian Existence in a Reconciled Humanity," in ibid., p. 107 and Dubitsky and Mitchell, "Value of Rite for Religious Education," p. 99. As Grabert notes, "The documents which accompany the new rite do not, therefore, use the term 'Church' loosely; they use it as a symbol that evokes the ultimate power of reconciliation, of giftedness, of holiness and of fullness." Quotations taken from the ritual may be found in *OP* 8, p. 14. English trans. in *RP* 8, p. 16.

[21] "Non solum enim per verbi Dei prædicationem ad pænitentiam vocat..."

Church ... is constantly constructing the sacrament-sign of the Church as a repentant people, as the place of reconciliation and peace with God [and one another]."[22]

"But it also intercedes for them and helps penitents with maternal care and solicitude."[23] When the Church reflects Jesus, it faithfully assumes its rightful and authoritative role as a minister and servant of God's reconciliation. This is concretely realized in the assembled local community, present and sharing sacramentally by prayerful observation and participation in the process reconciling repentant sinners. Founded on a covenant relationship, the Church actualises its mission by mutual love after the example of Jesus through the power of the Holy Spirit. Mindful of the conciliar reference to charity, example and prayers for exercising the Church's caring response, the *OP* invited all the faithful to embrace the spirit of repentance, forgiveness and reconciliation so that it may permeate and be experienced at every level of Church life.[24] Each faith community must constantly develop into a more visible sign and place of reconciliation for a true renewal of penance to take effect.[25]

Notwithstanding this rich ecclesiology faithful to the teaching of Vatican II, the vision presented in the *OP* of the whole Church as a prayerful community responsible for and deeply involved in the process reconciling sinful members to God and their brothers and sisters suffers some erosion when merged with the role specified for ordained ministers.[26] From this perspective, it is difficult to find any sacramental character for

---

[22] Crichton, *The Ministry of Reconciliation*, p. 16. Osborne, *Reconciliation and Justification*, p. 206; Dallen, *The Reconciling Community*, p. 229 and T.J. Murphy, "Sin and Reconciliation in a Time of Confusion," in *Chicago Studies*, 17 (1978), p. 381 are of the same opinion. Hamelin, *Reconciliation in the Church*, p. 73 puts it thus: "If the entire Church plays a part in the forgiveness of sins, this is not simply because all sin affects society. It is because of the nature of the religious relation: the gift of communion with God creates solidarity among people."

[23] "Sed etiam pro peccatoribus intercedit et pænitenti materna cura ac sollicitudine subvenit."

[24] See Osborne, *Reconciliation and Justification*, p. 216.

[25] See the interesting comments by M. Huftier, "Du sacrement de la pénitence et de la confession," in *Esprit et vie*, 92 (1982), p. 191. Consequently, Dubitsky and Mitchell, "Value of Rite for Religious Education," p. 101 note that deep and extensive reflection is required concerning "*who* the Church is as a community of intercession and *what* ministry might mean in such a Church." The practical implications of this reflection are considered by Murphy, "Sin and Reconciliation in a Time of Confusion," pp. 381-382. These observations of Bishop Murphy largely confirm the thoughts of authors writing in the period following Vatican II Council concerning the reality of the non-presence of community in many instances noted in section 3.2.2 of this dissertation.

either the community's response toward penitents or for penitents in their relationship to the community, a factor which can lead to reductionism in sacramental definition.[27] In order to avoid this, the image of the Church as a sacrament, which denotes "a reality whose inexhaustible fullness both 'gives itself to be known' and, in that giving, 'exceeds the possibilities of our concepts and our conceptual expression',"[28] can assist in the further exploration and understanding of the broader ecclesiological vision and the sacraments which give structure to faith and worship and at the same time continually open up new horizons of meaning.

4.1.3 THE SACRAMENTS, SIGNS WHICH EFFECT AND CHALLENGE

The theology of sacrament reflected in the *OP* is that of a celebration "in which the Church *proclaims* its faith, *gives thanks* to God for the freedom with which Christ has made us free, and *offers* its life as a spiritual sacrifice in praise of God's glory."[29] This understanding indicates that sacraments possess a powerful and energetic character, a symbolic dynamism that manifests Christ's action in the Church and effects in the participants a real share in his relationship with the Father. Sacraments cause the Church

---

[26] According to *OP* 9a, p. 14. "The Church exercises the ministry of the sacrament of penance through *bishops and priests*. By preaching God's word *they* call the faithful to conversion; in the name of Christ and by the power of the Holy Spirit *they* declare and grant the forgiveness of sins." The Latin text reads: "Ministerium sacramenti Pænitentiæ Ecclesia exercet per Episcopos atque Presbyteros, qui fideles per prædicationem verbi Dei ad conversionem vocant, eisque remissionem peccatorum in nomine Christi et in virtute Spiritus Sancti testantur et impertiunt." English trans. in *RP* 9a, p. 17. Reliant on *LG* 26, *OP* 9a also confirms the primacy of the bishop in regulating the penitential discipline of the local Church, with whom priests share and act in communion when exercising the ministry.

[27] See the comments made in footnote 14. Although a ministry is acknowledged to the community, the *OP* maintains an exclusive or at best "representative" role of the priest in terms of the sacramental aspect of the reconciliation process. It illustrates the different theologies contained in the *OP* which in turn reflected a "crisis of ecclesiology" (as it was known to scholars) as the Church attempted to integrate the implications of conciliar teaching with the doctrine, law and pastoral discipline previously established. See also the discussion by P. De Clerck, "Celebrating Penance or Reconciliation," trans. and adapted by J.C. Nuttall, in *The Clergy Review*, 68 (1983), p. 314 in support of this conclusion.

[28] Grabert, "Christian Existence in a Reconciled Humanity," p. 111.

[29] *OP* 7b, p. 14. The Latin text reads: "quo Ecclesia fidem suam proclamat, gratias Deo agit pro libertate qua Christus nos liberavit et vitam suam ut sacrificium spiritale offert in laudem gloriæ Dei." English trans. in *RP* 7b, p. 16.

to be the abiding community of love in Christ and by them the Spirit of Christ builds up that community and makes it one.[30]

In light of this, the *OP* embodies the position that for sacraments to signify and achieve their purpose in a credible way they must be exercised and experienced in the Church at the level of *meaning*. The *OP* illustrates this view from the perspective of reconciliation with three separate yet intimately connected sacramental actions: baptism, Eucharist and penance.[31] Built upon the core concept of sacrifice, each of these celebrations reveal in their own way something of the unfathomable impact Christ's victory over sin has effected in the lives of human beings whilst also directing attention to a *greater reality*, even the glorious future he has prepared.[32]

In baptism, "our fallen nature is crucified with Christ so that the body of sin may be destroyed and we may no longer be slaves to sin, but *rise with Christ and live for God.*"[33] In the Eucharist, "Christ is present and is offered as 'the sacrifice which has made our peace' with God and in order that 'we may be *brought together in unity*' by his Holy Spirit."[34] In penance, "the faithful who fall into sin after baptism may be reconciled with God and renewed in grace and [moved] to more fervent service for God and neighbour to *gain the full freedom of the children of God.*"[35] The *OP* embraces the understanding that sacraments not only dialogue with the present situation of a community, but challenge Christians as individuals and groups to move beyond their contemporary environment to

---

[30] See *National Bulletin on Liturgy*, 9 (Jan.-Feb. 1976), p. 14.

[31] These are presented in *OP* 2, p. 10, with additional notes on penance drawn from *OP* 7 and 7b, pp. 13 and 14.

[32] In the citations from the *OP* which follow, this greater reality is indicated by the italicised text.

[33] "vetus homo cum Christo crucifigitur ut destruatur corpus peccati et ultra non serviamus peccato, sed *cum Christo resugentes Deo exinde vivamus*," citing Rom 6:4-10.

[34] "Christus adest et offertur ut «Hostia nostræ reconciliationis» et ut nos, per Spiritum Sanctum, *«congregemur in unum»*," citing Eucharistic Prayer II. The celebration of the Eucharist – the supreme sign of God's reconciliation – therefore makes the Church a more effective sacrament to the world.

[35] "fideles qui post primum lavacrum in peccata labuntur, renovata gratia, cum Deo reconciliarentur, et ad ferventius Dei fratrumque servititum [impellerent], ut *ad plenam libertatem filiorum Dei perveniant.*" The conversion from sin celebrated in penance helps the faithful reflect God's love and forgiveness more fully and bring the good news of reconciliation to others.

an ultimate vision of humanity as graced and reconciled, the world God has reconciled to himself through the blood of Jesus.[36]

4.1.4 THE SACRAMENT OF RECONCILIATION

Sensitive to important recent developments and innovations in the theory and practice of sacramental penance, the methodology adopted by those responsible for the *OP* introduced in the preceding notes revealed their commitment to present penance as an unique though interrelated sacrament within the broader context of the Church's reconciling mission, which is itself securely founded in the reconciliation God has accomplished once and for all in Jesus.[37] The celebration of this sacrament is a sign of God's reconciliation with humanity, so that by word and action the Church assists repentant sinners in their journey of conversion towards renewal with or restoration to their Christian community as a symbol of their relationship with the Blessed Trinity.[38] The sacrament exists, therefore, as an evangelical and ecclesial response to the experience of sin, and takes its proper shape according to the manner in which sin is understood and actualised in the lives of contemporary men and women.[39] Consequently, the standard set by the *OP* for a mature and self-disclosing encounter celebrating God's mercy and love depended to a significant degree on an adequate expression of each one's sinfulness as it disturbed the covenant relationship they enjoyed with God and their brothers and sisters. What meaning the *OP* attributed to this human experience of sin thus became an important pillar upon which its presentation of the sacrament was built.

---

[36] Grabert, "Christian Existence in a Reconciled Humanity," p. 110 and see the comments of De Clerck, "Celebrating Penance or Reconciliation," p. 318.

[37] See W. Marrevee, "The New 'Order of Penance': Is It Adequate?" in *Église et théologie*, 7 (1976), p. 121.

[38] *National Bulletin on Liturgy*, 9 (Jan.-Feb. 1976), p. 15.

[39] See P.E. Fink, "Investigating the Sacrament of Penance: An Experiment in Sacramental Theology," in *Worship*, 54 (1980), p. 208. Recalling the development of different models of reconciliation over the course of Church history, the author then invites reflection concerning what form or forms of the sacrament will properly address this experience today and what will happen to the familiar categories of integrity, satisfaction and judgement.

4.1.4.1 The Meaning of Sin in the *Ordo pœnitentiæ*

Maintaining the by now familiar tradition in official Church documents that tended to avoid clear definitions, the *OP* reflected an acceptance of contemporary scholarship and presented this very complex matter according to the popular modern relational idea of sin, with its primary emphasis on effects and consequences. More than a personal, individual infringement of a legal code, this placed sin into a religious and covenant framework, indicating that it affected at all times the baptized person's relationship with God and the Church. The *OP* thus reiterated the teaching that every sin is an offence against God which disrupts humanity's friendship with him and, through the bond of supernatural solidarity enjoined on human beings by God, this same sin of one also harms other persons just as the holiness of one benefits the others.[40]

The preference for a relational concept of sin over a predominantly actualistic approach is confirmed by the structure and content of the examination of conscience which the *OP* provides in its third appendix. This examination leads penitents through a reflection process based on the double commandment of love proclaimed by Jesus in the Gospel, and assists them to consider in a thorough manner their relationships with God and neighbour. Although careful not to favour a particular model of current thinking, the *OP* culminates the examination with a section introduced by a question concerning the *directio fundamentalis vitæ meæ* (fundamental orientation of my life), which appreciates the vital, free and dynamic nature of Christian life promoted by Vatican II as a response to Christ's call to holiness.[41] In such a context, sin is a destructive force or power deeply

---

[40] *OP* 5, p. 11, citing *Indulgentiarum doctrina* 4. The text is a modification of the English trans. in *RP* 5, p. 13.

[41] The "fundamental orientation" might thus be regarded as equivalent to conversion or *metanoia*, as proposed in the writings of B. Häring. For a summary of Häring's approach, see Cooper, "The Notion of Sin in Light of the Theory of the Fundamental Option," pp. 368-373. See also C.M. Ehiem, *The Problems and Prospects Confronting the Church in her Reconciliatory Mission*, Romæ, Pontificia Universitas Urbaniana, 1992, p. 135. For P. Puthanangady, "The Sacrament of Penance and Reconciliation," in *Vidyajyoti*, 47 (1983), p. 32, this understanding imbues the concept of fundamental option with an eschatological dimension. "The Parousia is the manifestation of Christ," notes Puthanangady, "a gradual manifestation through the human community called to be his disciples. In every sacrament this second coming of Christ is celebrated; in the sacrament of penance also. *Here it is expressed insofar as the Christian is placed in a permanent state of conversion.* Christian life is the response to a vocation, to the Father who calls people to a life of oneness with him. The sacrament of penance renews this call and

imbedded in the attitudes and desires of the human heart, which when followed alienates the faithful from God, diminishes the quality and impact of their personal discipleship and erodes the collective witness of the community to Christ's presence and action in the world.[42]

Within this conceptual framework, the *OP* appropriately exposed the communal dimension of sin in both the *prænotanda* and the different forms of celebration: "Just as the wound of sin is varied and multiple in the life of individuals and of the community, so too the healing which penance provides is varied."[43] The reality of sin, whether centred on an individual or a group, must actualise the kind of help which can lead to a deeper understanding of their condition and a more acute awareness of how this situates them in God's sight. Accordingly, there is a strong imperative in the *OP* to explore and comprehend the private and collective nuances of sin for the rituals to provide meaningful experiences of reconciliation which reach down into the depths of life and move people to more faithful service of God and one another.[44]

The emphatic desire expressed in the *OP* for a sincere and lasting conversion means that it affords little space to distinctions among sin. Although the *prænotanda* note that by grave sin the faithful withdraw from the communion of love with God (and neighbour) and venial sin marks their failure to conform fully to Christ and attentively follow the voice of the Holy Spirit,[45] the Tridentine teaching regarding confession of grave sins protected by the existing canon law is recalled without special reference to the species

---

response. It sets in motion again the never-ended process of responding to it [through] ... a continuous process of change [and] ... enters into the movement that leads to the Parousia."

[42] D. O'Callaghan, "The Theology of Penance in the New Ordo," in *The Furrow*, 26 (1975), p. 403. See also Dallen, *The Reconciling Community*, p. 255 and especially the summary in Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, pp. 183-185.

[43] *OP* 7, p. 13. English trans. in *RP* 7, p. 15. The Latin text reads: "Sicut varium et multiplex est peccati vulnus in vita singulorum et communitatis, ita diversum est remedium quod nobis pænitentia affert." Ehiem, *Problems and Prospects*, p. 115 notes that the 1971 Synod of Bishops had considered sin both of the individual and the community. See the Synodal Document *De iustitia in mundo*, 30 November 1971, in *AAS*, 63 (1971), p. 935. English trans. in *Justice in the World*, Boston, MA, St Paul Editions, 1971, pp. 16-17. Since individuals and communities can promote, and indeed live according to certain values, it seems they are equally capable of sinfulness, but the *OP* does not pursue this aspect.

[44] Crichton, *The Ministry of Reconciliation*, p. 30.

[45] *OP* 7 and 7b, pp. 13-14. The text is a modification of the English trans. in *RP* 7 and 7b, pp. 15-16.

and circumstances.[46] Revealing a significant shift, the *OP* concentrates instead on the inherently penitential dimension of Christian life which opposes temptation to sin and urges each person to a continuous conversion of mind and heart.[47]

In conclusion, the *OP* understands sin primarily as an attitude or power that threatens the covenanted relationships extant among humankind and between human beings and God.[48] Judged according to each person's conscience, sin possesses personal and communal aspects which variously affect the body of Christ.[49] It is overcome by the response of solidarity, sincerely manifested in prayer, penance and mutual forgiveness exercised by the entire community of the Church.[50]

The several emphases evident in the meaning given to sin in the *OP*; namely, covenant, community, faith and the dynamic nature of Christian life, also give substance to the theological explanation of the sacrament and the structure and content of the various liturgical rites. Whilst superficially betraying no essential divergence from past doctrine and innovations to the ritual framework few in number, the *OP* seems to embody, through an albeit condensed summary of theology and ceremonies characterized by an imaginative though uniform pattern, a *direction* more or less compatible with contemporary study and development and certain *questions* pertaining to issues of profound theological importance.[51] Given the conciliar intention that the revised rites "clarify and enhance the ritual meaning of being reconciled in the community of the Lord,"[52] some aspects identified by commentators with this purpose will delineate in the

---

[46] *OP* 7a, p. 13, citing the Council's seventh and eighth canons. See also Dallen, *The Reconciling Community*, p. 283 and Crichton, *The Ministry of Reconciliation*, p. 30.

[47] Grabert, "Christian Existence in a Reconciled Humanity," pp. 106-107 and Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, p. 185.

[48] Dallen, *The Reconciling Community*, p. 275.

[49] Crichton, *The Ministry of Reconciliation*, pp. 50-51 and Foley, "Communal Rites of Penance: Insights and Options," p. 148.

[50] *National Bulletin on Liturgy*, 9 (Jan.-Feb. 1976), p. 16.

[51] See A. Tegels, "The New Order, or Rite, of Penance," in *Worship*, 48 (1974), p. 242; Örsy, *The Evolving Church and the Sacrament of Penance*, p. 156; Donovan, "The New *Ordo Pœnitentiæ*," p. 662 and The Catholic Theological Society of America, *Committee Report*, p. 46.

[52] E.K. Braxton, "The New Rite of Reconciliation in American Culture," in *Chicago Studies*, 15 (1976), p. 197.

following pages the approach embraced by the *OP*, in order to appreciate the rich possibilities for change and the internal conflicts it exposed.

4.1.4.2 Reconciliation and the Penitential Life

At the very heart of the new *OP* and consequently the essential and irreplaceable element in the theology and pastoral practice of penance is a special and unique gift from God.[53] " 'We can only approach the Kingdom of Christ by *metanoia.* This is a profound change of the whole person by which one begins to consider, judge, and arrange his or her life according to the holiness and love of God, made manifest in his Son in the last days and given to us in abundance'."[54] *Metanoia* is God's work; it is God who motivates men and women and effects conversion "from within so that it may progressively enlighten them and render them continually more like Christ."[55] This ongoing experience of God's loving initiative of mercy represents a fundamental imperative of Christian faith which urges every believer to break with sin and orient themselves towards union with God and one another.[56] *Christian life is a penitential life.* It is a "way" along which the faithful journey together, after the teaching and example of the Lord Jesus, as communities of mutual love and support within the basic contextual event of God's covenant relationship to humankind established in the blood of Christ.[57]

---

[53] Nicolas, "The Sacrament of Reconciliation: Theological Considerations," p. 313.

[54] *OP* 6a, p. 12. The Latin text reads: "Etenim «ad Christi Regnum nobis fas est accedere tantum 'metànoia', id est intima totius hominis mutatione, qua ipse cogitare, iudicare, vitamque suam componere incipit ea sanctitate et caritate Dei perculsus, quæ in Filio novissime manifestatæ sunt et plene nobis impertitæ»." English trans. in *RP* 6a, p. 14. The text is a direct citation from Paul VI's apostolic constitution *Pœnitemini* of 17 February 1966. See the introduction to section 3.2 of this dissertation for background details and notes.

[55] Ibid. The full Latin text reads: "Conversio enim hominem intrinsecus afficere debet, ut eum profundius in dies illuminet et magis magisque Christo conformem efficiat." See also Diekmann, "The New Rite of Penance: A Theological Evaluation," p. 84.

[56] Z. Alszeghy, "Reform of the Rite of Penance," in *Theology Digest,* 23 (1975), p. 101 and The Catholic Theological Society of America, *Committee Report*, p. 44.

[57] As Dallen, *The Reconciling Community*, p. 258 notes, "what is primary is ... the Christian life itself, intrinsically penitential and a continuous liberation from sin and transformation into Christ."

According to this line of thought, Christians live solely from the power and grace of the paschal mystery. They constantly renew themselves to become part of the mystery of salvation and look to that future goal of blessedness which can only be reached across a lifetime.[58] Consequently, the *OP* adopts the term *reconciliation* to convey in a comprehensive and authentic way the total penitential process occurring in the life of every faithful and to name the three ritual forms by which it is experienced and celebrated sacramentally.[59] The advantage of this term is that it succinctly captures the bilateral encounter inherent to the relationality which engages the daily life of Christians in both the world and the Church,[60] and at the same time grasps the essential theological values which make the sacrament an opportunity for the people of God to discover, integrate and express the deepest reality of their life in a tangible and meaningful manner.[61]

Employing the idea of an hierarchy of values the *OP* affirms full and active participation in the Eucharistic banquet as the primary symbol of reconciliation in the community.[62] A fervent sharing of the Lord's table not only celebrates the life of penitence begun at baptism but also seals the particular conversion experienced in penance.[63] Despite the significant omission of any reference to the power of the Eucharist

---

[58] *OP* 6c, p. 13. See also Alszeghy, "Reform of the Rite of Penance," p. 103.

[59] Diekmann, "The New Rite of Penance: A Theological Evaluation," p. 84; The Catholic Theological Society of America, *Committee Report*, p. 42 and Hamelin, *Reconciliation in the Church*, p. 77. See also the interesting comments by A.B. Chappell, *Regular Confession: An Exercise in Sacramental Spirituality*, New York, P. Lang, 1992, p. 25.

[60] See for example Crichton, *The Ministry of Reconciliation*, p. 10; Provencher, "Le sacrement de la réconciliation selon l'*Ordo pœnitentiæ*," p. 269 and Dallen, *The Reconciling Community*, p. 228.

[61] O'Callaghan, "The Theology of Penance in the New Ordo," p. 403 and Nicolas, "The Sacrament of Reconciliation: Theological Considerations," p. 316. Conversely, a less enthusiastic opinion is presented by De Clerck, "Celebrating Penance or Reconciliation," pp. 313-314. According to this author, the use of the word reconciliation "would be better described as a potential for progress" since it was not accompanied by a sufficiently thorough or coherent theological vision, leading to an inevitable "clash between a theology of reconciliation and the [Tridentine] doctrine of the sacrament of penance."

[62] Grabert, "Christian Existence in a Reconciled Humanity," pp. 104-105 and Chappell, *Regular Confession: An Exercise in Sacramental Spirituality*, p. 26.

[63] *OP* 6d, p. 13. This represents an advance on the Tridentine teaching restated in the instruction issued by the Sacred Congregation for Rites *Eucharisticum mysterium*, 25 May 1967, in *AAS*, 59 (1967), pp. 560-561. English trans. in A. Flannery (gen. ed.), *Vatican Council II: The Conciliar and Postconciliar*

in the forgiveness of sin, the *OP*'s deliberate orientation of these sacraments to the community celebration of the Eucharist shows that reconciliation, whenever it is sacramentally emphasized in the life of believers, always involves a sharing in the reconciliation of all people and a grateful re-covenanting with Christ and the local community.[64]

This social orientation together with the quality of ongoing renewal indicates that the daily penitential life of the faithful is a part of that sacramental process which brings repentant sinners to reconciliation in the Church.[65] Reconciliation cannot be reduced to a single sacramental moment; rather, the *OP* suggests that it involves continuous though distinct stages of conversion, liberation and healing which lead to deeper and more enriching celebrations of Eucharistic communion and fullness of Christian life.[66] The sense of grateful praise and acknowledgement of God's forgiving love there experienced thus clarifies the Church's desire to "celebrate" the sacrament of penance. "What we are really celebrating is reconciliation; God's initiative in converting the heart, forgiving sin, and inviting us back to [or strengthening our] communion with the Church,"[67] as a sacramental participation in a larger pattern through which God draws all creation into a loving communion with himself.[68]

Documents, Vatican Collection, 1, new rev. ed., Dublin, Dominican Publications; Newtown, NSW, Dwyer, 1992, pp. 122-123.

[64] Diekmann, "The New Rite of Penance: A Theological Evaluation," pp. 86 and 91.

[65] Dallen, *The Reconciling Community*, p. 253.

[66] Hamelin, *Reconciliation in the Church*, p. 84; Dubitsky and Mitchell, "Value of Rite for Religious Education," p. 100 and Nicolas, "The Sacrament of Reconciliation: Theological Considerations," p. 316. See also the interesting comments in The Catholic Theological Society of America, *Committee Report*, pp. 42-43.

[67] Diekmann, "The New Rite of Penance: A Theological Evaluation," p. 85.

[68] Grabert, "Christian Existence in a Reconciled Humanity," p. 107. See also the comments in *National Bulletin on Liturgy*, 9 (Jan.-Feb. 1976), p. 22 and Marrevee, "The New 'Order of Penance': Is It Adequate?" p. 121.

4.1.4.3 Reconciliation as an Act of Worship

"Christian faithful, as they experience and proclaim the mercy of God in their lives, celebrate with the priest the liturgy [of reconciliation] by which the Church continually renews itself."[69] Steeped in the meaning and power of the Christ-event, the mystery of reconciliation invites and enables the human family to appropriate in faith as an act of praise and adoration the paschal sacrifice of Jesus and through the power of the Holy Spirit make it present and effective in the world.[70] Given its primary expression in the community celebration of the Eucharist, this context and quality of worship inherent to the Church's basic mission and ritual of reconciliation necessarily permeates that particular sacrament whereby penitents manifest to the Church a profound inner conversion of heart through confession, due satisfaction, and amendment of life, and God grants pardon for their sins through the Church's ministry.[71]

Since the sacrament of penance effects for repentant sinners their simultaneous reconciliation with God and the Church, the worship actualised through the three liturgical rites arises from the harmony of ministry and presence of all those participating in the celebration. In conformity with the theology described in the preceding notes, the structure and exercise of these rituals attempt to reveal *the pattern of the paschal mystery*, so that the ecclesial worship thereby expressed may be a true sacrament of the worship offered by Jesus to his Father.[72] From this pattern the deep sense of worship present in the variety of action, response and being integral to this sacramental encounter with the Lord may be examined in a logical and fruitful manner.

---

[69] *OP* 11, p. 16. The Latin text reads: "Ita fidelis, dum misericordiam Dei in sua vita experitur et proclamat, una cum sacerdote liturgiam Ecclesiæ continenter se renovantis celebrat." English trans. adapted from *RP* 11, p. 18.

[70] Sottocornola, "Il nuovo «Ordo Pænitentiæ»," p. 79; Marrevee, "The New 'Order of Penance': Is It Adequate?" p. 123; Fransen, *Hermeneutics of the Councils and Other Studies*, p. 447 and Crichton, *The Ministry of Reconciliation*, p. 15.

[71] Dallen, *The Reconciling Community*, p. 299 and *OP* 6, p. 12.

[72] Fink, "Investigating the Sacrament of Penance," pp. 214-217 and see Puthanangady, "The Sacrament of Penance and Reconciliation," pp. 23-24. The former author identifies four sequential "movements" in this pattern which will form the basis of the subsequent comments.

The first movement of the pattern is *the prior approach of God* to sinners manifested in the proclamation of the Word, radically incarnated in the person and work of Jesus and continued as a fundamental element of the Church's evangelical mission.[73] This proclamation, which invites the faithful to participate and be incorporated more fully into the Kingdom, reveals God's love for the sinner as their primary motive for turning to him and seeking reconciliation.[74] Since it makes known the God who first loved us, reading from the Sacred Scriptures occupies a place of honour in each form of sacramental celebration.

The purpose of this reading is sacramental; that is, the reading is properly a part of the sacrament and manifests what God is working in the lives of all present at the celebration.[75] Through the Word, penitents are enlightened to recognize their sins and led to a true conversion of heart and confidence in God's mercy;[76] the priest receives inspiration to offer suitable counsel to help penitents turn away from sin and begin a new life by his instruction in the duties of Christian living;[77] the assembly encouraged to adopt more fully the Gospel message and, as Church, become in the world a sign of conversion to God.[78] The reading of the Word thus informs the meaning of each participant and

---

[73] *OP* 1 and 8, pp. 9 and 14.

[74] Provencher, "Le sacrement de la réconciliation selon l'*Ordo pœnitentiæ*," p. 274 and Fink, "Investigating the Sacrament of Penance," p. 214.

[75] According to R. Coffy, "Why a Reform of the Sacrament of Penance?" in *The Furrow*, 26 (1975), p. 264, "The place of the word of God gives to the sacrament its complete depth, it makes it a place of the judgment of God, not to condemn but to call to conversion and life, it makes it the sacrament of the merciful love of the Father, the efficacious sign of a deepening of the relations of human beings with their God."

[76] *OP* 17 and 24, pp. 17 and 19. See Sottocornola, "Il nuovo «Ordo Pœnitentiæ»," p. 78; O'Callaghan, "The Theology of Penance in the New Ordo," p. 402 and Provencher, "Le sacrement de la réconciliation selon l'*Ordo pœnitentiæ*," p. 274.

[77] *OP* 18, 25 and 35a, pp. 17, 19 and 22. Dallen, *The Reconciling Community*, p. 310 notes that "instruction is not to the detriment of prayer but part of sharing the Word."

[78] *OP* 4, p. 11. As Grabert, "Christian Existence in a Reconciled Humanity," p. 115 notes, "The word of God discloses and manifests the meaning of the assembly as *Church*, as a community gathered in the power of the resurrection [and] provides the context for the interpersonal, communal and social transactions that follow."

ministry in the celebration, and affirms that reconciliation "is a matter of ecclesial prayer, joyful praise, and confident worship centred on the present action of a merciful God."[79]

The second movement is the *sacrifice or human response* realized in the disclosure of one's true self before God, exemplified in Jesus the Son of Man perfectly revealed in his crucifixion and sustained by a penitent Church through the endurance of its own difficulties and constant pursuit of repentance and renewal.[80] This sincere, faith-filled revelation appears as the daily reaffirmation of the fundamental baptismal commitment whereby Christians are included in the Christ offering and embraced by the same love with which the Father loves the Son.[81] It leads the faithful to enter the mystery of Jesus' eschatological judgement and thus to deeper personal responsibility and more mature possession of their relationships with God and the community. Since it seeks to make visible the full richness and complexity of human persons and their faith in the light of God's mercy, this response is an essential element in the three rites of reconciliation.

Given that the death of Jesus is "the irreversible symbol of a love that is limitless, selfless and creative,"[82] this human response seeks to evoke in participants a complete gift of (or dying to) self by which they share in the exercise and effect of the sacrament. Through their personal response or input, penitents embrace, in the light of God's holiness and love, a sincere change of heart (contrition), acknowledge their sin in the context of professing faith in God who reconciles and saves (confession), and accept a suitable form of penance or service as a remedy for sin and a help to renewal of life (satisfaction);[83] the priest reveals the Father's heart and shows the image of Christ the

---

[79] Dallen, *The Reconciling Community*, p. 321. See also Chappell, *Regular Confession: An Exercise in Sacramental Spirituality*, p. 25.

[80] *OP* 3 and 4, pp. 10 and 11.

[81] Fink, "Investigating the Sacrament of Penance," p. 215.

[82] Grabert, "Christian Existence in a Reconciled Humanity," p. 117.

[83] *OP* 6a, b and c, pp. 12 and 13. See Crichton, *The Ministry of Reconciliation*, p. 22; R.J. Kennedy, "The Rite for Reconciliation of Individual Penitents: Celebration of the Church," in Kennedy (ed.), *Reconciliation: The Continuing Agenda*, p. 137 and Dallen, *The Reconciling Community*, pp. 285-286. As the latter author notes, the act of penance "links the sacrament with the penitent's life in an ecclesial way, symbolizing the penitential character of the Christian life as continual conversion and the penitent's share in the Church's struggle to overcome sin and achieve reconciliation in society." From a different perspective Hamelin, *Reconciliation in the Church*, observes on pp. 62-63 that whilst a penance is a means

Good Shepherd when as presider he leads in prayer, breaks open the Word and compassionately helps all to celebrate God's pardon in hope and joy;[84] the assembly of loving concern manifests a community faith environment whose presence and prayer moulds the totality of the human response into a unity of sacrifice and worship offered to God the Father.[85] This unified response makes reconciliation a radical participation in the salvific work of Christ and an event which recreates human persons that will be fully realized in Eucharistic sharing. It also provides a provocative context for reflection on the meaning of integral confession.

Within its overall emphasis to develop the reality of a genuine and lasting conversion as an ongoing response to God's loving initiative in the lives of all the faithful, the *OP* states that "to obtain the saving remedy of the sacrament of penance, according to the plan of our merciful God, the faithful must confess to a priest each and every grave sin which they remember upon examination of their conscience."[86] Although in isolation a shortened version of the teaching inherited from the Council of Trent, the context into which this precept for the complete confession of grave sins has been placed

---

of launching a person on the path of persevering change, it "also makes clear to sinners that the Christian community is at their side on the road of liberation."

[84] *OP* 10, p. 15. See Dallen, *The Reconciling Community*, p. 310; Fink, *Alternative Futures for Worship 4: Reconciliation*, p. 85 and Murphy, "Sin and Reconciliation in a Time of Confusion," pp. 373-374.

[85] *OP* 4 and 8, pp. 11 and 14. See also Fink, "Investigating the Sacrament of Penance," p. 215. The part of the assembly in the human response to God's loving initiative must not be glossed over. As Dallen, *The Reconciling Community* notes on p. 298, "the inability to see penance as the activity of the Spirit-filled community acting as the presence of Jesus' saving mystery is a major obstacle to full implementation of the *RP* and resolution of controversial questions, including that of general absolution."

[86] *OP* 7a, p. 13. The Latin text reads: "Ad salutiferum remedium sacramenti Pænitentiæ percipiendum, iuxta misericordis Dei dispositionem debet fidelis confiteri sacerdoti omnia et singula peccata gravia, quorum, excussa conscientia, memoriam habet." English trans. in *RP* 7a, p. 16. In addition, *OP* 31, p. 21 states that individual confession and absolution of such sins "remain the only ordinary way for the faithful to reconcile themselves with God and the Church, unless physical or moral impossibility excuses from this kind of confession." The Latin text reads: "Individualis et integra confessio atque absolutio manet unicus modus ordinarius, quo fideles se cum Deo et Ecclesia reconciliant, nisi impossibilitas physica vel moralis ab huiusmodi confessione excuset." English trans. in *RP* 31, p. 24.

suggests some development may be possible in what it means to celebrate an integral confession.[87]

As an external expression of the inner movements of the heart and the *metanoia* already enkindled by God, integral confession is more than a straightforward admission of individual sinfulness;[88] it must be a genuine sacrament of penitents' lives in all dimensions of their being.

> It is first of all an act of claiming one's humanity and offering it with Christ as spiritual worship to the Father. More specifically, however, it is an act of claiming one's sin in the act of offering, and in that very act transforming what of itself separates us from God into a gift with which our God is pleased.[89]

This revelation begins with the word of God. Through the Scriptures, the Lord speaks to the heart of each person, illuminating both their sinfulness and God's loving kindness which beckons him or her to take responsibility for that sin and be converted by the power of the Holy Spirit.[90] From this essential and emphatic role of the Word the focus for integral confession becomes, not a norm or the sinner's deeds, but the reconciling power of God; it indicates that penitents must journey beyond the surface of life to seek out and enact a true interior transformation which prompts conscious. sincere efforts in the external sphere to reform attitudes and reshape significant relationships.[91] In this way integral confession approaches a sacrificial meaning, opening faithful more fully to the

---

[87] As Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, notes on p. 181, the *OP* consistently emphasizes relational and salvific aspects as fundamental to the meaning of the sacrament.

[88] Hamelin, *Reconciliation in the Church*, p. 59.

[89] Fink, "Investigating the Sacrament of Penance," p. 215.

[90] Provencher, "Le sacrement de la réconciliation selon l'*Ordo pœnitentiæ*," p. 274 and Sottocornola, "Il nuovo «Ordo Pœnitentiæ»," p. 78.

[91] See Hamelin, *Reconciliation in the Church*, p. 81; Nicolas, "The Sacrament of Reconciliation: Theological Considerations," p. 315 and Dallen, *The Reconciling Community*, p. 256. According to the latter author on p. 283 and Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, p. 186, this would seem to indicate that the emphasis for integrity be placed firmly in the *sincerity of both the person and the gift they offer*, rather than the completeness of the accusation. As Crichton, *The Ministry of Reconciliation*, notes on p. 25, the priest absolves what is *signified* by the confession, not merely what has been said.

Holy Spirit who dwells within them (relationship with God) and moving them out of self-love towards their brothers and sisters (relationship with community).[92]

A revelation such as this requires deep spiritual discernment, which can properly be achieved only with accompaniment from others.[93] In terms of the overall context, this discernment may be compared to a preparation of gifts, a collaborative reflection in prayer which demands of the guide a familiarity with divine things possessed by those who live and move in the Spirit.[94] In the situation characterized by a one-to-one dialogue, it reflects an aspect of the presidential ministry of the priest who, charged with the mission of the Church as healer, confidant and teacher, assists penitents encounter the merciful Christ Jesus.[95] Through this ministry, the priest incarnates the whole community and welcomes repentant sinners back on their behalf.[96] With the official establishment of communal rituals of the sacrament the *OP* indicates that the ministry of accompaniment also belongs to other persons and the community itself, especially in liturgical assembly. The present ritual gives this particular aspect only a limited and general treatment. Nevertheless, it would seem to remain a vital question for the meaning of integral confession in services with several penitents, whether inclusive at the time of an individual, auricular confession of sin or not. Further thought on the nature and meaning of the community, its ministry and worship, may enable greater correspondence between the principle of integrity and the personal act of naming sin in a general manner in the midst and with the help of one's brothers and sisters.

---

[92] Coffy, "Why a Reform of the Sacrament of Penance?" pp. 267-268.

[93] See the explanation by T.W. Guzie, "Comments on the New Form of Confession," in M.J. Taylor (ed.), *The Sacraments: Readings in Contemporary Sacramental Theology*, New York, Alba House, 1981, p. 211.

[94] Fink, "Investigating the Sacrament of Penance," p. 215 and Crichton, *The Ministry of Reconciliation*, p. 24.

[95] *OP* 10a and d, p. 15. See also Hamelin, *Reconciliation in the Church*, p. 77. Although the *OP* includes specific comments regarding the latter two aspects, the ministerial work of interior healing is not elaborated.

[96] Kennedy, "The Rite for Reconciliation of Individual Penitents: Celebration of the Church," p. 138. As Power, "The Sacramentalization of Penance," notes on p. 21, "the personal contact with the priest fosters in the penitent a fuller awareness of ecclesial communion, and can make of individual confession a sharing in the mystery of communion."

The third movement of the pattern is the *transformation effected by God* upon the offering of self-disclosure, the resurrection of Jesus as Lord being the first-fruits and the Church as the sacrament of his presence the place where it may be experienced in human history.[97] This transformation justifies and progressively perfects the faithful as the one Body of Christ and reveals in the public arena of each community's faith and prayer how humanity has been reconciled to God in Christ.[98] Through its cooperation with God's desire for the unity of the whole human family and according to the gift of Christ, the Church articulates by the sign of absolution the Father's liberation and acceptance of repentant sinners.

As part of the total sacramental process and a proclamation of faith that completes the sacrament of penance as a separate entity the prayer of absolution, and the *epiclesis* and laying on of hands with which it is accompanied, actualises for those present the forgiveness made available to all in the Christ-event.[99] By the visible means of words and actions, absolution grants penitents the grace of God's pardon for sin which renews or deepens their covenant relationships;[100] entrusts the priest with the power and responsibility to enact this pardon and blessing relative to his presidential function over the Church's intervention in the life-long journey by which the faithful walk the path of penance and conversion;[40] consecrates the assembly as ministers of reconciliation in forgiving the brothers and sisters among them who have confessed their sinfulness.[102] The sign of absolution, therefore, conveys the meaning of the sacrament and underlines its worshipful character: "There is the saving mercy of God, Father, Son and Holy Spirit, who are each active in the return of the sinner, [who finds reconciliation] in the Church,

---

[97] *OP* 1 and 3, pp. 9 and 10.

[98] Grabert, "Christian Existence in a Reconciled Humanity," p. 120 and Dallen, *The Reconciling Community*, p. 287.

[99] See *OP* 6d and 11, pp 13 and 16; O'Callaghan, "The Theology of Penance in the New Ordo," pp. 402 and 406; Coffy, "Why a Reform of the Sacrament of Penance?" p. 268; Fink, "Investigating the Sacrament of Penance," p. 216 and Puthanangady, "The Sacrament of Penance and Reconciliation," p. 30.

[100] *OP* 6d and 19, pp. 13 and 18.

[40] *OP* 9a and 19, pp. 14 and 18.

[102] *OP* 4, p. 11.

in a community of men and women who reconcile and who enflesh by their very life together God's loving and forgiving stance toward the sinner."[103]

The fourth movement is *communion*, pre-eminently revealed in the glorified, eternal Christ in whom all things in heaven and on earth are gathered and held together, which the Church signifies and anticipates as the people of God and an instrument of his peace.[104] This communion is mirrored in Sunday Eucharist as a celebration of mutual reconciliation in the regular experience of becoming one body through eating one bread and drinking one cup.[105] Consequently, the sacrament of penance is so ordered to the Eucharist that the latter represents the fullness of reconciliation with God and the Church.[106]

Given the intrinsic nature of this relationship, communion in the form of Eucharistic sharing expresses a radically positive, social understanding of sacramental penance and reveals reconciliation as a composite process of initiative and response in which the whole Church offers sacrifice and praise to God.[107] Eucharistic celebration and participation confirms for penitents their restoration through the Son, welcome home of the Father and sanctification in the Holy Spirit;[108] presents the priest as host of the reconciling community of faith accepting and receiving repentant sinners into unity with their brothers and sisters;[109] affects the assembly with joy over those who have returned

---

[103] Crichton, *The Ministry of Reconciliation*, p. 29; Provencher, "Le sacrement de la réconciliation selon l'*Ordo pœnitentiæ*," p. 274 and Fink, "Investigating the Sacrament of Penance," p. 217. See also the helpful summary in Bugnini, *The Reform of the Liturgy 1948-1975*, pp. 679-680.

[104] *OP* 1 and 4, pp. 9 and 11.

[105] Diekmann, "The New Rite of Penance: A Theological Evaluation," p. 89.

[106] Fink, "Investigating the Sacrament of Penance," p. 217. Alternatively Bugnini, *The Reform of the Liturgy 1948-1975*, p. 683 speaks of a strict "affinity" between penance and the Eucharist, which makes it "appropriate to have the celebration of penance followed by the celebration of the Eucharist" but without indicating the nature of this affinity.

[107] *National Bulletin on Liturgy*, 9 (Jan.-Feb. 1976), p. 27; Diekmann, "The New Rite of Penance: A Theological Evaluation," p. 86 and Fink, "Investigating the Sacrament of Penance," p. 217.

[108] *OP* 6d, p. 13.

[109] See *OP* 2, p. 12 and Kennedy, "The Rite for Reconciliation of Individual Penitents: Celebration of the Church," p. 138.

from afar.[110] Communion visibly seals for the faithful that salvific dialogue sacramental of the encounter between God and humankind which restores or strengthens the friendship of repentant sinners with God and firmly grounds an understanding of sacramental penance "as an act of the Church in assembly, done by the whole Church for the whole Church."[111]

4.1.4.4 The Nature and Effect of Reconciliation

The presentation of the sacrament of penance as an act of worship engaging and deeply expressive of the Christian penitential life-journey inherent to each member of the faithful and experienced as part of and in solidarity with the one body of believers objectifies the perception adopted from Vatican II by those responsible for drafting the *OP* that reconciliation possesses a fundamentally communal nature. This understanding pervades not only the *prænotanda*; it has been consciously inserted or emphasized in each of the three reconciliation rituals and the sample penitential services.[112] It may be concluded, therefore, that this communal nature, as the pivotal theological value of reconciliation, is definitive for every liturgical celebration of penance.

According to this judgement, the rituals of reconciliation must be seen as the activity of the Spirit-filled community serving as the place and presence of Jesus' saving mystery. Through these rituals signifying God's acquittal or liberation of humanity, each community of faith has the right and responsibility to prove sinful members and welcome the repentant to share fully in their community of love.[113] Every person who responds to the gift of *metanoia* and seeks the God of mercy through the ministry of the Church deserves an encounter with Christ;[114] the communal nature of reconciliation provides the theoretical and practical framework essential to realize the power and grace of this

---

[110] *OP* 6d, p. 13.

[111] Fink, "Investigating the Sacrament of Penance," p. 217.

[112] See for example *OP* 4, 5, 7b, 8, 11, 18, 22, 25, 35 and 36.

[113] See *National Bulletin on Liturgy*, 9 (Jan.-Feb. 1976), p. 15.

[114] This thought is based on the comments of Dallen, *The Reconciling Community*, pp. 300 and 303.

personal experience in the sacrament. As a result, scholars suggested that each of the new ritual forms contained in the *OP* should be carefully employed in a serious and flexible manner, inclusive of diverse situations whilst remaining faithful to the norms with which they were protected.[115] At the same time, however, the rituals also sought to address a community's need for *anamnesis*, or remembering God's sovereign act of reconciliation always at work in the Church, celebrating its faith in this divine initiative and the conviction that forgiveness and reconciliation is characteristic of the Church's life and mission.[116] These aspects suggest the emergence of some important implications from the communal nature that impact upon a clear determination concerning what the sacrament strives to bring into effect.

The new *OP* approaches the question of the effects proper to the sacrament of penance from two basic perspectives. In one of these, the subject is treated in terms of function or operation. For those burdened by a situation of grave sin, the sacrament provides a *necessary* remedy which brings repentant sinners within the healing and saving influence of Christ so that they may reclaim the life they had lost.[117] In addition, the sacrament is described as very *useful* as a means to overcome venial sins; through frequent and careful celebration, the sacrament gives strength to perfect the grace of baptism and help faithful make more visible the life of Christ at work in them.[118] A third function, though not mentioned in the *OP*, affirms a place for the sacrament in the process of initiation, where it assists in *preparing* candidates for full communion with the Church.[119]

---

[115] Alszeghy, "Reform of the Rite of Penance," p. 105; Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, p. 186 and Diekmann, "The New Rite of Penance: A Theological Evaluation," pp. 90-91.

[116] See the comments by Fink, *Alternative Futures for Worship 4: Reconciliation*, p. 86.

[117] See Örsy, *The Evolving Church and the Sacrament of Penance*, p. 144; O'Callaghan, "The Theology of Penance in the New Ordo," p. 402 and *OP* 7, p. 13.

[118] *OP* 7 and 7b, pp. 13 and 14. See Jounel, "La liturgie de la réconciliation," p. 15; Chappell, *Regular Confession: An Exercise in Sacramental Spirituality*, p. 24 and Huftier, "Du sacrement de la pénitence et de la confession," p. 189.

[119] See "Rite of Christian Initiation of Adults," 461, 464 and 482 in *The Rites of the Catholic Church*, 1, study ed., English trans. prepared by the International Commission on English in the Liturgy, Collegeville, MN, The Liturgical Press, 1990, pp. 268, 269 and 277. Mannion, "Penance and Reconciliation: A Systemic Analysis," following Fink, also notes this purpose on pp. 112-113. An

Within this functional perspective, each of the purposes listed bears as intimate connection to the communal nature expressed in the sacrament, since they are all directly concerned with a person's relationship to, participation in, and identity with their local community, its collective witness to Christ and the fundamental evangelical mission of the Church. Although the various functions are distinguishable, the communal nature of reconciliation nevertheless unifies them into a common purpose and an harmonious effect: to build up the body of Christ. Consequently, each of the functions serve to illustrate and actualise an aspect of reconciliation in a particular community of faith, revealing the richness and vitality of a ministry which to be authentically exercised must involve the gifts and touch the life of every member of that community.[120]

A second perspective on the effects of sacramental penance looks to the persons with whom sinners undertake their journey of repentance and conversion. "Since every sin is an offence against God which disrupts our friendship with him, 'the ultimate purpose of penance is that we should love God deeply and commit ourselves completely to him.' [Nevertheless, in view of the solidarity which exists between human persons, penance also] entails reconciliation with our brothers and sisters who are always harmed by our sins."[121] In relation to *God*, therefore, the sacrament of penance celebrates that profound *conversion of heart* generated by the Holy Spirit which so affects penitents from within that, becoming [more fully] part of the mystery of salvation, their lives are visibly renewed according to the values and principles of the Gospel.[122] In relation to the

---

alternative yet concordant functional understanding for the sacrament of penance in the *OP* is suggested by Hamelin, *Reconciliation in the Church*, p. 71. According to this author, in one function, "The *entire community* is invited to celebrate the gift reconciliation; in the other, certain Christians ask the Church to celebrate with them the gift of *their* reconciliation.

[120] The assumption of the various functions under the one term reconciliation has also received a negative interpretation. This view takes as its foundation the understanding that the primary aim of sacramental penance is the reconciliation of grave sinners and seems to emanate from the idea that the effect brought about by each function is radically different, leading to a possible devaluation of the sacrament and disregard towards other remedies for sin. See for example Marrevee, "The New 'Order of Penance': Is It Adequate?" pp. 126-127 and De Clerck, "Celebrating Penance or Reconciliation," pp. 319-320.

[121] This text represents a compilation of phrases taken from *OP* 5, p. 11. The relevant Latin sentences read: "Quia peccatum est offensio Deo illata, quæ amicitiam cum eo disrumpit, pænitentia «eo ad postremum spectat ut Deum adamemus eique nosmetipsos prorsus concredamus» ... et ita pænitentia semper etiam cum fratribus reconciliationem secumfert, quibus peccatum iugiter nocumentum infert." English trans. in *RP* 5, p. 13.

human family, however, the sacramental ritual can be addressed from two different points of reference.

One of these aspects concerns the *Church*. Through the ministry of priests, the Church exercises an official intervention in the process of reconciliation, the basic intent of which is to provide penitents with an *authentic guarantee* of God's pardon signified by sacramental absolution.[123] In addition, the *OP* quotes Vatican II and teaches that at the same time a reconciliation is also effected with the Church.[124] Within the context of the ritual celebration itself, this reconciliation seems a rather abstract concept, since absolution is not conditional upon penitents restoring the order they have disturbed, but either presupposes such action or directs it to be incorporated into satisfaction.[125] Given the emphasis placed on healing in the social order, this suggests that the sacrament also seeks to effect an *actual reconciliation* between penitents and those affected by their sins, especially the members of the *local community*.

According to the liturgical framework presented in the *OP*, little scope is provided participants to express sorrow and forgiveness to each other. This indicates that the sacrament of penance represents neither the main focus nor fullness of the reconciliation process, but acts as a decisive step in the direction of actual and complete reconciliation.[126] One or more meaningful celebrations can foster within penitents the

---

[122] *OP* 6, 6c and 20, pp. 12, 13 and 18. According to Hellwig, *Sign of Reconciliation and Conversion*, p. 114 "what seems to be required is that either people approach the sacrament of penance because they have already had an intensified experience of the forgiving love of God in their lives which has brought them to an awareness of sinfulness and the possibility and need of conversion, or the sacramental celebration must be such that it brings people by this route."

[123] Donovan, "The New *Ordo Pœnitentiæ*," p. 663.

[124] *OP* 4, p. 11, citing *LG* 11.

[125] *OP* 6d and 18, pp. 13 and 17. Note the parallel with the relation to God. A person having sinned against their brothers and sisters may celebrate the sacrament of penance and, manifesting true sorrow to the priest, be absolved and "reconciled" with the Church. Nevertheless, for reconciliation with the Church to be the true sign of reconciliation with God that many commentators claim, something must occur which brings peace into the reality of human life: how can genuine and effective reconciliation occur when people remain in situations of unaddressed conflict? Accordingly, the authors of the *OP* have attempted to retrieve a concrete, social aspect to sin and its forgiveness.

[126] From another perspective, some authors view this ritual deficiency in a rather negative way. Hamelin, *Reconciliation in the Church*, p. 57 for example notes that part of the conversion process is a *learning to forgive* which, as a vital element in living one's faith in Christ, must somehow be exchanged among the faithful as assembled Church in a visible manner. Alternatively Martos, *Doors to the Sacred*,

desire and need to extend the harmony and peace experienced there into the reality of daily life more deeply and effectively. Once the social sphere has been permeated with this peace, reconciliation with the community of faith, as a sign of reconciliation with God, may be properly realized in sacramental form at the celebration normative for community identity, the Eucharistic assembly. It remains, therefore, to examine the three rituals of sacramental penance, through which penitents are assisted in their journey to this ultimate expression of their reconciliation.

4.2 THE RITUALS OF RECONCILIATION

In response to the theology presented in its *prænotanda*, the new *OP* provides three sacramental rites of celebration which seek to apply this broader and enriched understanding of the ministry of reconciliation in the Church's pastoral practice. Carefully situated in a context of prayer and worship, each form offers a (similarly) structured encounter to be followed, whilst allowing for spontaneity and appropriate adaptation to local needs or in particular circumstances.[127] Aware of the increased expectations the proper conduct of these rituals demanded from penitents, presider and community, the authors of the *OP* deemed a thorough preparation, including input derived from the life experience of the laity, to be a key element for rich and fruitful celebrations of the various sacramental forms.[128] Although inclusive of the requirements set down in the teaching of Vatican II, each form could be assisted by this preparation to

---

pp. 362-363 thinks it helps render the words and gestures designed to symbolize "the Christian ideals of forgiving and being forgiven, of unity and reconciliation ... representative rather than effective ... and in this sense not adequately sacramental."

[127] A.M. Carr, "The New Rite of Penance," in *The Homiletic and Pastoral Review*, 76 (Dec. 1975), p. 71 and Donovan, "The New *Ordo Pœnitentiæ*," p. 669.

[128] *OP* 15 and 40, pp. 16-17 and 25. Authors commenting upon the *OP* noted the importance of extensive catechesis for the success of its implementation, including Crichton, *The Ministry of Reconciliation*, p. 11 and Örsy, *The Evolving Church and the Sacrament of Penance*, pp. 149-150. In connection with this aspect Nicolas, "The Sacrament of Reconciliation: Theological Considerations," p. 323 notes the real pastoral concern to make ritual meaningful in the midst of a particular *culture*. "Inculturation concerns the attempt of the people of a given community to make sense of their faith. The agent of [liturgical] celebration is the community and in any discernment process about the most appropriate forms of celebration, the community must be involved." Accordingly Martos, *Doors to the Sacred*, p. 362 predicted a future for penance "liturgically and perhaps also theologically diverse."

emphasize certain of the theological values essential to reconciliation contained within them.

4.2.1 RITE FOR INDIVIDUAL RECONCILIATION

In comparison with the ritual structure extant since the liturgical revision subsequent to the Council of Trent, the new rite for reconciliation of individual penitents intensifies the *personal value* of the sacrament by providing a celebratory, salvific encounter which engages the faith and life of priest and penitent in an atmosphere of shared prayer and fraternal love.[129] Accordingly, the rite requires a fresh approach both in style of celebration and mentality, free of formalism and reductionism and genuinely open to God's initiative and the hopes and needs of the participants.[130] Contemporary scholarship noted that despite the significant changes that had been made, if the rite "is to be effective it will be because of what we put into it, not just because the right structure has been given."[131]

A proper celebration of the rite thus required the priest to prepare by asking the Holy Spirit for enlightenment and charity and penitents to examine their lives according to the example and commandments of Jesus and praying to God for the forgiveness of their sins.[132] This would assist both presiding minister and repentant sinner to establish between them a personal and spiritual relationship sufficient to evoke the sense of a reconciling community gathered for worship.[133] The effectiveness of this preparation is underlined and extended by reading from Sacred Scripture, which draws from penitents their free and personal collaboration with the divine gifts of *metanoia* and peace the

---

[129] Dallen, *The Reconciling Community*, p. 328 explains this comparison with the aid of a helpful chart. Another comparison is offered by Sottocornola, "Il nuovo «Ordo Pænitentiæ»," pp. 70-73. See also F. Romita, "La «Caritas» e il sacramento del perdono," in *Monitor ecclesiasticus*, 99 (1974), p. 37.

[130] Donovan, "The New *Ordo Pœnitentiæ*," p. 664; Marrevee, "The New 'Order of Penance': Is It Adequate?" pp. 127-128 and see the comments of Murphy, "Sin and Reconciliation in a Time of Confusion," p. 375.

[131] Hebblethwaite and Donovan, *The Theology of Penance*, p. 105.

[132] *OP* 15, pp. 16-17. The text is adapted from the English trans. in *RP* 15, p. 19.

[133] Kennedy, "The Rite for Reconciliation of Individual Penitents: Celebration of the Church," p. 132 and see *OP* 16, p. 17.

Word reveals to them, and shows that God's pardon liberates and renews each person in the deepest and most personal way.[134]

Along with this proximate preparation, the structure and content of the rite also attempts to situate the celebration within the much broader penitential effort identified in both the individual and communal life of Christ's faithful. This approach to the *process value* reflects a desire to extend the boundaries of the sacrament into the life of individual members and presumes not only that significant change has already occurred, but also a continuation of conversion and a renewed Gospel lifestyle after the celebration.[135] Having adopted the view that the roots of sin are deep and difficult to overcome, the movement of the *OP* to integrate preparation and sacramental ritual recognizes that the character of the conversion journey is typically slow and gradual, marked by varying degrees of intensity and growth. Surprisingly, the rite for individual reconciliation offers little support for those walking this journey, other than the encouragement to celebrate it carefully and on a frequent basis.[136] Without the concerted efforts of priest and penitent, the temptation to perpetuate a mechanical and routine exercise of the sacrament remained a serious problem in the mind of many scholars.[137]

In order to consolidate the credibility and effectiveness of the rite, the sacramental dialogue between the priest and penitent must be of such quality that, as sacrifice and worship, it elicits genuine self-disclosure from the sinner and suitable counsel from the presider. This God-centred, human dialogue intends the penitent bare his or her sinfulness within the context of sincere sorrow, so that conversion may be discerned by the priest

---

[134] Provencher, "Le sacrement de la réconciliation selon l'*Ordo pœnitentiæ*," pp. 271-272 and F.G. Morrisey, "The Renewal of Sacramental Canon Law After the Second Vatican Council," in *Église et théologie*, 5 (1974), p. 357. Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, p. 177 notes that the optional character of the Scripture reading "seems inconsistent with the general instruction of the liturgical reform. This general intent to include the Word in all sacramental celebrations would suggest that such an omission should not take place without good reason, one proportionate to the value of the Word in relation to the sacrament."

[135] See *OP* 18 and 20, pp. 17 and 18 and Kennedy, "Rite for Reconciliation of Individual Penitents: Celebration of the Church," p. 134. For Dallen, *The Reconciling Community*, p. 234, "conversion is first lived out in community by the penitent, with celebration being the prayerful though private ritual reliving of what has been taking place."

[136] *OP* 7b, p. 14 further limits this advice to a remedy for venial sins.

[137] See for example Alszeghy, "Reform of the Rite of Penance," p. 105; Donovan, "The New *Ordo Pœnitentiæ*," p. 664 and Provencher, "Le sacrement de la réconciliation selon l'*Ordo pœnitentiæ*," p. 273.

and each penitent receive the support and moral leadership to which they have a right.[138] Together then, penitent and priest incarnate, in mutual surrender to God, the *ecclesial value*; in response to the penitent's offering, the priest carefully applies the dimensions of the Christian mystery of reconciliation to the life of the penitent, constructively explores with them the meaning of fidelity to the Christian vocation, and formally manifests the reality of God's pardon for reconciliation and renewal.[139]

Within this ecclesially mediated celebration of God's pardon for the repentant sinner participants in the rite, mindful of its ostensibly private and individualistic focus, must consciously engage the *communal value* in order to be permeated with the full meaning of Christ's reconciliation. Although the *OP* confirms the individual form as the means for faithful to be reconciled with God and the Church in unexceptional circumstances,[140] it is also a truth that reconciliation can never exclusively be a private affair accomplished in secret, but involves elements that are external and communal.[141] In the intimate setting of the individual rite, an encounter expressive of this value depends completely "on the personal maturity of understanding [for the sacrament] of confessor and penitent and on one or both of them deliberately drawing this dimension into the discussion, Scripture reading, prayers and imposed penance."[142] Given the teaching in the

---

[138] Marrevee, "The New 'Order of Penance': Is It Adequate?" p. 128; Dallen, *The Reconciling Community*, p. 333 and R.W. Gant, *The Divine Work of the Sacrament of Penance and the Consequent Qualities of a Good Confessor According to the Second Vatican Council*, Roma, Pontificia Studiorum Universitas a S. Thoma Aq. in Urbe, 1983, p. 122. When approached in this manner, the dialogue celebrates the lived experience of the penitent and the authentic pastoral care of the priest as the appropriate focus for the sacrament. The rite seeks to avoid presentation of such artificial "matter" as the confession of previously forgiven sins, which seems to regard the sacrament as an easy way to assuage a troubled conscience. See Provencher, "Le sacrement de la réconciliation selon l'*Ordo pœnitentiæ*," p. 271.

[139] Kennedy, "The Rite for Reconciliation of Individual Penitents: Celebration of the Church," p. 135 and Gant, *The Divine Work of the Sacrament of Penance*, pp. 116-117. Several authors conclude from this that the rite is not intended for extensive counselling or a forum for continuing spiritual direction. See for example Guzie, "Comments on the New Form of Confession," p. 210.

[140] *OP* 31, p. 21. Whilst the phrase *unicus modus ordinarius* seems to refer primarily to the *form or rite* of individual, auricular confession and absolution, the *OP*'s desire for a proper celebration of the rite means that it must also incorporate a recognition and assessment of the *pastoral situation* prevailing at a particular time and place, including appropriate consideration of the person(s) who have gathered to celebrate the sacrament, together with their spiritual and general well-being.

[141] Diekmann, "The New Rite of Penance: A Theological Evaluation," p. 87.

[142] Hellwig, *Sign of Reconciliation and Conversion*, p. 80 and see the subsequent article by the same author, "Theological Trends: Sin and Sacramental Reconciliation II," in *The Way*, 24 (1984), pp. 310-311.

new *OP* that sin and its remedy have a social aspect, those who celebrate the sacrament of penance individually must beware avoiding the responsibility of confronting pressing social concerns and maintain an awareness that reconciliation is experienced only in relation to a loving community which constantly reaches out and supports them.[143]

The *OP* proposes that all who participate in the sacrament do so in order to be directed by the Gospel and surrender their lives to the way Jesus shows them.[144] As an act of worship situated within the process of reconciliation, this individual form offers a response to both the gravely sinful and those who strive each day to deepen their faith and holiness. Although it provides for faithful cut off from Eucharistic communion (as revealed by its content), the emphasis of the rite as an unique sacramental act (according to its structure) lies with the more universal function of fostering ongoing conversion.[145] It is with this latter situation that the *Eucharistic value* is most clearly identifiable in the individual rite for reconciliation. The *OP* adopts the view that frequent celebration of the sacrament along with the regular, and consequently more fervent sharing in the Eucharistic banquet, combine to help faithful grow in Christ and conform more closely to the freedom he won for them through the paschal mystery.[146] This stress on the reciprocal perspective of the Eucharistic value does not deny the understanding that a return to full participation in the Eucharist seals the reconciliation of grave sinners and represents the primary place for their welcome back to the community, but suggests that this continues to be reflected in the individual rite in muted fashion.

4.2.2 RITE FOR SEVERAL PENITENTS WITH INDIVIDUAL RECONCILIATION

As the official endorsement of a comparatively recent change in the practice of sacramental penance, this new rite for reconciling individual penitents seeks to reveal

---

[143] Hamelin, *Reconciliation in the Church*, pp. 58 and 63.

[144] Kennedy, "The Rite for Reconciliation of Individual Penitents: Celebration of the Church," p. 136 and see *OP* 7b, p. 14.

[145] Hellwig, *Sign of Reconciliation and Conversion*, p. 80.

[146] *OP* 7b and 6d, pp. 14 and 13 respectively.

more clearly the meaning of the *communal value* of reconciliation by providing a personal experience of conversion and forgiveness within a context of common preparation and thanksgiving. In deference to contemporary experience, this form of the sacrament calls for thoughtful pastoral application to preserve the proper celebration of the individual elements and ensure due regard for the relevant principles of liturgy.[147] The ability of Christ's faithful to identify themselves as authentic local communities of faith and worship, together with extensive and careful catechesis, emerged as important requirements to safeguard the fundamental integrity and purpose of this ritual of reconciliation.

Even under the most favourable conditions, neither the provision of a framework with action and prayer undertaken in common nor the physical presence of a number of people can, in themselves, presume an expression or experience of the communal value of reconciliaton.[148] Although the assembled faithful may listen together to the word of God, engage in common prayer, and as a people praise God all together for his wonderful deeds,[149] such activities must not only be regarded as fully part of the sacramental celebration, but also unavoidably realize a genuine, tangible presence and be exercised with a mature understanding of (or at least an openness to) Christian community life and love, for this dimension of reconciliation to become a desirable and effective value in the spiritual and secular lives of the faithful.[150] In its present format, and despite some scholarly confusion concerning its interpretation,[151] the rite implies a circumstantial character to the elements celebrated in common, being "more interested in preserving the

---

[147] Several authors mention this issue, including Hellwig, *Sign of Reconciliation and Conversion*, pp. 84-85; Hamelin, *Reconciliation in the Church*, p. 81 and Nicolas, "The Sacrament of Reconciliation: Theological Considerations," p. 318.

[148] Marrevee, "The New 'Order of Penance': Is It Adequate?" p. 129.

[149] See *OP* 22, pp. 18-19.

[150] According to *OP* 25, pp. 19-20, the presider's homily provides an important means for the development of this understanding. See Crichton, *The Ministry of Reconciliation*, p. 46 and Gant, *The Divine Work of the Sacrament of Penance*, p. 145.

[151] See, for example, the contradictory statements in Hebblethwaite and Donovan, *The Theology of Penance*, pp. 101-102.

disciplinary heritage of the last centuries than in providing ways in which a communal confession and reconciliation can be authentically celebrated today."[152]

On a positive note, a celebration in which the communal elements act to provide a foundation for and focus attention on the individual encounter between priest and penitent, can strengthen the impact and integration by all assembled of the *ecclesial value* of reconciliation. As penitents show the local community their repentance and conversion, and subsequently express this reality privately to the priest, this form of sacramental penance may impress more clearly that God's pardon is communicated in and through the Church, so that it affects not only the covenant relationship of penitents with God but also with people among themselves.[153]

Nevertheless, spiritual and other benefits which flow to the faithful in response to their proper disposition and the unhurried conduct of the common preparation were practically threatened in the experience of some commentators by the not infrequent reduction of the individual and private encounter between priest and penitent to an expedited accusation of sin and the immediate grant of sacramental absolution.[154] At

---

[152] Marrevee, "The New 'Order of Penance': Is It Adequate?" p. 130. Indeed, *OP* 22 states on p. 18 that "those who will *receive the sacrament* at another time may also take part in the service." The Latin text reads: "Eandem tamen celebrationem participare possunt et alii fideles qui alio tempore ad sacramentum accedent." Donovan, "The New *Ordo Pœnitentiæ*," unconsciously supplies fuel for this line of criticism when on pp. 665-666 he speaks of the bible service as a preparation for "the sacrament" thereby confirming the unique sacramental role of the priest. As Ehiem, *Problems and Prospects*, p. 166 notes, this effectively disengages the common elements and reduces "the sacrament" to confession and absolution. Nevertheless, some balance is provided by *OP* 27 which, acting as a kind of transition, requires the community to recite a form of general confession and join in a litany or song to express confession of sins, heartfelt contrition, prayer for forgiveness, and trust in God's mercy. See Bugnini, *The Reform of the Liturgy 1948-1975*, p. 681.

[153] Dallen, *The Reconciling Community*, p. 325; Provencher, "Le sacrement de la réconciliation selon l'*Ordo pœnitentiæ*," p. 272 and Coffy, "Why a Reform of the Sacrament of Penance?" p. 263. As Provencher notes, whilst the common setting encourages awareness among penitents that they are part of a sinful Church wishing to be converted, their private confession becomes a sign to all that each member of the Church is personally responsible for sin. Thus it is fitting that the faithful acknowledge themselves as sinners in front of the community and take the first step with their brothers and sisters toward reconciliation.

[154] See for example Hellwig, *Sign of Reconciliation and Conversion*, pp. 84-85; Hamelin, *Reconciliation in the Church*, p. 81 and J.D. Finnerty, "The Role of General Absolution," in *America*, 134 (1976), p. 287. The temptation to place a time limit – or any other strictures – upon the individual part of this rite suggests the presence of an inherent grave pastoral weakness. See the comments in Crichton, *The Ministry of Reconciliation*, p. 54 and Ehiem, *Problems and Prospects*, p. 164. *OP* 22, p. 19 carefully notes, therefore that "if necessary, several priests should be available in suitable places to hear individual confessions and to reconcile the penitents." The Latin text reads: "Sacerdotes plures adsint, si oportet, qui, locis aptis, singulos fideles audire et reconciliare possint." English trans. in *RP* 22, p. 21. For a pastor's

particular risk was the unintended maintenance and approval of a formal, mechanical style in sacramental "administration" which, in the consequent absence of a true reconciling dialogue, could significantly undermine the *personal value* of reconciliation, a factor for which the post-Tridentine form of privatised confession had been widely criticized.[155] Given an appropriate pastoral context, however, in which the various parts of this form can be exercised in a calm and integral manner, the personal and other theological values of reconciliation identified in the individual rite, augmented by common participation in certain elements of the sacrament, might advance a deeper understanding and more meaningful celebrations of God's reconciling action in the hearts and daily lives of all the faithful.

4.2.3 RITE FOR SEVERAL PENITENTS WITH GENERAL CONFESSION AND ABSOLUTION

The revised norms for granting sacramental absolution to many at one and the same time previously published by the SCDF required that this absolution should always be understood in the context of full sacramental celebration and not imparted without the exercise of the special ritual integral to its meaning drawn up by the Sacred Congregation for Divine Worship and subsequently included as an approved form of reconciliation in the new *OP*.[156] In making room for a rite with general confession and absolution, these official organs of the Church sanctioned a place for this sacramental form when or where grave necessity had, together with serious discernment and consultation, sufficiently established the appropriateness of its use in the liturgical worship of a group or community. The opinion was also held by certain members of the committee immediately

---

experience, see J.R. Gilbert, "The Reconciliation Service: A Reflection on Pastoral Experience as a Theological Source," in *Worship*, 59 (1985), p. 61.

[155] Hamelin, *Reconciliation in the Church*, p. 81; Tegels, "The New Order, or Rite, of Penance," p. 244 and Hellwig, *Sign of Reconciliation and Conversion*, p. 85. This risk was not lessened by the continued use of such language in the *OP* (again reflective of the difficulty in integrating differing theologies) which promoted the sacrament of penance as some*thing* to be obtained as opposed to its alternate presentation within the framework of an event to be celebrated.

[156] Norm X, and see also A.M. Carr, "General Absolution," in *The Homiletic and Pastoral Review*, 77 (Apr. 1977), p. 73.

responsible for the *OP* that this "most innovative" of sacramental forms could tolerate wider and more frequent application, since it recognized and affirmed the developing spiritual maturity of the faithful and increasing pluriformity within the Church.[157] This step in maximizing the extent of the Church's ability to intervene officially in the conversion journey of the faithful, fuelled by the principles of subsidiarity and inclusion, caused the rite of general absolution to highlight the *ecclesial value* of reconciliation.[158]

Given that the purpose of sacramental penance is to celebrate the liberation of repentant members from the power of sin through the paschal mystery of Christ, enabling them to take up again or assume more fully their Christian vocation with renewed strength of purpose and share in the Eucharist as the seal (or deepening) of their reconciliation, this form empowered those responsible for moderating penitential discipline in local Churches with valid and licit means to both actualise this gesture of Christ living and acting within the community under conditions in which it would otherwise be impossible, and stimulate and encourage among the faithful a willingness to understand and seek the grace and peace of reconciliation with God and their brothers and sisters.[159] Accordingly, the *OP* invested each diocesan bishop with the competence to explore, in consultation with other members of the conference of bishops, all the pastoral possibilities faithful application of the regulations allowed.[160] This suggested that the careful ordering of this form – essential if the indiscriminate use of the rite or the danger

---

[157] See Donovan, "The New *Ordo Pœnitentiæ*," pp. 667-668. This also seems to be the opinion of Sottocornola. Along with these committee members, D. Tettamanzi also inclined toward general absolution when, in estimating the pastoral opportunities, it could elicit a true conversion of heart. (The reader is referred to p. 238 of this dissertation for discussion on this issue). See Ehiem, *Problems and Prospects*, pp. 168-170 for an appraisal of their reflections. These thoughts were reiterated by contemporary commentators such as A. Tegels, "General Absolution," in *Worship*, 48 (1974), pp. 550-551 and A.M. Carr, "About General Absolution," in *The Homiletic and Pastoral Review*, 75 (Aug.-Sept. 1975), p. 85. For an opposing view, see Marrevee, "The New 'Order of Penance': Is It Adequate?" pp. 130-132.

[158] Carr, "General Absolution," p. 71 notes the principle of subsidiarity.

[159] See the comments in Crichton, *The Ministry of Reconciliation*, p. 64; Provencher, "Le sacrement de la réconciliation selon l'*Ordo pœnitentiæ*," p. 272 and F.R. McManus, "Communal Reconciliation Without Individual Confession," in Kiefer and McManus (eds). *Understanding the Document*, p. 124.

[160] *OP* 32 and see Donovan, "The New *Ordo Pœnitentiæ*," pp. 667-668. According to this author, *OP* 31 retained the "studiously vague" construction of the Pastoral Norms. He regarded as "perfectly within their competence" the decision of some Canadian bishops who permitted, following an initial experiment in Montréal only the previous Advent, a trial use of general absolution in all their schools and parishes during Lent 1973.

of automatism was to be avoided – should be undertaken for the authentic and effective celebration of the sacrament, but with the primary consideration both the spiritual welfare and growth of the faithful and the conciliar desire for a deep and pervasive sacramental renewal.[161]

A fundamental element in this projection of the Church's power and ability of intervention was the obligation that those absolved in a general manner make subsequent individual, private accusation of grave sins to a priest.[162] Since the precept binding faithful to annual confession of grave sins referred exclusively to their submission by a private, auricular method, participation of penitents in the rite of general absolution did not free them from satisfying this requirement.[163] Liturgical celebration of penance according to the third rite effectively actualises for penitents the Church's ministry of reconciliation, since any grave sinfulness thereby remitted and then submitted in an auricular manner to a priest in terms of the obligation is not subject to absolution in that subsequent celebration of the individual rite.[164] Nevertheless, even though no explanation or justification is offered for its inclusion,[165] this residual obligation may reflect, given

---

[161] See Ehiem, *Problems and Prospects*, p. 169 (quoting Tettamanzi); Donovan "The New *Ordo Pœnitentiæ*," p. 668 and McManus, "Communal Reconciliation Without Individual Confession," pp. 122 and 125. The reader may refer to section 3.1.3 of this dissertation, which explains the emphasis in Vatican II on each sacrament clearly expressing the ecclesial value in liturgical celebration. From another perspective Marrevee, "The New 'Order of Penance': Is It Adequate?" opines on pp. 131-132 that a too liberal application of general absolution "has all the earmarks of covering up the inherent deficiencies of the document. Naturally, one can juggle and stretch the conditions ... but that is not a very respectable solution when it is realized that one is dealing with the Church's ministry of reconciliation." His conclusion is for the Church to acknowledge general absolution as "another normal way" by which this ministry is actualised.

[162] *OP* 34 repeats verbatim norm VII of the 1972 Pastoral Norms, with the exception that the verb *debeo* is substituted for *teneo*. The obligation was to be satisfied prior to another celebration of general absolution unless prevented by a just reason, and strictly within a year unless morally impossible.

[163] McManus, "Communal Reconciliation Without Individual Confession," p. 122.

[164] This suggests that any opinion which considers general absolution exhibiting some radical change in the structure of the sacrament (such as the order in which the acts of the penitent are exercised) or that the deferral of auricular confession of grave sin somehow makes the personal accusation of the penitent secondary in character is erroneous. See for example Sottocornola, "Les nouveaux rites de la pénitence: commentaire," p. 112 and later summarized in Dallen, *The Reconciling Community*, p. 233. See also the comment of Bugnini, *The Reform of the Liturgy 1948-1975*, p. 681.

[165] Donovan, "The New *Ordo Pœnitentiæ*," p. 667. As Provencher, "Le sacrement de la réconciliation selon l'*Ordo pœnitentiæ*," notes on p. 272, the obligation thus seems "quite formalistic and still based on the juridic conception of the sacrament."

the theology on which the *OP* is based, both the *Church's* responsibility to freely and abundantly provide for the needs of all the members from the spiritual treasures entrusted to it by Christ Jesus, and the *penitents'* responsibility and maturity to continue conversion and seek suitable support and guidance.[166]

The retention of this residual obligation raised the question for scholars, given this effort to stretch out and touch the faithful of every place and need with the ministry of reconciliation, whether true conversion of heart could be realized in a celebration of the sacrament with a general confession and common absolution. Although subject at a superficial level to the charge of diminished authenticity through omission of the revelatory dialogue between penitent and priest,[167] the clear and powerful expression of the theological value of reconciliation through which this conversion is essentially actualised – the *personal value* – seems sufficiently preserved in this form of penance.

First of all the public act, in which penitents make self-accusation together of their sinfulness, is at the same time their deeply personal encounter with God and the Church made present and visible in the local community gathered for worship, which enables each one to offer a sincere and trusting manifestation of that interior *metanoia* already at work in their hearts, in the midst and with the help of their assembled brothers and sisters. This is made evident by penitents' solidarity in attending the celebration and active participation through word, gesture and sign which concretely reveals their desire to be reconciled with God and each other.[168] As in other forms of sacramental penance, the

---

[166] Dallen, *The Reconciling Community*, p. 324 and Nicolas, "The Sacrament of Reconciliation: Theological Considerations," pp. 318-319. Care must be taken, however, lest the obligation create unnecessary burdens which might undermine the joy of experiencing God's unconditional forgiveness and liberation from sin. A strictly theological alternative to this pastorally oriented justification is discussed by D. Tettamanzi, *Riconciliazione e penitenza: prospettive pastorali*, Roma, Edizioni Piemme, 1983, pp. 119-120.

[167] This point is noted by McManus, "Communal Reconciliation Without Individual Confession," p. 120 and Crichton, *The Ministry of Reconciliation*, p. 64.

[168] The elements are listed in *OP* 35b, p. 22. Tegels, "The New Order, or Rite, of Penance," p. 245 queries the value of a special gesture, since it may serve to unnecessarily mark out certain members of the congregation. On the other hand Marrevee, "The New 'Order of Penance': Is It Adequate?" remarks on p. 127 that the desire not to "isolate" various individuals should not compromise the need for the minister to make an authentic evaluation of the conversion present and realized in the celebration. From another perspective, this realization of the personal value has the advantage of underlining the sacramental emphasis on conversion and reconciliation rather than confession and absolution. This shift not only strengthens the sacrament as a sign of salvation, but also enables the community assembled as Church to radically assume its sacramental role of personal concern for the welfare of others and the living proof that,

conversion made known is a stage in the Christian life-journey of reform, renewal and growth in holiness, which must be complemented and deepened by ongoing penitence exercised in both the individual and communal dimensions.[169] Consequently, the disposition of penitents required for the validity of reconciliation involving the private, auricular mode is carefully maintained in the third rite, albeit with a modified form of input and the additional intention to confess any grave sinfulness in due course.[170]

The effective realization of true conversion of heart also depends on a second fundamental aspect of the personal value; namely, the knowledge and loving response of the presiding minister. As leader of a community's worship, he must interpret the word of God proclaimed in the assembly to challenge and enliven each one with a profound sense and understanding of sin and repentance, so that in the general confession he may recognize and accept the conversion enunciated as a sincere expression of faith in God's merciful love.[171] This solemn ministerial act is founded on the shape and depth given the liturgical celebration itself: the choice of biblical texts, focus and quality of the homily, suggested content and themes for the examination of conscience, and proposals for penances suitable for the congregation, must be carefully interwoven to assist the presider discern the need of conversion in that community; its lifestyle, priorities and values, interaction among members and relationships with others, including larger social structures.[172] This may also serve to explain catechetical and formative possibilities provided by the rite, along with its use as a bridge to those alienated from the Church.[173]

---

in Christ, sin has been overcome. See Hamelin, *Reconciliation in the Church*, p. 72 and Martos, *Doors to the Sacred*, p. 363.

[169] See Hamelin, *Reconciliation in the Church*, p. 85. According to Dallen, *The Reconciling Community*, p. 324, this form thus makes paramount the central orientation of the new *OP*: mature, continuing conversion and reconciliation with God and the community.

[170] Evident from a comparison of *OP* 33 and 35a with *OP* 18, and see Crichton, *The Ministry of Reconciliation*, p. 58; McManus, "Communal Reconciliation Without Individual Confession," p. 120 and Sottocornola, "Il nuovo «Ordo Pænitentiæ»," p. 78.

[171] Crichton, *The Ministry of Reconciliation*, pp. 62-63; Nicolas, "The Sacrament of Reconciliation: Theological Considerations," p. 319 and Dallen, *The Reconciling Community*, p. 340.

[172] See Hellwig, *Sign of Reconciliation and Conversion*, pp. 81-82. Emergency circumstances aside, a celebration of general absolution which generates credibility and fruitfulness among the participants requires extensive preparation of the community and liturgical planning. Assuming that in many instances of a more or less permanent situation of grave necessity the priest may visit on infrequent or even rare

The integrated and coherent structure of the third rite completes the aspects permitting discernment of heartfelt conversion in the process that leads to reconciliation. Just as the rite for individual penitents combines the relevant elements of this process into an interconnected framework by which the sacrament as a whole is celebrated, the strictly communal liturgy of general confession and absolution gathers the features of sacramental penance into a similarly sound and pastorally commendable liturgical form, which can effectively engage the personal conversion of each participant with the mystery of God's reconciling love. In doing so, it may enhance the penitent's experience, without undue emphasis, of the *communal value* of reconciliation. For example, the common action prescribed in the rite climaxes with the Lord's prayer, whose compulsory recitation "in connection with the confession of sin ... brings into focus the ministry of mutual forgiveness of all Christians through which the compassion of the Father expressed in Christ and the Spirit becomes actual and tangible in people's lives."[174] Greater advantage of this mutuality is lost in the opinion of some scholars, however, with the omission of any sign or interaction in the liturgy to inculcate either a sense of the need for reconciliation *between* members of the community, or visibly express the reconciliation already effected in daily life and brought to the assembly for celebration.[175]

---

occasions, he must depend upon input from members of the community to actualise the ministry of reconciliation in an appropriate manner, a factor which is wisely acknowledged in *OP* 40b.

[173] Crichton, *The Ministry of Reconciliation*, p. 64 reflects the contemporary discussion on these points, as does Hellwig, *Sign of Reconciliation and Conversion*, p. 82. Several cases of general absolution employed as a deliberate outreach to alienated Catholics have been documented and will be discussed in chapter five.

[174] Hellwig, *Sign of Reconciliation and Conversion*, p. 81. Surprisingly, the longer, Trinitarian form of absolution provided at *OP* 62, p. 41 mentions neither the penitents' reconciliation with the Church nor any ministry of the community.

[175] See the relevant comments on p. 226 of this dissertation and the thoughtful critique of Mannion, "Penance and Reconciliation: A Systemic Analysis," pp. 117-118. The *OP* also leaves untapped the possibility of a *community* seeking reconciliation in reference to collective or social sinfulness to which many have contributed but for which no one person can be singled out. According to Marrevee, "The New 'Order of Penance': Is It Adequate?" p. 133, "this is a circumstance where we could really implement a communal concept of reconciliation." For a negative assessment of this idea, see Tettamanzi, *Riconciliazione e penitenza: prospettive pastorali*, pp. 123-124. Conversely Fink, *Alternative Futures for Worship 4: Reconciliation*, p. 86, suggests that since each liturgical ritual of reconciliation imagines sin in the same way, the only real question which may be put to them is how well they respond to the personal experience of sin and the personal need which that involves. He concludes that "radically different forms of the sacrament would have to be developed if these other needs for reconciliation, namely, between persons and between groups, are to be served by this reconciling action of the Church."

These limitations tend to thwart arguments for a mix of celebration, in the sense of a complementary use of the alternative rituals available, to provide a "total experience" of reconciliation or to promote the *process value* essential to the sacrament.[176] The radical alternative – driving a wedge between rites with individual, auricular confession and the strictly communal form – implied a meaning and utility of general absolution which seriously threatened its integrity as an effective sacramental ritual."[177] A reasonable assessment of the Church's intention for the third rite required input derived from an examination of the Pastoral Norms previously issued in 1972 within the broader reference of the theology of reconciliation and liturgical structures presented in the *OP*.

4.3 THE *ORDO PÆNITENTIÆ* AND THE PASTORAL NORMS

Substantial textual conformity between the parallel passages setting out the discipline of general absolution in these two documents indicated that the understanding then prevalent, inclusive of any change in official Church teaching relevant to the theory or pastoral application of this form of sacramental penance may be explored, having regard for its cumulative tradition of expression and interpretation, with reference to the context into which it had been placed, and any statements or directives added for enrichment and clarification. Whilst the 1972 Pastoral Norms provided a thorough, albeit concise and at times unclear table of laws, this document, although remaining extant, and in effect strongly influential upon the *OP*, could not be regarded as the primary doctrinal statement in either content or in purpose.[178] This role devolved to the new *OP* which, as the mature and more complete product of the sacramental revision process, arguably presented in its synthetically constructed *prænotanda* a context able to sustain inquiry

---

[176] Tegels, "General Absolution," p. 552; Dallen, *The Reconciling Community*, p. 230 and Ehiem, *Problems and Prospects*, p. 175 note the first suggestion; Hamelin, *Reconciliation in the Church*, p. 85 and A. Kirk, "Reconciliation in Memphis: A Diocese Prepared," in *America*, 136 (1977), pp. 146-147, advocate the second.

[177] See, for example, the opinion in Dooley, "Communal Absolution and Confessional Rooms," p. 431. There is also a thoughtful discussion on these issues in M. Desdouits, "Problèmes de l'absolution collective," in *Esprit et vie*, 86 (1976), p. 165.

[178] Smith, "General Sacramental Absolution," p. 262; Marrevee, "The New 'Order of Penance': Is It Adequate?" pp. 132-136; M. Desdouits, "Problèmes de l'absolution collective," p. 162 and Osborne, *Reconciliation and Justification*, p. 230.

and even further evolution in certain theological teachings and provisions of law, that at the time fuelled continued official reluctance to implement general absolution more widely.[179] Indeed, the confluence of Tridentine doctrine and the relevant Pastoral Norms mandating celebration of integral, individual confession in unexceptional circumstances and the judicial nature of the sacrament with the postconciliar theological context offered by the *OP* contributed to the ambiguity already identified in the existing regulations.[180]

The basic conditions set for general absolution in the 1972 Pastoral Norms both affirmed and assisted the needs of the faithful in a variety of places and circumstances, but the document did not entirely succeed in its officially intended moderating role for this aspect of pastoral ministry.[181] Once its predominantly quantitative, reactive and cautious approach met the more positive, stable albeit reserved context of the *OP* centred on a well-structured, sober liturgy, the principle of subsidiarity carried over and enshrined in the *OP* "brought about results that in appearance not even the promoters of the reform had anticipated."[182] Not only did this stem from such liberal interpretation of the conditions *per se* and extended applications based on their supposedly exemplary character,[183] but also, and perhaps more significantly, in recognition of the demands –

---

[179] Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, p. 179; Desdouits, "Problèmes de l'absolution collective," p. 162 and Hellwig, *Sign of Reconciliation and Conversion*, p. 83. Donovan, "The New *Ordo Pœnitentiæ*," p. 669, a member of the second revision committee, also makes the interesting observation that "it would be surprising if publication [of the new *OP*] did not give fresh impetus to the debate between the respective pastoral merits of the second and third forms of the sacrament, and also of the non-sacramental Services of Penance."

[180] This thought is based on comments made by Desdouits, "Problèmes de l'absolution collective," p. 163 and Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, p. 179.

[181] Hamelin, *Reconciliation in the Chuch*, p. 82 and Schlick and Stalter, "La pluralité de la pratique pénitentielle face à la législation canonique," p. 236. The latter authors suggest this occurred because the Norms "required a catechetical formation of long duration and a meaning to the necessary ministerial intermediary of the Church."

[182] Werckmeister, "L'absolution collective: évolution de la pratique en France," p. 293. Schlick and Stalter, "La pluralité de la pratique pénitentielle face à la législation canonique," comment on p. 232 that "the practice of communal forms of the sacrament of penance [here specifically general absolution] experienced an enthusiastic renewal in some regions and more especially in entire areas where a great number of participants could be counted upon."

[183] In addition to the example cited by Kirk, "Reconciliation in Memphis: A Diocese Prepared," pp. 146-148, see also Newns, "General Absolution: Tradition and Recent Trends," pp. 67-68 for an interesting account of the developments in England and Wales in 1976. These examples, along with some later incidents, are also noted by Dooley, "Communal Absolution and Confessional Rooms," p. 429. A particular case involving a religious community is analysed by Desdouits, "Problèmes de l'absolution

prayerful, sincere preparation, plus the time and effort invested in the celebration, by penitent *and* priest – apparent from the proper (and frequent, as the *OP* recommended) conduct of those liturgical rites inclusive of integral, individual and auricular confession.[184]

Interaction between the conditions for a valid and licit celebration of general confession and absolution and this factor of pastoral temperance tended to muddy the issues and possibilities concerned with the scope and depth of diocesan bishops' power to discern concrete situations present or anticipated in their local Churches for the third form of reconciliation.[185] A startling revelation of this confusion was the action of certain bishops in celebrating a rite of general absolution integrated with Mass which, under the co-currency of the documents, qualified as a grave abuse of the sacrament.[186] The complexity of this matter was also generated by the more nuanced language of the *OP* regarding the nature and meaning of integral confession: the salvific and relational

---

collective," p. 165. Örsy, *The Evolving Church and the Sacrament of Penance*, p. 146 along with Hebblethwaite and Donovan, *The Theology of Penance*, p. 103 perpetuated the theoretical strand suggesting a non-taxative quality for the conditions listed in the Pastoral Norms and repeated in the *OP*.

[184] McManus, "Communal Reconciliation Without Individual Confession," p. 116 and Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, pp. 182-183. "Likewise," adds the latter author, "the emphasis given personal dialogue in the Rite of Penance suggests that the almost mechanical confessions which were generally regarded as sufficient in communal celebrations in recent years can no longer be regarded as proper. It would thus seem that ... the requisite conditions [for general absolution] can be more frequently verified than was the case with the Pastoral Norms.

[185] See for example the comments by Hamelin, *Reconciliation in the Church*, pp. 83-84; Örsy, *The Evolving Church and the Sacrament of Penance*, p. 147 and McManus, "Communal Reconciliation Without Individual Confession," pp. 116-117.

[186] Dooley, "Communal Absolution and Confessional Rooms," p. 429 and norm X. Various suggestions for incorporating general absolution into the celebration of Mass had been made by Crichton, *The Ministry of Reconciliation*, pp. 65-66. The *OP*, however, did not specifically mention this restriction, nor the requirement of norm XI that penitents absolved by common formula not present themselves at the Eucharist before correcting damage or scandal under advice from a confessor. In conformity with the requirement for a subsequent individual, auricular confession of grave sin, *OP* 33, pp. 21-22 mentions only the *intention* to repair any scandal or harm as necessary for penitents' proper disposition at the time of celebrating general absolution. See Newns, "General Absolution: Tradition and Recent Trends," p. 67 and McManus, "Communal Reconciliation Without Individual Confession," p. 124. Although unsure about the nature of these omissions Newns, basing his opinion on Tridentine teaching, does note on p. 68 that this action of the bishops recalled a major element of the *Eucharistic value* of reconciliation since it recognized that the sacrament of penance "is only complete with communion."

perspective for the obligation,[187] the lesser concern with specificity and at the same time a sharper focus on the centrality of *metanoia*,[188] and the Church's fundamental desire to meet the needs of, and thoroughly enrich, the spiritual lives of all the faithful.[189] Nevertheless, with regard to situations of grave sinfulness, opinion among commentators converged on the conclusion that the celebration of general sacramental absolution was effectively limited by the presumption that the Council of Trent had firmly determined the way by which the Church could actualise its ministry of reconciliation in unexceptional circumstances.[190] Given the controversy and confusion surrounding the genesis and initial development of modern general absolution, this new model of reconciliation continued to attract experimentation and reflection as the process of refinement in its doctrinal, pastoral and canonical aspects intensified.

CONCLUSION

Identifying the radically penitential character inherent to the life of Christian faithful who, freely called by God and incorporated into the paschal mystery strive with the divine gift of *metanoia* to become more like Christ Jesus in every way, the new *OP*

---

[187] In the mind of Fleming, *The Second Vatican Council's Teaching on the Sacrament of Penance*, pp. 181-182, the use of the phrase *iuxta misericordiæ Dei dispositionem* for *iure divino* and the word *debet* instead of *necessarium* provided evidence of a significant "dejudicizing" trend in the *OP* when compared to the Tridentine-influenced Pastoral Norms.

[188] Tegels, "The New Order, or Rite, of Penance," pp. 244-245 and again in "General Absolution," pp.550-551. In the second article, the author suggests that the importance of sacramental grace may lead to a choice "between rather hurried individual confessions, thus undermining the integrity of that form of reconciliation, or regular communal celebrations with general absolution." McManus, "Communal Reconciliation Without Individual Confession," pp. 116-117 and Tettamanzi – from the aspect of true conversion – (as quoted in Ehiem, *Problems and Prospects*, p. 170), support this conclusion. Alternatively Desdouits, "Problèmes de l'absolution collective," in footnote 5 on pp. 162-163, discusses the suggestion that an individual, integral confession may suffice from time to time and not necessarily pertain to each celebration of the sacrament, resulting in a much wider exposure to general absolution.

[189] Ehiem, *Problems and Prospects*, p. 175 mentions the possible motivation that general absolution could attract most of the faithful to make gainful use of the sacrament.

[190] See for example Hellwig, *Sign of Reconciliation and Conversion*, p. 82 and Marrevee, "The New 'Order of Penance': Is It Adequate?" p. 134. According to Gallagher, "New Life for a 'Great Sacrament'," p. 201, therein lay the seeds from which the fourth theological crisis of reconciliation had grown, resulting in the contemporary pastoral reality of many faithful abandoning regular practice of the individual rites of the sacrament.

offered an intelligible and dynamic presentation of the Father's reconciliation with the world of humankind and the sacrament by which men and women, docile to the voice of the Spirit, celebrate this unique and completely effective event as it progressively impacts upon their personal journey in the community of faith. Despite the internal tension which inevitably resulted from their attempt to integrate biblical and contemporary understandings of reconciliation with a medieval and Counter-Reformation concept of forgiveness,[191] the intention of those responsible for this new liturgical ritual was clear nonetheless: to place sacramental penance deeply within the broader imperative of a sincere and lasting conversion of one's whole life and comprehend its celebration as an act of worship after the perfect offering of Christ that was fundamentally communal in nature.

This dynamic approach to reconciliation caused the new *OP* to evoke certain consequences in the lives of the faithful; namely, the need to know and love Christ and come to realize the true significance of his mission, to accept the Church as a penitent community sacramental of God's power to save and to build up humanity in solidarity and peace, and to embrace the core sacramental concept of sacrifice by which the paschal mystery offers both meaning and challenge to present human experience. Among possible applications specific to the sacrament of penance, these consequences could develop, respectively, a more critical and extensive understanding of and response to sin within the context of the covenant community established by Christ, a deeper comprehension of the mutual accompaniment by which the community experiences and is perfected in God's justifying grace, and a more deliberate bilateral connection of the reconciliation celebrated in faith and worship with and its fuller actuation in the world of daily life and relationships.

Consciously imbued with the character and elements of liturgical prayer, the three sacramental rites presented in the new *OP* each embodied and variously manifested the five theological values considered essential to the ministry of reconciliation. Although exhibiting some improvements and strengths in structure and content, the theory of reconciliation these rites were intended to apply, together with certain identifiable

---

[191] Dallen, "Recent Documents on Penance and Reconciliation," p. 108.

limitations, demanded at least a thorough and well-founded catechesis upon which their mature and effective reception into the life of the Church might be firmly grounded.

As a sacramental encounter with the risen Lord, the proper exercise of the three rituals duly reveal ecclesial, communal and personal values of reconciliation, the presence and meaning of each carefully justified by their ability to reflect particular aspects – incarnational, ministerial and sacrificial – of the paschal mystery. Nevertheless, there was among scholars "deep concern these rites do not attend to the process of reconciliation, which by definition takes place over time."[192] In order to be credible and effective experiences of God's mercy, the rites which sacramentally enact the reconciliation of sinful members must respect and actuate this value, since it reflects the aspect which unites the entire mystery of Christ. An exercise of the rites authentically expressing this dimension of Christian life also reveals a more complete perspective of the Eucharistic value which, reflective of Christ's glorification, both strengthens and seals the journey of repentance and conversion with the superabundance of God's reconciling love.

The inclusion of a rite specifically designed for the celebration of general confession and absolution marked a further step in the Church's official pastoral response within the ministry of reconciliation. Intended to meet situations of grave necessity and reserved to the care of the diocesan bishop, this well-structured liturgy provided adequate means to arouse a deep and true conversion among the participants although, as prayer and worship, the rite suffered from the lack of one or more actions symbolic of the reconciliation effected with God and the Church.[193] The appearance of the new *OP* as the primary theological and liturgical statement for the sacrament of penance also cast a shadow upon the role and force of the 1972 Pastoral Norms, which reinforced the ambiguity already associated with interpreting the conditions necessary for general absolution and the extent of the power which belonged to those responsible for the discernment of their presence in the local community.

---

[192] Foley, "Communal Rites of Penance: Insights and Options," p. 149 and see the interesting comments in Kennedy, "The Rite for Reconciliation of Individual Penitents: Celebration of the Church," p.134.

[193] Unlike the first and second rites, which include the laying on of hands. See also the comments of Foley, "Communal Rites of Penance: Insights and Options," p. 149, who compares the actions of taking, blessing, breaking and giving the sacred species in the Eucharistic celebration.

CHAPTER 5: TEN YEARS OF DEVELOPMENT AND CONTROVERSY, FROM THE *ORDO PÆNITENTIÆ* UNTIL THE 1983 SYNOD OF BISHOPS

"If pastoral imagination is more necessary than ever, simply to take refuge in general absolution apart from the extraordinary cases described in the law is not pastoral imagination but a complete absence of it."[1] This statement from the prefect of the SCDF admitted in a succinct yet bold manner the assessment of the Church's central doctrinal authority that the crisis affecting the understanding and practice of sacramental penance was inviting fresh and creative responses which at the same time faithfully realized the perspectives opened by work already begun and confirmed in contemporary legislation and official documents.

The strict interpretation of the norms regulating general absolution that informed this assertion represented the culmination of a decade-long process in which controverted theological issues interacted with careful, comprehensive evaluation of extant instructions and canonical norms, along with pastoral initiatives in various local Churches. The materials comprising this chapter provide an examination of developments which emerged during the defined period, the first part built up on a framework that diachronically unfolds, with particular reference to papal teaching, the revision of the Code of Canon Law, and the second part an analysis of the preparatory documents, formal deliberations, conclusions and final messages of the sixth triennial general assembly of the Synod of Bishops concerning reconciliation and penance in the mission of the Church.[2]

---

[1] Cardinal J. Ratzinger, Intervention to the 1983 Synod of Bishops, 6 October 1983, published under the title "Les normes pastorales du sacrement de pénitence," in Synode des évêques, *La pénitence et la réconciliation dans la mission de l'Église*, Paris, Éditions du centurion, 1984, p. 181.

[2] The postsynodal apostolic exhortation of Pope John Paul II *Reconciliatio et pœnitentia* dated 2 December 1984 and released in English trans. by the Vatican on 11 December will not be included in this chapter. Considered somewhat removed both in time and in tone from the 1983 Synod of Bishops, the exhortation will be employed in the form of a commentary on the canons of the 1983 Code examined in the sixth chapter of this dissertation. For this understanding of the relationship between the document and the Synod, see C. Dooley, "The 1983 Synod of Bishops and the 'Crisis of Confession'," in *Concilium*, no. 190 (1987), p. 17 and J. Dallen, "Reconciliatio et pœnitentia: The Postsynodal Apostolic Exhortation," in *Worship*, 59 (1985), pp. 98-100.

5.1 PREPARATION OF THE NEW *CODEX IURIS CANONICI*

"Throughout the course of time, the Church, as custodian of the sacraments, has decreed and legislated norms for their proper celebration and reception. The time has now come, once again, to re-examine this inheritance left by Christ to see how the Church ... can make this sector of our faith an ever greater sign of Christ's presence in the world of today."[3] A Pontifical Commission established by Pope John XXIII on 28 March 1963 undertook this task as part of its overall mandate to study and revise, "under the inspiration of the teachings and principles adopted by the Second Vatican Council [and faithful to] the content of the postconciliar legislation in sacramental law," the Code of Canon Law which had been in effect since 1918.[4] Accordingly, on 2 February 1975 this Commission sent its proposed schema to conferences of bishops and others involved in the consultation process for their examination and subsequent submission of reports and suggestions.[5]

Within this schema, norms for the sacrament of penance were placed under Title IV and included, in addition to an introductory canon, a new order of chapters beginning

---

[3] F.G. Morrisey, *The Revision of Sacramental Canon Law According to the Schema "Sacramentorum celebratio"*, Ottawa, Saint Paul University, 1975, p. 1.

[4] Ibid., pp. 2 and 3. In addition to the fundamental directives given by Pope Paul VI that the new Code must be faithful to the Gospel and the orientations of Vatican II, the Commission adopted a set of ten principles to govern the overall work of revision. These principles were approved by the Synod of Bishops at its general assembly in October 1967. For a full account of the principles and surrounding discussion, see *Communicationes*, 1 (1969), pp. 55-56 and 77-100. Of particular note for the material examined in this chapter are those concerned with the pastoral nature of the Code, the principle of subsidiarity, and the safeguarding of personal rights. According to T.J. Green, "The Revision of Sacramental Law: Perspectives on the Sacraments other than Marriage," in *Studia canonica*, 11 (1977), p. 263, the work was divided between two different subcommissions, one devoted to the law of marriage and a second to the other sacraments. A list of the original members of these subcommissions is provided in *Communicationes*, 1 (1969), pp. 32-33. After several years of work, the two groups met together from 8-12 January 1974 to prepare a combined schema of canons as the basis for a wider process of consultation and comment.

[5] The text of the schema may be found in Pontificia Commissio Codici Iuris Canonici Recognoscendo, *Schema documenti pontificii quo disciplina canonica de sacramentis recognoscitur (=1975 Schema)*, Typis polyglottis Vaticanis, 1975. English trans. in Pontifical Commission for the Code of Canon Law, *Schema on the Sacraments*, [n.p.], 1975. See also Schlick and Stalter, "La pluralité de la pratique pénitentielle face à la législation canonique," p. 236. Green, "The Revision of Sacramental Law," provides details of some reports on p. 263.

with sacramental absolution, extending to the minister and subject of the sacrament, and concluding with indulgences.[6] In marked similarity with the recently published *OP*, those responsible for drafting the canons incorporated into the first of these chapters certain of the norms promulgated in 1972 by the SCDF for the reconciliation of several penitents with general confession and absolution that, together with the introductory canon (intended as a "theological preamble" to the whole title), provided means whereby the new Code might effectively recognize, regulate and safeguard this form of sacramental penance.[7]

5.1.1 *SCHEMA DE SACRAMENTIS, TITULUS* IV, 1975

In the course of a general audience Pope Paul VI, speaking in terms of the contemporary liturgical reform, placed two earnest recommendations before the faithful. The first, to all, was "to give and restore ... to the sacrament of penance the vital function it has in the Christian life; [the second, that priests] esteem the practice, patience and the art of the care of souls, characteristic of this ministry."[8] These aspects, which emerged as constant and frequently recalled themes of papal teaching as the decade under review progressed, were placed by the Pope in a context structured with various elements fundamental to the *OP* and the Church's ministry of reconciliation.[9] A central feature of

---

[6] *1975 Schema*, pp. 46-55 and *Schema on the Sacraments*, pp. 38-52. See also the summary in *Communicationes*, 7 (1975), pp. 34-35.

[7] See *Communicationes*, 7 (1975), p. 34. With the exception of this introductory theological text, all the canons considered in this chapter of the dissertation may be found, along with their corresponding numbers in the later schemas and the new Code as promulgated, set out in the form of a helpful chart by J.T. Martín de Agar, "La celebración del sacramento de la penitencia: aspectos canónicos," in *Revista española de derecho canónico*, 48 (1991), pp. 13-14.

[8] Pope Paul VI, Address, 3 April 1974, in *Insegnamenti di Paolo VI*, XII (1974), p. 312. English trans. in *The Teachings of Pope Paul VI*, 7 (1974), pp. 43-44. Calling to mind the two principal purposes for sacramental penance, the Pope added that "there is no redemption in practice from human frailty [and] no real vocation to following Christ, and spiritual perfection, which is not derived from the strict and wise reception of this sacrament."

[9] Serving the enrichment of the faithful in their ecclesial conscience, these elements included the essential and vital relationship of each one with God and the community, the basic freedom attributed to every person in choosing their life's direction which, when lived towards God, represents an acceptance and concrete expression of the gift of conversion or *metanoia*, an understanding that the sin of individual members possesses both personal and social dimensions so that the sacrament celebrates at the same time

this context was an appreciation for the three forms of reconciliation and their particular merits: the first (usual) form "enriched with awareness, earnestness, listening as well as confession, tasting ... divine love and the ineffable joy of knowing that one is reborn to divine life;" the second (and best) form, to be celebrated more often for "it unites the double merit of the community act and the personal act;" the third (exceptional) form, "for cases of necessity, with the authorization of the bishop and with the obligation of individual confession of grave sins later."[10] Notwithstanding the difficulties involved, the papal imperative for all to give greater vitality to the sacrament required that the responsible subcommission inject a fullness and depth into the canons intended to present its various dimensions which would adequately reflect the emphases of this teaching and the theological foundations contained in the new *OP*.

5.1.1.1 The Introductory Canon, 130

The theological description given by this norm reflected an attempt to combine the relevant canon from *CIC 17* with teaching adopted at Vatican II and repeated in various postconciliar documents: "In the sacrament of penance, through absolution imparted by a lawful minister, the faithful who are rightly disposed and who confess their sins obtain pardon for the sins which they have committed after baptism and peace with the Church."[11] Although greeted somewhat positively by scholars at the time this text, given the assumption that the quality of law depends on the adequacy of its underlying theological vision was judged, in view of the methodology and sacramental understanding employed, only a modest improvement on its parent canon.

---

the reconciliation of repentant sinners with God and the Church, and an emphasis on God's initiative through his word as the blessed message of divine goodness and focus of the soul. See *The Teachings of Pope Paul VI*, 7 (1974), pp. 41-42.

[10] Ibid., pp. 42-43. Although Pope Paul does not elaborate the merits of the third rite, this seems to be the first instance where the *nature* of this form of sacramental penance, rather than the conditions activating its use, is described as exceptional.

[11] *1975 Schema*, p. 46. The Latin text reads: "In Sacramento pænitentiæ per absolutionem a legitimo ministro impertitam, fideles rite dispositi peccata confitentes veniam peccatorum quæ post baptismum commiserint pacemque cum Ecclesia obtinent." English trans. in *Schema on the Sacraments*, p. 38. In addition to *CIC 17* c. 870, the sources cited in the schema included the Decree for the Armenians from the Council of Florence, together with *LG* 11 and *PO* 5.

A commended aspect of c. 130 was identified in the addition of *pax cum Ecclesia* to the forgiveness of sins as an effect of the sacrament.[12] Omitting express reference to the judicial character of absolution, the text reflected a trend in contemporary theology by a syntactic shift in the focus of this ministerial prayer from sins committed to the penitent faithful who participate in the celebration.[13] Whilst this represented a step toward a more balanced and updated formulation, the canon was, when contrasted to the richness of the *OP*'s initial paragraphs on the mystery of Christian reconciliation, more noteworthy for elements which had not been included.[14] Nevertheless, rather than simply add these neglected aspects and notions of the sacrament, a different methodology appeared the more appropriate option to deepen the inclusiveness and overall quality of the text.

Given the complexity discerned and generated by the recent study, debate and pastoral developments of sacramental penance, a doctrinal canon intended to harmonize with the rites which emerged from the corresponding liturgical reform required a new text liberated from the existing formula and based upon theological, canonical and pastoral criteria advanced by Vatican II, combined with an ability to respond, after careful assessment, to the insights and contributions continuously made available by modern theory and experience.[15] This demanded at least a revision of the text according

---

[12] Green, "The Revision of Sacramental Law," p. 301 and Morrisey, *The Revision of Sacramental Canon Law According to the Schema*, p. 18.

[13] The "judicial act" of the priest noted in the introduction to the 1972 Pastoral Norms seems adequately explained in c. 150 of the schema, which describes the priest as a minister of divine mercy and justice who proceeds with a pastoral spirit. This accords well with *OP* 10a, where the judgement is explained in terms of spiritual discernment.

[14] Green, "The Revision of Sacramental Law," p. 301. An example is the comment made by The Canon Law Society of Great Britain and Ireland, *Report on the Schema documenti pontificii quo disciplina canonica de sacramentis recognoscitur*, [n.p.], 1975, p. 32 which stated that "It is felt that this introductory canon would be improved by the inclusion of the notion of reconciliation with God." Consequently, the Society's alternative text also mentioned, in a probable allusion to the Gospel parable of the prodigal son, the penitents' having returned to God. According to The Canon Law Society of America, *Task Force Critiques of the Initial Schemata for the Revision of the Code of Canon Law*, The Canon Law Society of America, [n.d.], pp. 194-195, the problem stemmed from the use of material inspired by completely different perspectives, especially with respect to the notion of sacrament and the nature of sacramental celebration. As Green notes, the result was a disproportionate emphasis on one aspect – absolution – to the detriment of a more basic understanding of the sacrament as proclamation, offering and thanksgiving.

[15] With regard to the notion of sacrament, for example, the *Task Force Critiques of the Initial Schemata* of The Canon Law Society of America, p. 194 mention the need to emphasize the communal, ecclesial and Christological dimensions and affirm "the close bond between the celebration of the Word of

to the doctrine presented in the *prænotanda* of the *OP* which at the same time could express an openness to possible future development.[16]

5.1.1.2 The Ordinary Mode of Reconciliation, Canon 131

Consistent with the principal emphasis in the introductory canon, the first chapter of *De pœnitentia* provided a short exposition of sacramental absolution. Predictably, the initial canon restated, with some clarification, a critical component in the 1972 Pastoral Norms: "Individual, integral confession and absolution constitute the single ordinary mode by which a member of the faithful who is conscious of serious sin may reconcile him [or her] self with God and the Church, unless physical or moral impossibility excuses from this kind of confession."[17] Intended to affirm the primacy in official teaching for rites of reconciliation with individual confession and absolution, analysis of this text highlighted some matters which remained contentious or deserved a more comprehensive presentation.

An issue which sustained considerable debate among theologians, and not a little concern for the Church's teaching authority and indeed all the faithful, was captured by the adjectival clause *peccati gravis sibi conscius*, added to the originating text to make the canon a more precise expression of the situation necessitating the exercise of sacramental penance in the process of conversion and reconciliation.[18] Significantly, at a general audience contemporary with the circulation of the schema, Pope Paul VI, in reflecting on the conditions for celebrating the sacrament of penance as an encounter with

---

God and the actions of Christ." Similarly, p. 195 notes that, in terms of the nature of sacramental celebration, the Council's preference for communal celebration was normative.

[16] See the comments of Morrisey, *The Revision of Sacramental Canon Law According to the Schema*, p. 33. By way of example, the author notes the interior healing aspects of penance, given some prominence in scholarship and pastoral practice, but in his opinion not yet given official status.

[17] *1975 Schema*, p. 46. The Latin text reads: "Individualis et integra confessio atque absolutio unicum constituunt modum ordinarium, quo fidelis peccati gravis sibi conscius se cum Deo et Ecclesia reconciliat, nisi impossibilitas physica vel moralis ab huiusmodi confessione excuset." English trans. in *Schema on the Sacraments*, p. 38. The document refers to norm I as the source for this canon; no sources other than the Pastoral Norms are cited in this chapter of the schema.

[18] Although the *1975 Schema* nowhere cites the *OP*, this addition does reflect the understanding set out in *OP* 7.

Christ involving a profound human collaboration, noted the emergence and growth of a secularizing morality so affecting the moral conscience that sin, the "immense mysterious repercussion against God of disorderly human action, is regarded as trivial and of no importance."[19] One week later, and from a contrasting perspective, the Pope thought it opportune to point out that sin, "if grievous, snaps the sinner's vital link with God [and breaks] the social and spiritual link with the community of the Church."[20] At the same time, the SCDF was preparing its Declaration *Persona humana* in response to various questions concerning sexual ethics, which observed "the current tendency to minimize the reality of grave sin as much as possible, at least in the concrete, and even at times to deny its existence altogether."[21]

These observations of a possibly widespread indifference to and/or negative academic critique of grave sin and the severe consequences which necessarily flowed from such attitudes prompted the SCDF to examine their perceived intellectual basis: the theory of a fundamental option.[22] Beginning with the theological presumption that certain principles contained in the divine law – eternal, objective and universal – were accessible to the human mind as absolute and immutable norms, the Congregation adopted the position that whilst the fundamental option in the last resort defined a person's moral disposition, mortal sin *(peccatum mortale)* consisted not only in formal, direct resistance to the commandment of charity towards God and neighbour, but also when he or she consciously and freely for whatever reason, chose something which amounted to a

---

[19] Pope Paul VI, Address, 1 March 1975, in *Insegnamenti di Paolo VI*, XIII (1975), p. 191. English trans., dated 5 March 1975, in *The Teachings of Pope Paul VI*, 8 (1975), p. 30. This view was supported by scholars such as E. Yarnold, "Sin and Experience," in *The Way*, 17 (1977), pp. 106-107.

[20] Pope Paul VI, Address, 12 March 1975, in *Insegnamenti di Paolo VI*, XIII (1975), p. 222. English trans. in *The Teachings of Pope Paul VI*, 8 (1975), p. 33.

[21] *Persona humana* 10, p. 88. The Latin text reads: "ob hodiernam proclivitatem ad circumscribendam quam maxime realitatem gravis peccati, saltem in vita hominum concreta, immo ad eam subinde omnino infitiandam." English trans. in Flannery, *Vatican Council II: More Postconciliar Documents*, pp. 492-493.

[22] This theory was introduced in section 3.2.1 of this dissertation. A clear and thoughtful summary of the positive and negative aspects of the theory according to scholars writing in the period under review is provided by Ehiem, *Reconciliation: Problems and Prospects*, pp. 136-139.

deliberate transgression, in serious matter (*in re gravi*), of each of the moral laws.[23] The conclusion which emerged from this position indicated that the fundamental option could be completely changed by particular acts further identifiable as personal mortal sins, though probably prepared for by previous more superficial acts, and further suggested the existence of many paths which could lead the faithful to moral death.[24]

Given a general inclination towards recent teaching on the relational nature of sin, this renewed official emphasis on specific actions tended to sustain the interest of theologians in the fundamental option as a viable explanation for the meaning and extent of grave sin. Assuming that most of the destructive consequences of human sin were the result of processes deeply imbedded in societal systems, but with individuals responsible for the quality of their personal engagement in these systems, they proposed that a person seriously trying to serve God and neighbour was not likely to embrace grave sin by a single, uncharacteristic choice.[25] Rather, the final decision to reject God by grave sin required a radical reorientation of the will, so that the deadliness of sin was not found in the objective seriousness of the action, but in a personal quality inhering in the one who chose the sinful direction.[26]

From this perspective, all experiences of sinfulness must be the subject of serious and careful reflection. The profound depth and impact of grave sin in a person's life

---

[23] *Persona humana* 3 and 10, pp. 79 and 88-89. The text is a modification of the English trans. in Flannery, *Vatican Council II: More Postconciliar Documents*, pp. 487-488 and 493-494. The term "mortal sin" is used consistently in this document. For notes on the approach used by the SCDF, see the comments by D.F. Kelly, "Aspects of Sin in Today's Theology," in *Louvain Studies*, 9 (1982-1983), pp. 191 and 193.

[24] *Persona humana* 10, pp. 88-89 and see the explanation in Kelly, "Aspects of Sin in Today's Theology," p. 194.

[25] Kelly, "Aspects of Sin in Today's Theology," p. 196 and Yarnold, "Sin and Experience," p. 110. The former author had noted on p. 191 the importance of the mystery and variability of human nature in its historical dimensions, including the development of social, economic and ideological structures which influence our ideas. Accordingly, the conscious, free and serious movement towards evil could not be made and unmade by numerous wrong actions and acts of repentance repeated on a frequent basis.

[26] Kelly, "Aspects of Sin in Today's Theology," pp. 194-195. In contrast, *Persona humana* 10, p. 88 speaks of *objectively grave* violations with respect to sexual morality, since it encompasses very important human values. These two definitions of sin are carefully explained in Cooper, "The Notion of Sin in Light of the Theory of the Fundamental Option," pp. 375-379. See also the thoughtful comments of Murphy, "Sin and Reconciliation in a Time of Confusion," pp. 378-379, who concludes that various approaches to the understanding of sin loomed as a potentially severe impediment to the effective implementation of the new *OP*.

reflexively revealed that the limitation of venial sin, in which all participate, designated any situation inconsistent with love for God and neighbour.[27] Nevertheless, whilst these reflections did not represent the final word on this critical and very complex aspect of reconciliation, they did unanimously reiterate the teaching that the power of sin was forever relativized by the liberation Jesus achieved in his paschal mystery and the grace which justifies the sinner who responds positively to God's gift of *metanoia*.[28]

Since those who sin after baptism depend solely on God's initiative to either restore to or renew them in the life of grace, the consultation process provided a suitable opportunity to examine whether the draft text, which presented the matter with the phrase *quo fidelis ... se cum Deo et Ecclesia reconciliat*, was a sufficiently clear and accurate expression of this foundational teaching in the theology of reconciliation. Without prejudice to the not insignificant change from plural to a singular form of the subject, the formula attracted criticism since it placed the focus on the penitent as the reconciler when the doctrine consistently affirmed God as "the active reconciling force bringing the penitent into union with himself in Jesus."[29] At the same time, and despite the inclusion of the notion that one is reconciled with God and the Church, the text also contradicted

---

[27] Yarnold, "Sin and Experience," p. 113. Although commonly called light or excusable, venial sin was anything but trivial, since by it the faithful contributed to the rupture of the human community and hardness of heart among persons, hindered their growth in the Spirit and perhaps even expressed the propensity to a deeper, more fundamental choice against God. See Kelly, "Aspects of Sin in Today's Theology," pp. 196-197 and the interesting discussion in Cooper, "The Notion of Sin in Light of the Theory of the Fundamental Option," pp. 378-379.

[28] *Persona humana* 12, pp. 92-93; Kelly, "Aspects of Sin in Today's Theology," p. 197 and Yarnold, "Sin and Experience," p. 105.

[29] Green, "The Revision of Sacramental Law," p. 304, quoting the report of the Canadian Canon Law Society. Personally, in a subsequent article, "The Church's Sanctifying Office: Reflections on Selected Canons in the Revised Code," in *The Jurist*, 44 (1984), p. 362, Green holds a contrary view and advocates that the norm as formulated in the *1975 Schema* recognizes the penitent's active role in the process of reconciliation with God and the Church. To be fair, the canon was taken directly from the 1972 Pastoral Norms and similar criticism did not appear to have arisen at the time of their promulgation. See also Cardinal J. Villot, Letter to Bishop C. Manziana on the Occasion of the 26th National Liturgical Week of Italy (Florence, 25-29 August 1975) on the theme: Reconciled with the Father in Christ and in the Church, 31 July 1975, in *Notitiæ*, 11 (1975), pp. 220-222. English trans. in *DOL*, pp. 976-978. There is also an excerpt translated into French under the title "Directives pour le sacrement de pénitence," in *La Documentation catholique*, 72 (1975), p. 811. In his letter, the Cardinal notes on p. 976 that it is God "who first loves us, who first comes to meet us so that we may allow ourselves to be reconciled with him, our Father." He then proceeds to synthesize recent papal teaching, the doctrine of the new *OP* and some liturgical texts to explain the roles of Christ, the Holy Spirit and the Church in the conversion and reconciliation of humankind.

the Church's understanding of its role in the reconciling process in terms of official intervention and the broader context of community support.[30]

In connection with this evaluation, commentators further suggested that any reformulation of the text make proper allowance for "the communal dimensions of penance highlighted throughout the *OP*, especially in the section on the reconciliation of several penitents with individual confession and absolution."[31] Widely regarded as the preferred form for the effective implementation of the new *OP*, the absence of any reference to the second rite was considered a serious omission from the *1975 Schema*.[32] Together with the use of the singular noun *fidelis*, this tended to disproportionately emphasize the first rite of the sacrament, inviting an effort to reassess the canon in order to formulate a better nuanced and more balanced text.[33]

5.1.1.3 The Conditions for General Absolution, Canon 132 §§1-2

Notwithstanding the fundamental, established and primary place of individual confession and absolution in the Church's reconciling ministry, the remaining canons in the first chapter of *De pœnitentia* provided norms governing sacramental absolution imparted by a general formula. The long, complex c. 132 was divided into three paragraphs, the first two of which expressed the conditions, intended to ensure the valid and licit celebration of the third rite of reconciliation, which had emerged from the application of theology and canon law in relation to recent scholarship and pastoral experience. Despite a perceived negativity in this section as a whole, §1 was introduced

---

[30] This is especially clear when the text is compared with the absolution formula in *OP* 46. See also Cardinal Villot, Letter to Bishop C. Manziana, p. 977.

[31] Green, "The Revision of Sacramental Law," p. 304.

[32] In the words of Cardinal Villot, Letter to Bishop C. Manziana, p. 977, "The new rite offers many opportunities to give the sacrament its full due, especially in the setting of a celebration of God's word." See also The Canon Law Society of America, *Task Force Critiques of the Initial Schemata*, p. 198.

[33] A further important ramification of the use of the singular noun is noted in the analysis of c. 133. According to Green, "The Revision of Sacramental Law," p. 304, queries were also raised regarding the possible introduction of communal absolution after individual confessions, to harmonize the canon with the Church's penitential tradition and certain teaching of Vatican II, specifically *SC* 27, 63 and 72 as noted by The Canon Law Society of America, *Task Force Critiques of the Initial Schemata*, p. 198.

in fairly positive terms, stating "The prescriptions of c. 133 remaining in effect, general absolution may be given, and indeed should be given, to several penitents at the same time without previous individual confession," followed by two subsections that explained the necessary conditions.[34] Nevertheless, commentators queried the wisdom of codifying a controversial area of sacramental ministry in such a way that did not appear open to or allow for the flexibility its current status of theoretical and practical flux demanded.[35]

This interpretation was discerned from the literary style and content – more or less consistent with extant official teaching – by which the bulk of the first paragraph presented acceptable circumstances and conditions for the proper exercise of general absolution. First of all, c. 132 §1 no. 1 affirmed the use of the third rite "if there is an imminent danger of death and time does not permit the priest or priests to hear the confessions of the individual penitents; in this case the general absolution should be preceded, if possible, by a brief exhortation that each one is to make an act of contrition."[36] This text, which intended to capture a number of different situations, effectively narrowed the focus to occasions of radical emergency rather than broader events where the danger of death might be regarded in more remote proximity,[37] since it

---

[34] *1975 Schema*, p. 46. The Latin text reads: "Firmis præscriptis can. 133, absolutio pluribus insimul pænitentibus, sine prævia individuali confessione, generali modo impertiri potest, immo vel debet." English trans. in *Schema on the Sacraments*, p. 38. The source quoted in the schema for this paragraph is norms II and III of the 1972 Pastoral Norms. The preamble thus continued the sensitivity which had marked previous official responses to the needs of various communities throughout the Church. It is interesting to compare the positive reaction of Werckmeister, "L'absolution collective: évolution de la pratique en France," p. 305, to the paragraph and the canons generally in this chapter as "still completely in the spirit (and even in the letter) of the *OP*" to the opposite view taken by Green, "The Revision of Sacramental Law," p. 299.

[35] Green, "The Revision of Sacramental Law," pp. 304-305 and see the more general comments in Morrisey, *The Revision of Sacramental Canon Law According to the Schema*, pp. 11 and 33.

[36] *1975 Schema*, p. 46. The Latin text reads: "si immineat periculum mortis et tempus non suppetat sacerdoti vel sacerdotibus ad audiendas singulorum pænitentium confessiones, quo in casu præmittatur, si fieri possit, brevissima exhortatio ut actum contritionis quisque elicere curet." English trans. in *Schema on the Sacraments*, p. 38.

[37] Compare for example an accident resulting in many seriously injured persons and a community attempting to carry on with everyday life in a theatre of war.

merely suggested an act of contrition before absolution and made no reference to the special ritual within which general absolution was normally imparted.[38]

In similar fashion, c. 132 §1 no. 2 permitted use of the third rite

> if there is a serious need, namely, when, in view of the number of penitents, sufficient confessors are not available for the proper hearing of the individual confessions within a suitable period of time, with the result that the penitents would, through no fault of their own, be forced to go without sacramental grace or holy communion for a long time; in this case, however, the faithful should be informed of the requisite conditions in accord with c. 133.[39]

Besides some minor alterations to vocabulary and the addition of a clause directing instruction of the assembled faithful in the proper disposition required of them by c. 133, this subsection omitted from the text of its source document the words indicating where and in whom the need for this rite might be reasonably established.[40] These changes were at the same time significant and consistent with the pattern revealed in subsection 1, for they not only tended to emphasize a radically quantitative basis for determining cases for the celebration of general absolution but also, in once again referring to a small portion of the appropriate ritual, implied an immediate character to the particular occasions recognized by the competent minister.[41] Consequently, the resultant brevity of the text, along with the absence of explanatory material indicated a careful reworking of this paragraph to accommodate the pastoral importance of encouraging the fullest possible use of the various rites of reconciliation.[42]

---

[38] In effect, the subsection deals only with the situation envisioned by *OP* 65 and thus seems to ignore an important provision in norm X of the 1972 Pastoral Norms as well as *OP* 35 and 60-63.

[39] *1975 Schema*, p. 46. The Latin text reads: "si accedat gravis necessitas, videlicet quando, attento pœnitentium numero, confessariorum copia præsto non est ad rite audiendas singulorum confessiones intra congruum tempus, ita ut pœnitentes, sine propria culpa, gratia sacramentali aut Sacra Communione diu carere cogantur; quo tamen in casu, christifideles de requisitis ad normam can. 133 moneantur." English trans. in *Schema on the Sacraments*, pp. 38-39.

[40] See norm III of the Pastoral Norms and its parallel text in *OP* 31.

[41] From a different perspective, and in view of the comment in The Canon Law Society of Great Britain and Ireland, *Report on the Schema*, p. 33, that "the giving of examples would not seem to be good law," this omission indicates, given the content of §2, an inconsistency in textual drafting.

[42] Green, "The Revision of Sacramental Law," p. 305. By way of example, The Canon law Society of Great Britain and Ireland, *Report on the Schema*, p. 33 suggested the removal of the word *diu*, since it was considered unnecessarily restrictive.

Without prejudice to the variation in content of the indults granted by Rome permitting the celebration of general absolution in certain regions, the modern history of interpretation of these conditions had produced a rather mixed and, at times, confusing range of applications. Although more indicative of syntactic ambiguity than inherent theological flaws, concern remained that the specified conditions be *simultaneously* present before a competent minister judged it permissible to proceed with this celebration.

Accordingly, c. 132 §2 was incorporated into the schema to reinforce the understanding that "it is not lawful to give general absolution to several penitents at the same time, when sufficient confessors can be made available, for the single reason of the great number of penitents, as may occur on the occasion of a great feast or pilgrimage."[43] The selection of this text for the proposed new *Code of Canon Law* affirmed the Church's current doctrinal and disciplinary stance, which precluded indiscriminate celebration of the third rite and considered unacceptable the tendency to use this form of the sacrament as a regular pastoral option.[44] This meant that any authorization of general confession and absolution was properly "reserved for exceptional cases involving real necessity,"[45] a conclusion which heralded a controversy embracing the policies of some

---

[43] *1975 Schema*, p. 47. The Latin text reads: "Pluribus insimul pænitentibus absolutionem generali modo impertire non licet, cum confessariorum copia præsto esse potest, solius magni pænitentium concursus ratione, qualis haberi potest in magna aliqua festivitate aut peregrinatione." English trans. in *Schema on the Sacraments*, p. 39. The schema cites as its source norm III of the Pastoral Norms.

[44] This thought may be inferred from a subsequent official pronouncement regarding the conditions by Cardinal Knox, prefect of the Sacred Congregation for the Sacraments and Divine Worship. See the references to his letter of 29 October 1976 in the statement of Archbishop (later Cardinal) J.L. Bernadin, "What the Church Teaches About General Absolution," in *Origins*, 6 (1976-1977), pp. 435-436 and the article by Carr, "General Absolution," p. 73. The requirement for simultaneity thus enlightened the meaning of the phrase *cum confessariorum copia præsto esse potest.* On one hand, this did not simply relate to the time when a large gathering of penitents had assembled, but *to the situation normally prevailing in that particular place.* If confessors were normally available to celebrate rites of reconciliation with individual confession and absolution, then the assembled penitents would have the opportunity to celebrate the sacrament at another time without needing recourse to general absolution. On the other hand, The Canon Law Society of Great Britain and Ireland, *Report on the Schema*, p. 33 noted that "Once there is a *copia confessariorum* nothing can alter this, whatever the occasion. The words *solius magni* etc do not appear to add anything, [suggesting] that the paragraph should terminate after *potest* in the second line."

[45] Archbishop Bernadin, "What the Church Teaches About General Absolution," p. 436.

conferences of bishops and certain applications initiated or maintained by their individual members.[46]

5.1.1.4 The Judgement About the Conditions, Canon 132 §3

Given the extensive tradition concerning the dignity of the place and role of the bishop in the Church's ministry of reconciliation, for both *discerning* the needs of the faithful and *regulating* an ecclesial response compatible with the life and worship of the local Church, this paragraph stated that "the judgement concerning the fulfillment of the conditions required according to §1, 2, belongs [in the first place] to the diocesan bishop, who is to take counsel with other members of the conference of bishops; the bishop may also determine, in a general regulation, the cases of such necessity."[47] In view of the theological, canonical and pastoral issues which had until then informed both the meaning and use of general absolution, the selection of this paragraph sought to incorporate into canon law the teaching of Vatican II affirming the diocesan bishop as moderator of penitential discipline for a local Church and safeguarded the basic autonomy of the bishop to make decisions concerning the liceity of the third rite with respect to foreseen cases suitable for its celebration.[48] Nevertheless, the fact that the canon did not express this freedom as clearly as the parallel text in *OP* 32 detracted somewhat from the quality of its formulation.[49]

---

[46] Werckmeister, "L'absolution collective: évolution de la pratique en France," p. 294 notes the policy adopted in France from 1973 and see also the comments of Schlick and Stalter, "La pluralité de la pratique pénitentielle face à la législation canonique," p. 232.

[47] *1975 Schema*, p. 47. The Latin text reads: "Iudicium ferre an dentur condiciones ad norman §1, 2 requisitæ, pertinet: 1) ad Episcopum dioecesanum, collatis cum aliis membris Episcoporum Conferentiæ consiliis; qui quidem generali quoque ordinatione casus talis necessitatis determinare potest." English trans. in *Schema on the Sacraments*, p. 39. The schema cites norm V of the Pastoral Norms as the source for this canon.

[48] *LG* 26 specifically reserves this role to the diocesan bishop. See also Tettamanzi, *Riconciliazione e penitenza: prospettive pastorali*, p. 108.

[49] The reader is referred to the comments in the following paragraph. Green, "The Revision of Sacramental Law," p. 305 considered the question of autonomy very important, stating, in relation to the evaluation of efforts to reform penitential practice, that "bishops in dialogue with one another and with priests engaged in the reconciliation ministry should be free to develop a penitential practice embodying the richness of our tradition yet responsibly meeting contemporary pastoral needs."

In a second subsection, c. 132 §3 gave similar responsibility to

> any confessor if, over and above the cases determined by the diocesan bishop, some other serious need arises for giving sacramental absolution to several persons together; in this case the priest is bound by the obligation, when it is possible, of having recourse to the local Ordinary beforehand, if he is to give absolution lawfully; otherwise he should inform the Ordinary as soon as possible of the need and of the absolution which he has given.[50]

This important text provided for situations either unforeseen by the bishop and submitted to him for prior approval, or particular instances where the granting of general absolution had already taken place. According to the style and format by which it was presented, c. 132 §3 effectively extended in this subsection a role to individual priests they did not enjoy under recent legislation.[51] In doing so, however, the drafting committee not only missed an opportunity to provide priests with a consultative role in the discernment and application of general absolution but also, at a more serious level, reinforced the ambiguity in the discipline for this form of the sacrament with its reference to *alia gravis necessitas*, a phrase which contradicted both the meaning of §1, no. 2 and contemporary official interpretation.[52] This extension of the spirit and letter of the new *OP* contributed to the general conclusion which recommended a careful re-evaluation of this norm.

---

[50] *1975 Schema*, p. 47. The Latin text reads: "ad quemlibet confessarium, si, præter casus ab eodem Episcopo statutos, alia gravis exsurgat necessitas sacramentalem absolutionem una pluribus impertiendi; quo tamen in casu sacerdos, ut licite absolutionem impertiat, obligatione tenetur, quoties possibile sit, prævie recurrendi ad loci Ordinarium; secus de huiusmodi necessitate ac de data absolutione eundem Ordinarium quam primum certiorem faciat." English trans. in *Schema on the Sacraments*, p. 39.

[51] Neither *OP* 32, the 1972 Pastoral Norms, nor the 1944 Instruction reserved to priests the responsibility to judge the fulfilment of the conditions for general absolution. This represented, therefore, a significant proposal to develop the sacramental discipline in terms of the principle of subsidiarity.

[52] On the question of bishops and priests working together on this issue, see the comments of the Conference of Swiss Bishops, "Al servizio della riconciliazione," 7 November 1974, in A. Fontana et al., *La penitenza: studi biblici, teologici e pastorali. Il nuovo rito della riconciliazione*, Leumann, Torino, Elle Di Ci, 1976, p. 388 and reflected in the thoughts of Green, "Reflections on the Revised Code," p. 371 and Osborne, *Reconciliation and Justification*, p. 233. According to comments and literature of a more or less official nature, only two grave necessities existed which might present themselves in different places and situations: imminent danger of death and that described in c. 132 §1, no. 2. See Schlick and Stalter, "La pluralité de la pratique pénitentielle face à la législation canonique," p. 235 for a helpful summary. Extending the authority to judge the conditions to individual priests raised the possibility of new controversies erupting in pastoral practice, justifying the assessment of The Canon Law Society of Great Britain and Ireland, *Report on the Schema*, p. 33 which states "It is felt that this paragraph is unnecessarily complicated and probably unworkable in practice."

5.1.1.5 The Disposition Required of Penitents, Canon 133 §1

In conformity with the Church's teaching, all those who celebrate the sacrament of penance in the process of reconciliation with God and their faith community should first prepare themselves in an appropriate manner. Accordingly, "for a member of the faithful to receive sacramental absolution together with others, it is required not only that he be properly disposed but also that he then resolve to confess individually at the required time the serious sins which he is not able to confess at present."[53] Although this paragraph (and, indeed, the two which followed it) seemed to elicit little comment from the consultation, suggestions were made for their relocation to another place in the title.[54] Comparison with the relevant parallel texts, however, revealed that the paragraph offered only a skeletal presentation of this important aspect of general absolution.

First of all, the draft text omitted the detail specified in the *OP* and the Pastoral Norms which constituted for penitents the disposition proper to fruitful participation in the third rite of the sacrament. Surprisingly, the paragraph further omitted to mention that this disposition, in all its elements, was not only necessary for sacramental *validity* but also, in line with the Church's responsibility to care for the spiritual needs of the faithful, should be diligently recalled to participants by the presiding minister.[55] Thirdly, the consistent use of the singular, and its consequent emphasis on the individual rather than the gathered assembly, suggested a *collective* understanding for the character of the celebration and a continued uncertainty towards the meaning and concrete expression of

---

[53] *1975 Schema*, p. 47. The Latin text reads: "Ut christifidelis sacramentali absolutione una simul pluribus data frui valeat, requiritur non tantum ut sit apte dispositus, sed ut insimul sibi proponat singillatim debito tempore confiteri peccata gravia quæ in præsens ita confiteri nequit." English trans. in *Schema on the Sacraments*, pp. 39-40. The schema cites norm VI of the Pastoral Norms as the source for this paragraph.

[54] Green, "The Revision of Sacramental Law," notes on p. 306 that the report of The Canon Law Society of Great Britain and Ireland suggested they be placed immediately after c. 131, "so that everything dealing with the obligations of the penitent would be placed together and the last norm of the section would specify the conditions for general absolution." The author himself thought the norms belonged "more logically in chapter 3 dealing with the role of the penitent in the celebration of Christian reconciliation."

[55] See *OP* 33 and norm VI.

the sacrament's communal dimension.[56] The presence of these problems invited further analysis of this text and its theoretical foundations.

5.1.1.6 Other Obligations of Penitents, Canons 133 §2 and 134

In order to further substantiate and strengthen with the force of canon law the primacy of the individual form of sacramental penance and the exceptional nature of the cases appropriate for general absolution, the subcommission incorporated into the schema the norm stipulating that "a member of the faithful who is conscious of serious sin should be careful not to refuse to satisfy the obligation of individual confession, either intentionally or through negligence, when there are sufficient confessors, by waiting for the occasion when absolution will be given to several at once."[57] Although apparently passed over for specific comments, the text attracted some criticism with respect to more general statements through maintaining the term *confessio* rather than *reconciliatio*.[58] The paragraph also touched upon comments which noted an unduly negative concern with general absolution, and at the same time contributed to the complexity of the provisions contained in the draft.[59]

Terminological problems also beset c. 134, which stated that "the obligation mentioned in c. 159 remaining in effect, one whose serious sins are forgiven in a common absolution should go to [auricular] confession before he receives general

---

[56] The apparent inability to address this emerging problem of the linkage between the individual person and the community seemed in part a reflection of the deeper issue of the Church's relationship with the world and modernity. It would develop to the stage where commentators justified the exceptional character of general confession and absolution because of its perceived propensity to encourage depersonalization and collectivism. See for example the comments of Werckmeister, "L'absolution collective: évolution de la pratique en France," p. 316; Desdouits, "Problèmes de l'absolution collective," p. 163 and Tettamanzi, *Riconciliazione e penitenza: prospettive pastorali*, pp. 121-122.

[57] *1975 Schema*, p. 47. The Latin text reads: "Caveat christifidelis, peccati gravis sibi conscius, ne, habita quidem copia confessariorum, de industria aut neglegentia obligationi confessionis individualis satisfacere declinet, occasionem qua absolutio simul pluribus detur expectans." English trans. in *Schema on the Sacraments*, p. 40. The schema erroneously cites norm VI of the Pastoral Norms as the source for this passage rather than norm VIII.

[58] See Green, "The Revision of Sacramental Law," p. 301.

[59] The Canon Law Society of America, *Task Force Critiques of the Initial Schemata*, p. 198. In view of the material already included in the first chapter, the paragraph appears somewhat casuistic in focus.

absolution again, unless he is impeded by a just cause."[60] Consistent with the problems associated with c. 133 §2, the basic repetition of the source text resulted in a canon that was an inadequate reflection of the contemporary theological vision, exemplified by the phrase *ad confessionem auricularem accedat.* A theologically more accurate clause might have presented the understanding clearly that serious sins confessed in a general manner were submitted to a priest during a subsequent rite with individual confession for purposes *other than absolution.* Indeed, not only was the propensity for confusion on this matter sufficient for some to request the abolition of this precept, but also its tendency to unduly burden the faithful in a way counterproductive to their spiritual growth.[61]

Without prejudice to the positive aspects discerned in these proposed norms and the advantages of an accessible, single reference for the main elements of the law concerning general absolution, several features emerged from the consultation process which invited careful and thorough reflection and discussion among those responsible for this segment of the new Code of Canon Law. First place among these features was a *defect* which might be described as the insufficient theological background or justification for the legislation.[62] This problem emerged from the succinct literary style and summary content employed in the textual drafting, which produced a set of canons at the same time complex yet "all too frequently separated from the rich theological-liturgical matrix in which they can sensitively guide pastoral practice."[63] A second and closely connected feature was an *attitude*, manifested in the tendency to legislate answers for controversial

---

[60] *1975 Schema*, p. 47. The Latin text reads: "Firma manente obligatione de qua in can. 159, is cui communi absolutione gravia peccata remittuntur, ad confessionem auricularem accedat antequam novam huiusmodi absolutionem sit recepturus, nisi iusta causa impediatur." English trans. in *Schema on the Sacraments*, p. 40, with the exception that the term *auricular* has been substituted for individual. The schema indicates norm VII of the Pastoral Norms as the source for this paragraph. Canon 159 stipulated that "every member of the faithful, after reaching the years of discretion, is bound by the obligation of faithfully confessing his serious sins at least once a year."

[61] Morrisey, *The Revision of Sacramental Canon Law According to the Schema*, pp. 18-19 and Green, "The Revision of Sacramental Law," p. 306.

[62] Morrisey, *The Revision of Sacramental Canon Law According to the Schema*, p. 33.

[63] Green, "The Revision of Sacramental Law," p. 327. An example was the various prescriptions pertaining to the obligation of the faithful for an auricular submission of serious sin subsequent to the celebration of general absolution. At a deeper level, this also affected the ability of the canons to embody the theological values recognized as essential to the mystery of reconciliation.

aspects of Church life, which stifled investigation, debate and genuine evolution in pastoral practice. This problem appeared in the preference for canonizing certain norms for general absolution to the exclusion of the need for flexibility, or at least a mechanism for possible revision, and "the failure to give attention to the need for liturgical adaptation to different cultures and traditions and the spiritual needs of various worshipping communities."[64] The third feature was a *policy*, revealed by the altogether uneven quality of the canons, which combined the desire to highlight the absolution aspect of reconciliation with a hesitation to embrace other important dimensions in the meaning and celebration of the sacrament.[65] Given these serious issues, the presence of the recently promulgated norms for the regulation of general absolution, and the still relatively untested waters of the new *OP* itself, commentators even questioned the very need for some or all of the draft canons, concluding that faithful application of the existing documents "should more than adequately enable the Church to realize its sacramental role in the world."[66]

5.1.2 FROM EXPECTATION TO CONFRONTATION, 1976-1981

In a letter to the bishops of the United States of America, Pope Paul VI summed up the focus of contemporary pastoral activity when he stated that "the inheritance of the Holy Year [1975] to the entire Church is one of evangelization."[67] Pursuant to this cause, Pope Paul reminded the bishops of the pre-eminence of God's word, the need for prayer, and the pastoral concern for catechetics necessary to extend and intensify the message of

---

[64] Ibid., p. 326. See also Morrisey, *The Revision of Sacramental Canon Law According to the Schema*, p. 33 and The Canon Law Society of America, *Task Force Critiques of the Initial Schemata*, p. 201.

[65] An illustration was the promotion of the individual dimension to the detriment of the communal nature of the sacraments as taught by Vatican II.

[66] Green "The Revision of Sacramental Law," p. 327 and see also The Canon Law Society of America, *Task Force Critiques of the Initial Schemata*, p. 198.

[67] Pope Paul VI, Letter to the Bishops of the United States on the Occasion of the American Bicentennial, 6 June 1976, in *The Pope Speaks*, 21 (1976), p. 242. His comment was subsequently underlined by Cardinal J. Villot, Letter to a Latin American Liturgical Conference on the Influence of the Liturgical Movement, 21 July 1977, English trans. published under the title "The Influence of the Liturgical Movement on the Life of the Church in Latin America," in *The Pope Speaks*, 22 (1977), p. 324.

Christ into the lives of all people.[68] It was also clear to the Pope "that the liturgy plays an extremely important part in the work of evangelization [since] the true Christian spirit which must animate people has, today and always, its primary and indispensable source in their active participation in the Eucharistic sacrifice and in the entire liturgical life of the Church."[69]

Within this context, the Pope gave a special place to the sacrament of penance, recalling for the bishops such traditional themes as the sense of sin and spiritual conversion, the consequent need for confession and forgiveness, and a supreme vigilance for auricular confession, especially its fervent and frequent use.[70] In heeding the serious and compelling nature of this great pastoral project, certain bishops recognized lapsed and lukewarm members as a significant priority for evangelization in their local Churches, and settled on the sacrament of penance – including the use of planned celebrations of general absolution in preparation for the principal liturgical solemnities – as a powerful and fitting component of their broader programmes to reach out and encourage them to participate once again or more actively in their local faith communities.[71]

5.1.2.1 Episcopal Initiatives of Lent and Advent, 1976

Apart from the authorizations of general absolution in accordance with pastoral policies devised by the bishops of French-speaking regions, documentary evidence suggests that dioceses in the United Kingdom were first to introduce ceremonies with the third form of sacramental penance to evangelize lapsed and alienated members of the

---

[68] Pope Paul VI, Letter to the Bishops of the United States, p. 243.

[69] Cardinal Villot, Letter to a Latin American Liturgical Conference, p. 324 and Pope Paul VI, Letter to the Bishops of the United States, p. 242. Cardinal Villot's letter continues: "Evangelization and liturgy ... are not mutually exclusive but, on the contrary, mutually complementary."

[70] Pope Paul VI, Letter to the Bishops of the United States, p. 243. The connection made by the Pope between penance and evangelization was very apt since, from New Testament times, the Church's ministry of reconciliation had been invested with a perceptibly evangelical and missionary character.

[71] See the marginal comment opposite Archbishop Bernadin's statement "What the Church Teaches About General Absolution," p. 435.

Church, so that all together might gather and celebrate the paschal mystery as a restored and renewed community of witnesses to the Gospel message of reconciliation and peace.[72] Founded on biblical texts which conveyed the inception of Jesus' ministry (Lk 4:18-21) and indicative of God's desire to reconcile the world to himself (Lk 5:31-32; 15:1-32), this initiative called the whole community to recognize, understand, adopt and fulfil its fundamental place and role in the Church's ministry of reconciliation.[73]

According to the bishops, their plan imitated "Christ in offering free, easy, undeserved and unasked pardon for sins. But the need for sorrow and, where necessary, for subsequent confession was also mentioned."[74] Incorporated into the Lenten Station Masses, the rite of reconciliation with general confession and absolution enabled the bishop to "grant all who were present and so desired the forgiveness of all their sins [so that] they could then immediately return to Holy Communion."[75] Notwithstanding an unfavourable reaction from the Roman Curia, several other bishops authorized the celebration of general absolution in conjunction with the season of Advent 1976.[76]

---

[72] As reported by Newns, "General Absolution: Tradition and Recent Trends," p. 67, these dioceses included Nottingham, Shrewsbury and Menevia. These activities were also noted by Dooley, "Communal Absolution and Confessional Rooms," p. 429 and Smith, "General Sacramental Absolution," pp. 230-231. In the comments which follow, the programme conducted in Shrewsbury will be used as an example.

[73] See Bishops W.E. Grasar and J. Brewer, "Pastoral Letter of the Bishop[s] of Shrewsbury (England) on Penance," in *The Furrow*, 27 (1976), pp. 247-249. The bishops conclude on p. 248, "Only you can let your neighbours, your relations and friends know of this Good News. They are not here today to listen to this invitation. We, your bishops, appeal to you from our hearts *to accept this mission we give you*." Whilst it may have been more appropriate, in accordance with Vatican II, to teach the inherent nature of this aspect of the laity's vocation, the statement indicates that the success of the venture depended to a great extent on careful preparation and effective publicity.

[74] Cited from the summary provided by Newns, "General Absolution: Tradition and Recent Trends," p. 68. The complete text may be found on p. 248 of the bishops' "Pastoral Letter."

[75] "Pastoral Letter," p. 248. The bishops continue, "That will be our feast, our celebration – because these children of mine, God will say, were dead and have come back to life; they were lost and have been found." The imagery used is consistent with that contained in *OP* 6d. In contrast, the diocese of Menevia limited general absolution to two pastoral areas – the lapsed, and young children aware of sinfulness but who found it difficult to confess particular sins – and apparently kept the celebrations separate from the Eucharist. Some measure of the positive impact of these celebrations is recorded by V. Nichols, "Preparing for the Synod: Reconciliation and Penance in the Mission of the Church," in *The Clergy Review*, 68 (1983), p. 48.

[76] See Dooley, "Communal Absolution and Confessional Rooms," p. 429, who notes that "the [private] reaction of Rome was much less lyrical than the terms of the bishops' letter."

Without prejudice to the conditions and obligations associated with the use of the third rite and perceiving an albeit gradual and hesitating development in doctrine, law and pastoral practice, these bishops based their judgement and decision to proceed on the conviction that "in the newly revised rite of penance ... the discipline of general absolution without individual confession was somewhat broadened."[77] Contemporary reports revealed two basic approaches to the implementation of this form for reconciling penitent members of Christ's faithful.

One of these recognized that members of a faith community, having assembled as community in response to the Church's recommendation that preparation for the coming solemnity should include a celebration of reconciliation with God and their brothers and sisters, should not be denied *at that assembly* sacramental grace because the Church could not fulfil its anticipated responsibility to them for a celebration inclusive of individual, auricular confession and absolution according to the manner described in the new *OP* as proper to the dignity and integrity of the sacrament and the persons involved.[78] Consequently, "if a pastor had honestly tried to obtain a sufficient number of confessors for a communal celebration of the sacrament of penance, and such a large number of penitents assembled so that it was clear that their individual confessions could not be properly heard during a reasonable length of time (1 hr – 1½ hrs), general absolution could be lawfully given."[79] At the same time, the disposition and obligations

---

[77] Bishop J. Niedergeses, "General Absolution and Reconciliation," in *Origins*, 6 (1976-1977), p. 432. The article reproduces the text of the bishop's letter published on 6 December 1976 in the newspaper of the diocese of Nashville, TN. It is interesting to compare this view with the sentiments and understanding contained in the previously cited letter of Cardinal Knox dated 29 October 1976. Scholarly support for the bishops' understanding is offered by F. McManus, "The Sacraments of the Church," in *Chicago Studies*, 15 (1976), p. 365 and Finnerty, "The Role of General Absolution," p. 286.

[78] This understanding is exemplified by the approach of Bishop Niedergeses. See "General Absolution and Reconciliation," p. 432. The bishop noted that despite the most careful planning, a case of grave necessity may still arise.

[79] Ibid., p. 433. According to the article's marginal notes on p. 432, this situation also partly motivated the decision of Bishop W. Sullivan of Richmond, VA to authorize general absolution services. The large numbers assembled *were a product of Church policy and not the fault of the faithful*; hence, the use of the third rite was deemed appropriate otherwise individual confession, which required an extended period of prayer with each participant, might become a mockery. At the level of anthropology and liturgical theology Garafalo, "Reconciliation and Celebration: A Pastoral Case for General Absolution," pp. 449-450 has observed an inherent and dynamic tension revelatory of humanity's sinful condition accompanying the seasons of Advent and Lent, which *intentionally* produces a corresponding desire to be released from this

required of penitents were carefully and clearly set out and the rites with individual confession vigorously promoted.

A second approach incorporated the third rite of reconciliation as one element of a "carefully planned and developed diocesan programme" which sought to reach out to inactive members and invite all to take seriously the Gospel imperative of reconciliation.[80] The climax of this evangelization project involved liturgical services apparently inspired by the English experiments during Lent 1976.[81] Significantly, the purpose of the programme tended to evolve in the course of the preparation period and, since no particular individuals or groups of persons were specifically targeted, the context broadened to emphasize a communal *healing* aspect of reconciliation, encouraging the renewal of relationships both within families and among people who worked together.[82] The attendance and participation of many faithful ensured not only a deep and pervasive impact for the continued pastoral effectiveness of the project, but also "considerable disquiet in the minds of many as to the 'validity' of these services."[83]

---

condition through conversion and penance, and explicative of the large numbers of faithful seeking to celebrate the sacrament of reconciliation during those times.

[80] Kirk, "Reconciliation in Memphis: A Diocese Prepared," pp. 146 and 147. The programme was entitled "The Call to Reconciliation" and the author provides an interesting account of the work involved in both its preparation and accomplishment.

[81] The correspondence in the use of various biblical texts, especially Lk 15, and the bishop's mandating the entire diocese "to accompany him in a search for stray members of the Body of Christ" are clear examples of such inspiration. See Kirk, "Reconciliation in Memphis: A Diocese Prepared," pp. 146 and 147. It seems, however, that unlike the initiatives in the United Kingdom, which incorporated the reconciliation rite into the Eucharistic celebration, in the service at Memphis, according to A.M. Carr, "General Absolution – Revisited," in *The Homiletic and Pastoral Review*, 77 (June 1977), p. 61, "the penance rite was followed by Mass and Communion."

[82] This is summed up in the article "Bishop Dozier's Homily: Forgiveness," in *Origins*, 6 (1976-1977), p. 435, where the bishop states: "Our sharing together in today's events will bear witness to our renewed relationships with one another. Our sharing together in this reconciliation will manifest our positive love for one another, which we will translate into very real friendships."

[83] Smith, "General Sacramental Absolution," p. 231 and see also Dooley, "Communal Absolution and Confessional Rooms," pp. 428-429 and Kirk, "Reconciliation in Memphis: A Diocese Prepared," p. 146 and 147. More than 13,000 people – over one-quarter of the diocesan population – attended the two services that were celebrated, one in Memphis, the other in Jackson, TN.

5.1.2.2 Official Response and Subsequent Negotiation

Numerous inquiries generated by the reconciliation rites celebrated in the diocese of Memphis, and the media attention with which they were surrounded, prompted an initial response from Archbishop Bernadin, then president of the National Conference of Catholic Bishops (USA). Introduced by a brief summary of the recent legislative history of general absolution, confirmed and partially interpreted by the Sacred Congregation for the Sacraments and Divine Worship, this statement set out the Church's current teaching that "individual private confession and absolution represent the ordinary way of celebrating the sacrament of reconciliation, [with] general confession and absolution ... reserved for exceptional cases involving real necessity."[84] Nevertheless, in accordance with the discipline traditionally associated with general absolution, the statement also stressed that the fundamental responsibility to authorize the celebration of this form of sacramental reconciliation was reserved to the diocesan bishop.[85] Finally, the statement acknowledged that, notwithstanding participation in a rite of general absolution, divorced and remarried Catholics or those involved in other irregular marital unions were required to seek, in order to regularize their marital status, the additional pastoral care of the Church suited to their particular circumstances.[86]

At the same time, the SCDF complemented these local remarks in a letter to the National Conference of Catholic Bishops commenting on the 1972 Pastoral Norms, in which the Congregation firmly reproved the action of convoking large crowds for the primary purpose of imparting general absolution in the absence of an existing situation in the life of the Church attended by the extraordinary circumstances officially recognized

---

[84] Archbishop Bernadin, "What the Church Teaches About General Absolution," p. 436. This careful comment did not serve as a negative critique of the bishops' initiatives, since they too strongly emphasized the rites inclusive of individual confession and absolution as the ordinary form of sacramental penance. It is also significant that the Archbishop refers to the exceptional nature of the *cases* prompting the use of the third rite, rather than the ritual itself or its practice.

[85] Ibid. As Archbishop Bernadin concludes, "Thus the decision in the case of the Memphis ceremony was Bishop Dozier's responsibility. It was not a decision about which he either consulted the conference of bishops as a whole or was obliged to do so."

[86] Ibid. This reinforced the understanding that a sacramental ritual in itself cannot be equated with the totality of the reconciliation process, but must be regarded as an essential and dynamic part of that process.

and accepted by the Church's central teaching authority.[87] The key point of the Congregation's argument opposing this activity surfaced in the claim that "in ordinary circumstances, the faithful would be able to provide for their proper reception of the sacrament of penance in the normal way if not during, then before or after the large gatherings mentioned."[88] This suggested that in local Churches where the faithful were not usually exposed to a more or less permanent or continuous situation of physical or moral impossibility with regard to celebrating rites of reconciliation with individual, auricular confession, a degree of urgency must also be present for a licit authorization of general absolution.[89]

Despite this clarification, commentators reflected that there seemed "to remain some doubt as to the actual scope of the norms governing this form of the sacrament"[90] since the official comments did not, for example, elaborate on whether (or how) there might be a convocation of a large crowd for the purpose of general absolution, without that being the *primary purpose* of the gathering."[91] In this light, the Congregation's letter raised serious questions concerning the concept of liturgy upon which it was based and the freedom of the diocesan bishop to exercise his power as moderator of penitential discipline for the spiritual welfare of the people he served.[92]

---

[87] SCDF, Letter, 14 January 1977, (private), in *CLD*, 8 (1973-1977), pp. 554-556 and see Carr, "General Absolution - Revisited," p. 60. The planning of such celebrations as a separate entity or part of a broader pastoral project and their advance publicity, either among the active members of the local Church, or through them to the lapsed and alienated, was excluded on the basis that they did not correspond to the letter or spirit of the Pastoral Norms.

[88] SCDF, Letter, no. 2, p. 555.

[89] In this way, the Congregation offered an interpretation of norm III and especially the problematic Latin term *diu*. See also the comments of Dooley, "Communal Absolution and Confessional Rooms," p. 428. In rather blunt terms, this author concludes that "it is a mistake to think that a bishop has any wider powers to authorize communal absolution now than he had in 1944 ... and it is either ignorance or dishonesty to interpret any particular word or phrase in a sense other than what was meant in the 1944 or 1972 documents." Evidently some bishops did not concur with this opinion.

[90] Smith, "General Sacramental Absolution," p. 231.

[91] Carr, "General Absolution – Revisited," p. 61.

[92] See the subsequent reprimand of Bishop Dozier by the Sacred Congregation for the Sacraments and Divine Worship in its private letter of 25 March 1977 in *CLD*, 8 (1973-1977), pp. 556-558. Besides repeating several points from the preceding letter of the SCDF, the prefect noted on p. 558 "that general absolution is not some*thing* that an Ordinary is free to employ according to his personal judgement: rather he is the *guarantor*, for the Church and the Holy See, that apart from the situation of imminent danger of

In the meantime, the imminence of Easter 1977 motivated Pope Paul VI to comment on the two kinds of difficulties, one practical and extrinsic, the other psychological and intrinsic met by the faithful in observing the law which required they approach "the sacrament of penance, personally and sincerely, revealing one's sins with humble repentance and with the resolution to mend one's ways."[93] Curiously, the Pope did not limit this law to those conscious of grave sinfulness, stating that " 'going to confession' [was] a duty characteristic of the participation of every single member of the faithful in celebrating the great feast of the Redemption."[94] Hence the Pope justified the practice of sacramental penance on therapeutic and pedagogical grounds; a sacrament of life, peace and joy, it was at the same time a school of moral wisdom, a training ground of spiritual energy and a dialogue on Christian perfection.[95]

In the context of this teaching on the sacrament, the Pope sought to calm the minds of faithful disturbed by recent celebrations of general absolution and their aftermath. Mindful of the need to strengthen and support the trust of the faithful in the Church's sacramental discipline, Pope Paul stated that "if, today, the Church authorizes in certain particular cases, general absolution, let it be remembered that this authorization has an exceptional character, does not dispense from personal confession, and does not wish to

---

death, the conditions laid down by norm III are simultaneously verified." In his rejoinder to both Congregations, Bishop Dozier not only queried the assertion of the SCDF that the action in Memphis could "be so grossly termed as a call to give general absolution" but also, with a substantial quotation from a recent address of Pope Paul VI, underlined the role and dignity of bishops who "at the time of their Episcopal ordination receive the pastoral gifts of sanctifying, teaching and ruling by which they, acting in the person of Christ the pontiff, teacher and pastor, *become the instruments of the Spirit of Christ to carry out their ministry within the ecclesial communion.*" See Bishop C.T. Dozier, "Letter of the Ordinary of the Diocese of Memphis," 26 April 1977, (private), in *CLD*, 8 (1973-1977), pp. 559-561.

[93] Pope Paul VI, Address, 23 March 1977, in *Insegnamenti di Paolo VI*, XV (1977), p. 258. English trans. in *The Teachings of Pope Paul VI*, 10 (1977), p. 34. The Pope considered the practical difficulty "that of finding the concrete circumstances favourable to the fulfilment of this precept" and the psychological "that of formulating in one's conscience the concept of sin [and] one's own sins, and of having the courage to reveal them ... to an authorized minister of the Church."

[94] Ibid. Ignoring the understanding of the sacrament as a communal celebration of God's reconciling activity in the lives of the faithful in favour of a precept with which they must comply, the Pope noted a "certain progressive failure" to observe the norm, "leading in many cases to a considerable reduction in the faithfulness and vitality of the Christian life and of awareness of ecclesial life."

[95] Ibid., p. 36. The sacrament thus obtains for the penitent certain "spiritual advantages," educating the mind to discern good from evil, training the will to consistency, to positive virtue, to difficult duty, helping to discover the specific vocations of individual souls and to strengthen their resolution to be faithful and to progress towards sanctification.

deprive people of the experience, the advantages, the merit it has."[96] Given this reaffirmation of the third rite as a recognized means to assist those faithful restricted by the (mainly) practical problems encountered in the exercise of the sacrament, it is significant, in the light of contemporary events, that Pope Paul considered the *authorization* of general absolution *exceptional*. In a subtle way, this comment exposed a trend in official interpretation which attempted to curtail the power and autonomy of the diocesan bishop in this aspect of the Church's sacramental life and practice.

5.1.2.3 Meeting of the *Coetus studiorum de sacramentis*

In a tense and progressively polemical climate, a *Coetus* convened from 20-25 June 1977 to examine and revise, with regard to the responses gathered from the antecedent consultation process, the canon law for sacraments other than marriage as proposed in the *1975 Schema*.[97] Since this meeting took place within a period of developing negotiation between certain conferences of bishops and the Roman Curia, there emerged from its deliberations some discernable trends in thinking which resulted in a number of important modifications to the original text.

For the introductory theological canon 130, an amended text proposed to the consultors offered a more balanced presentation, stating:

> In the sacrament of penance the faithful, who confess sins to a lawful minister, have sorrow for them and at the same time a purpose of amending themselves, through absolution imparted by the same minister, obtain from God forgiveness of sins which they have

---

[96] Ibid. By this statement, the Pope indicated that whilst the Church has the power to celebrate general absolution in particular situations as judged by the competent authority, rites of reconciliation with individual confession and absolution were to continue as the ordinary form of the sacrament.

[97] At this meeting, cc. 130-148 for the sacrament of penance were discussed, a summary of which pertaining to the canons considered relevant to this dissertation, along with some more general observations, may be found in *Communicationes*, 10 (1978), pp. 47-56. The balance of the canons on penance, as well as the canons for the sacrament of confirmation, were debated at a subsequent meeting of the *Coetus* from 14-19 November 1977. Besides alterations to the title and chapter headings, pertinent matters noted in the general comments (with identifying numbers taken from the list in *Communicationes*) were the need to include the social dimension and communal aspect of reconciliation (IV), that there was a place for discussing the three forms of celebration (V), and recognizing the validity of general absolution to make it clear that such absolution was not given on condition (XIII).

> committed after baptism and at the same time are reconciled with the Church, which they have wounded by sinning.[98]

Revealing a greater equivalence to the theology contained in the *OP*, the text first of all strengthened the syntactic shift towards the penitent and correspondingly modified the emphasis on the aspect of absolution through the addition of the adjectival clause *de iisdem contriti simulque propositum sese emendandi habentes*, to indicate the basic disposition required of penitents in the sacramental celebration.[99] Secondly, the text clarified the question concerning the one who imparts sacramental absolution through inclusion of the prepositional clause *per absolutionem ab eodem ministro impertitam*, to specify that the priest to whom the penitent confesses sins must also absolve that same penitent.[100] Thirdly, the canon incorporated important changes in describing the effects of the sacrament, introducing the phrase *a Deo obtinent simulque reconciliantur cum Ecclesia* in place of *pacemque cum Ecclesia obtinent* to indicate clearly God as the source of forgiveness and its bilateral dynamic within the Christian community, and appending the words *quam peccando vulneraverunt* to express the social dimension of sin and reconciliation.[101]

Despite these changes, the *Coetus* did not liberate the canon from its methodological and material difficulties.[102] According to the summary provided by the *Relator*, the consultors concentrated their remarks on the adjective *iudicialem*, and discussed whether or not it should be added to modify the noun *absolutionem*. The

---

[98] *Communicationes*, 10 (1978), p. 50. The Latin text reads: "In Sacramento pænitentiæ fideles peccata legitimo ministro confitentes, de iisdem contriti simulque propositum sese emendandi habentes, per absolutionem ab eodem ministro impertitam, veniam peccatorum quæ post batpismum commiserint, a Deo obtinent simulque reconciliantur cum Ecclesia, quam peccando vulneraverunt."

[99] See *OP* 6. This clause expressed in an appropriate place material which had been omitted in c. 133 §1.

[100] See *OP* 6b, 22 and 28. This effectively responded to a suggestion contained in the report of The Canon Law Society of America, recorded in footnote 33 of this chapter, which sought to reopen the debate for communal absolution of penitents following their individual confessions at a celebration of the second rite of reconciliation.

[101] See *OP* 4 and 5. This represented a response to number IV of the general points noted above in footnote 97 and a criticism voiced in the report of The Canon Law Society of Great Britain and Ireland.

[102] Green, "Reflections on the Revised Code," pp. 360-361.

Coetus elected not to introduce the adjective, since "it suffice[d] to write a mention [of this] into another canon."[103]

Although several suggestions were tabled concerning c. 131, which affirmed individual confession and absolution as the sole ordinary mode of reconciliation, only one change was admitted to the text, the prepositional phrase *cum Deo et Ecclesia reconciliatur* replacing the theologically difficult *se cum Deo et Ecclesia reconciliat.*[104] This amendment effectively refined and clarified the text with respect to a fundamental doctrinal matter raised during the consultation process. Among the remaining comments submitted to the discussion, the proposal to mention the communal rites of penance was not rejected, but considered better suited to a separate paragraph.[105] A topical and interesting suggestion was the proposal to insert the words *magna utilitas pastoralis* after *moralis*, presumably to emphasize the essentially pastoral context within which moral and physical impossibility was determined. Nevertheless, such an addition may also have given an impression of support for recent episcopal initiatives involving the use of general absolution and was not accepted.[106] The official trend towards restricting the sacramental discipline implied here also emerged in the desire to prevent abuses reflected in the radical changes imposed upon the canons which followed.[107]

The first of the proposed norms devoted specifically to general absolution, c. 132 had been designed to set out the conditions required for verification before a penitential liturgy in the format of the third rite of reconciliation could be licitly authorized and

---

[103] *Communicationes*, 10 (1978), p. 50. The Latin text reads: "sufficit alio in canone mentionem facere."

[104] See the comments in section 5.1.1.2 of this dissertation and *Communicationes*, 10 (1978), p. 51.

[105] This proposal had been included by The Canon Law Society of America in its *Task Force Critiques of the Initial Schemata*, p. 198 in connection with the perceived over-emphasis on the element of absolution.

[106] The summary in *Communicationes*, 10 (1978), p. 51 gives no reason for the rejection of this proposal. The pastoral motivation for these initiatives is, however, clearly evident in the available documentation previously noted. The conclusion appeared to be confirmed in a later statement of Pope Paul VI addressed to some USA bishops on their *ad limina* visit in April 1978. See the comments by Schlick and Stalter, "La pluralité de la pratique pénitentielle face à la législation canonique," p. 238.

[107] This is also the opinion of Green, "Reflections on the Revised Code," p. 367. He provides a helpful summary of the debate on c. 132 of the *1975 Schema* on pp. 367-368.

celebrated. The discussion of the *Coetus* pertaining to this canon may be split into two stages. Initial debate centred on the text contained in the *1975 Schema*, and revealed the consultors visibly divided and disoriented.[108] The sole amendment to the text at this stage involved replacing the dynamic word *accedat* in §1, no. 2 with the static *adsit*, which seemed to imply that bishops were only to address circumstances as they already existed and according to a narrow reading of the conditions, rather than engage them in an experimental or pre-emptive manner.[109]

This apparent trend towards restricting the autonomy and field of judgement of the diocesan bishop in determining the meaning and presence (existing or possible) of a grave necessity became more evident with the proposal to transfer this matter to the competence of the conferences of bishops. Although not accepted by the *Coetus*, this suggestion yielded a number of related ideas which culminated in the tabling of an alternative text "that seem[ed] more active and more effective towards correcting abuses."[110]

Whilst this new text retained the positive introduction of the canon in the *1975 Schema*, the overall presentation reflected a more negative tone. One indicator of this change was the elimination of all references in the original text of a pastoral nature.[111] Secondly, in what seemed a direct response to recent controversies, the first draft of c. 132 §2 was eliminated and a revised text on the same theme, but written as a negative

---

[108] *Communicationes*, 10 (1978), pp. 52-53 and see Schlick and Stalter, "La pluralité de la pratique pénitentielle face à la législation canonique," p. 239.

[109] This strengthened the understanding that the one and only grave necessity was that specified by the listed conditions which must all be present simultaneously; it was not intended as an example. It is, of course, debateable whether bishops possessed the power to initiate such activities, although the anecdotal evidence discussed to date reveals a substantial ambivalence of belief among them.

[110] *Communicationes*, 10 (1978), p. 53. The Latin text reads: "Qui agilior validiorque ad abusus corripiendos videtur." The other ideas included the abrogation of c. 132 §3, no. 2 which gave a power of judgement to individual priests in conjunction with the local Ordinary and the removal of the entire section on general absolution from the Code of Canon Law but retained at the level of an instruction. The introduction of this alternative source of textual material for chapter one of Title IV (an unnamed University) resulted in major changes to its structure and content.

[111] These references were, in §1, no. 1, all the words from *quo* to *curet*, in §1, no. 2, the words from *quo* to *moneantur*, and the entire text of §3, no. 2. It should also be noted that before accepting the alternative text, the consultors decided to remove the sentence in §1, no. 2, *Quod ... constat*. No reason was given for the omission of this text.

condition, appended to §1, no. 2.[112] Thirdly, having excluded confessors from judging the presence of the conditions indicating a grave necessity, the alternative text included as §2 a norm describing the power of the diocesan bishop, based on the original canon, but with some syntactic changes designed to strengthen the consultative role of the conference of bishops.[113]

As a result of their deliberations, the *Coetus* accepted a new text of c. 132 which stated:

> §1. Absolution to several penitents at the same time without previous individual confession, by general manner can be imparted, and indeed must:
>
> 1° if danger of death were to threaten and time were not to suffice for the confessions of the individual penitents to be heard by the priest or priests.
>
> 2° if a grave necessity were present, namely when, having given heed to the number of penitents, a supply of confessors is not at hand for the individual confessions to be heard properly within a suitable time, so that penitents, without personal fault, are forced a long time to be without the grace of the sacrament or Holy Communion. The necessity is not truly judged sufficing at the time when confessors are not able to be at hand, by reason of only a great throng of penitents, such as can be had during some great festival or pilgrimage.
>
> §2. The judgement to say whether the conditions required according to the norm of §1, no. 2 are present, belongs to the diocesan bishop, who also in a general regulation, when he has consulted together with other members of the conference of bishops, can determine cases of such necessity.[114]

---

[112] Werckmeister, "L'absolution collective: évolution de la pratique en France," p. 305 and Schlick and Stalter, "La pluralité de la pratique pénitentielle face à la législation canonique," p. 239. In light of the criticism submitted in the report by The Canon Law Society of Great Britain and Ireland on the text of c. 132 §2 in the *1975 Schema*, the negative construction appears to make better sense of the circumstances the law is meant to address, a temporary, non-urgent situation in a place where the supply of confessors is normally sufficient to meet the needs of the faithful for sacramental penance.

[113] *Communicationes*, 10 (1978), p. 54. By the narrowest of margins, the *Coetus* voted to omit the final clause of this paragraph, a negative condition which would have compromised the role of the bishop by allocating a power of legislation to the conference of bishops.

[114] *Communicationes*, 10 (1978), pp. 53-54. The Latin text reads:

"§1. Absolutio pluribus insimul pænitentibus sine prævia individuali confessione, generali modo impertiri potest, immo vel debet:

1° si immineat periculum mortis et tempus non suppetat sacerdoti vel sacerdotibus ad audiendas singulorum pænitentium confessiones;

2° si adsit gravis necessitas, videlicet quando, attento pænitentium numero, confessariorum copia præsto non est ad rite audiendas singulorum confessiones intra congruum tempus, ita ut pænitentes,

Collectively, the changes simplified the text of this canon, but at the same time reflected a reactive stance which impressed a degree of uniformity and restrictiveness upon a sacramental discipline until then arguably more adaptable to the different pastoral needs of local Churches and which, in the minds of some commentators, had the potential for further development. The proposed changes also had considerable implications for the content and status of the parallel texts in the *OP* and the 1972 Pastoral Norms.[115]

The relevance of these Pastoral Norms was recalled in the discussion pertaining to c. 133 §1, which set out the disposition required of penitents in the celebration of general absolution.[116] One consultor, in recognition of the teaching aspect of law, suggested the substitution of this text with norm VI of the 1972 Norms. This proposal was not accepted, but rather than retain the original form, the *Coetus* agreed to its replacement with a text from the same source used in the revision of c. 132. This proved advantageous since, by noting the disposition necessary for the validity of the absolution, the change effectively conformed the canon to the presentation of the *OP*.[117] Paragraph two of c. 133 proved more problematic for the *Coetus*, and the summary once again revealed its divided character. The original text being suppressed, a new norm from the alternative source mentioned previously was inserted in its place which stated that "Christ's faithful are to be thoroughly instructed about the requirements in the norm of

---

sine propria culpa, gratia sacramentali aut Sacra Communione diu carere cogantur. Necessitas vero non censetur sufficiens cum confessarii præsto esse non possunt, ratione solius magni concursus pænitentium, qualis haberi potest in magna aliqua festivitate aut peregrinatione.

§2. Iudicium ferre an dentur condiciones ad normam §1, no. 2, requisitæ, pertinet ad Episcopum dioecesanum, qui quidem generali quoque ordinatione, collatis aliis cum membris Episcoporum Conferentiæ consiliis, casus talis necessitatis determinare potest."

The omission in the text provided by *Communicationes* of "no. 2" after "*ad normam* §1" in §2 above has been corrected.

[115] See for example *OP* 31 and 32 and norms II, III and V.

[116] The material for this paragraph is taken from *Communicationes*, 10 (1978), p. 55.

[117] See *OP* 33. The purpose clause introducing c. 133 §1 thus read "For a member of Christ's faithful *validly to benefit* from sacramental absolution given to many at the same time." The Latin text recorded in *Communicationes*, 10 (1978), p. 55 read: "Ut christifidelis sacramentali absolutione una simul pluribus data *valide fruatur*."

§1 and for general absolution, even in a case of danger of death, if time were to suffice, an exhortation is first said so that each one care to make an act of contrition."[118]

The alternative source also provided a new text for c. 134, which elaborated somewhat the obligation for penitents absolved in a general manner to make a subsequent auricular confession. Having already agreed, for the sake of terminological uniformity, to replace the word *auricularem* with *individualem*, the consultors accepted this text which revealed a more precise and urgent character of this requirement, affirming that "since the obligation mentioned in c. 159 remains binding, one whose grave sins are remitted by a general absolution should go to individual confession as soon as possible, given the occasion, before he [or she] receives another general absolution, unless a just cause intervenes."[119] The greater emphasis placed on this obligation through the addition of the words *quamprimum, occasione data,* seemed at odds, however, with comments made during the consultation process which queried the value of this norm.

Along with the results of its work at a subsequent meeting from 14-19 November 1977,[120] the canons accepted by the *Coetus* as part of the title *De sacramento pœnitentiæ* were compiled into a document representing a draft of the entire proposed new Code of Canon Law.[121] The extensive revisions incorporated into the canons of the *1975 Schema* examined in the preceding comments revealed a discernable movement towards tightening the sacramental discipline, motivated by the desire to prevent what were seen as indiscriminate and even abusive applications of the third rite of reconciliation.

---

[118] *Communicationes*, 10 (1978), p. 55. The Latin text reads: "Christifideles de requisitis ad normam §1 edoceantur et absolutioni generali, etiam in casu periculi mortis, si tempus suppetat, præmittatur exhortatio ut actum contritionis quisque elicere curet." This new paragraph was made up of two elements eliminated from the original text of c. 132 §1, nos. 1 and 2, providing some "pastoral balance" to the overall presentation and removing the casuistic character of the canon in the *1975 Schema.*

[119] *Communicationes*, 10 (1978), pp. 55 and 56. The Latin text reads: "Firma manente obligatione de qua in can. 159, is cui generali absolutione gravia peccata remittuntur, ad confessionem individualem quamprimum, occasione data, accedat, nec antea aliam recipiat absolutionem generalem, nisi iusta causa interveniat."

[120] This meeting reviewed cc. 149-174 on penance and cc. 40-58 on the sacrament of confirmation.

[121] Pontificia Commissio Codici Iuris Canonici Recognoscendo, *Codex iuris canonici: schema Patribus Commissionis reservatum (=1980 Schema)*, Libreria editrice Vaticana, 1980. This document was also subject to consultation and a process of revision.

Regrettably, this rather consuming focus meant that some matters of general concern and many suggestions offered at the meeting of the *Coetus* and through the prior consultation process failed to leave a significant impression on the text of the revised canons.[122]

5.1.2.4 Sacramental Renewal and a Second Response

At the time the restrictive approach began to emerge as a dominant force in the revision of the canons pertaining to general absolution, a somewhat contrasting picture of the meaning and exercise of sacramental liturgical celebrations was being painted by Cardinal Villot. In his letter of 21 July 1977, the then Secretary of State described the liturgy as both "the way of full participation in the Christian mystery of salvation [and] the source which sustains people's energies along the difficult road."[123] Since the recent liturgical reform had been intended as the basis for a genuine and thorough renewal in the life of the Church, Cardinal Villot suggested that imprecise and hackneyed ideas and criteria give way "to an authentic vision of the experienced reality of Christ's mystery which is operative in the sacraments of the Church for the Christian fulfilment of humankind."[124] Such a vision required the celebrating *community* "grasp the profound and life-giving reality of the mystery [through a prudent use] of the options given in the liturgical books for preparing, organizing and carrying out celebrations which relate to the lives and capacities of the participants."[125] In this way recognizing as vital elements a

---

[122] See for example Schlick and Stalter, "La pluralité de la pratique face à la législation canonique," p. 238. An essential matter apparently given little recognition was the social dimension and communal aspect of reconciliation.

[123] Cardinal J. Villot, Letter to a Latin American Liturgical Conference, p. 321. According to the Cardinal, p. 322, the community must "discover in the liturgical celebration the mystery of salvation in *all its dimensions.*" This required that the community understand the signs which are part of the celebration, including the value of the assembly, God's word, the sacraments, the various gestures, postures and actions and the commitment the celebration presupposes in the life of individuals and community. Unless these aspects are properly understood, "the liturgical reform will remain a matter simply of external changes which rouse curiosity but quickly prove ineffective." See the Cardinal's letter, p. 323.

[124] Ibid., p. 323.

[125] Ibid. The Cardinal continues on p. 328, "Let the bishops guide their fellow-workers and be an example and inspiration to them, by showing how the liturgy can, when its possibilities are prudently exploited and when it has its proper place in the overall pastoral plan, be a vital force for the accomplishment of the Church's mission." This seems to echo the sentiment expressed previously by certain English and USA bishops in their initiatives involving general absolution.

community's language, culture, concerns and aspirations, the liturgy would become "the expression of the community's faith, not as an abstraction but as a force for the renewal of each individual, of the community as a whole, and of the world in which it lives."[126]

Towards the end of 1977, a series of *ad limina* visits began which elicited significant and consequential statements from Pope Paul VI and certain dicasteries of the Roman Curia. The first of these visits brought the bishops of the Netherlands, who had but one year earlier issued a letter in conjunction with the publication of the *OP* in Dutch translation. In his address, the Pope described the liturgy as "a participation and mirror of the heavenly Liturgy, a sacred action and the prayer of Christ, of the Church and of those who wish to draw on the sources of divine life that the sacraments are."[127] Quoting from the bishops' letter, Pope Paul then developed this understanding in relation to the sacrament of penance, confirming its importance "in the process of conversion, reconciliation and liberation from sin operated by Christ, [as a] renewal of Christian life without [which] a source of reconciliation and salvation would be lacking." Considered a suitable basis to justify the Church's current discipline of the sacrament, the Pope praised the bishops' doctrinal and pastoral stance, which had "confirmed the necessity of personal confession and absolution, while collective confession and absolution remain[ed] limited to exceptional cases." He then exhorted the bishops to study with their priests "the best pastoral means so that the faithful ... may easily benefit from the joy, the comfort and the enrichment that come from this sacrament," overcoming any difficulties with gentleness and patience.[128]

A short time later, the bishops of eastern France received a caution from the Sacred Congregation for the Sacraments and Divine Worship since it had determined, in light of recent papal comments and the progression of clarifications and policy trends emanating

---

[126] Ibid., p. 324 and see also the interesting comments on pp. 325-326.

[127] The details in this paragraph are taken from Pope Paul VI, Address, 17 November 1977, in *Insegnamenti di Paolo VI*, XV (1977), pp. 1068-1069. English trans. in *The Teachings of Pope Paul VI*, 10 (1977), pp. 490-491. The different perspective from which this account of the liturgy is written gives a rather dramatic contrast to the explanation noted above.

[128] Pope Paul VI carefully maintained, therefore, certain emphases in his teaching on sacramental penance, including the vital and necessary function of individual confession together with the consolation and formation it brought into the lives of the faithful, with general absolution restricted to exceptional circumstances.

from the Church's central teaching authority, that general absolution was being authorized by the bishops too frequently during penitential ceremonies.[129] Significantly, the Congregation centred its remarks on the matter of *urgency* necessary for this authorization, explaining that since the opportunity for individual confession was normally available in that place, the assembled penitents were not obliged to confess at that particular time.[130]

An identical line of reasoning was pursued in a subsequent official reply to a question concerning special penitential services scheduled as part of the faithful's preparation for Easter.[131] No doubt prompted by the recent controversial episcopal initiatives, the reply not only argued for a lack of conformity between planned and advertised penitential services with general confession and absolution and the conditions listed in the 1972 Pastoral Norms, but also highlighted this sacramental rite of reconciliation as an extraordinary *practice* which might be used, for example, when "a priest could visit a remote mission station only infrequently."[132] Such reasoning may also help to explain the decision to omit the sentence, "This can happen, especially in mission lands, but also in other places, and among groups of persons, in which that [grave] necessity is ascertained," contained in norm III of the 1972 Pastoral Norms, from the

---

[129] See the summary composed by Bishop P. Boillon of Verdun entitled "La position des congrégations romaines sur les problèmes poses par les sacrements de pénitence et de mariage," in *La Documentation catholique*, 75 (1978), p. 244 and noted by Werckmeister, "L'absolution collective: évolution de la pratique en France," p. 295. The bishop offered an example to the Congregation which occurred in his cathedral in Lent 1977: "The attendance consisted between 500 and 600 people. The liturgy lasted more than an hour while we numbered only 12 priests. Should we have heard each penitent in the confessional, the evening would have continued without end."

[130] The source for this opinion appeared to be the SCDF letter dated 14 January 1977. In the mind of Werckmeister, "L'absolution collective: évolution de la pratique en France," p. 296 however, "the least one could have said about such a reply was that it ignored pastoral realities," especially the refusal to impart sacramental absolution on the pretext that too many people had assembled for a ceremony at which the intended primary purpose was not a celebration of the third rite of reconciliation. Nevertheless, the stance of the Congregation was consistent with the understanding behind the amendment to c. 132 of the draft of the new *Code of Canon Law*.

[131] SCDF, Reply, 20 January 1978, (private), in *Notitiæ*, 14 (1978), pp. 6-7 and *CLD*, 9 (1978-1981), pp. 598-599.

[132] Ibid., pp. 7 and 599 respectively. Osborne, *Reconciliation and Justification*, p. 229 notes the introduction of new terminology in this reply, since the phrase "the extraordinary practice of general absolution" is not found in either the 1972 Pastoral Norms or the *OP*. Osborne states that in this reply from the SCDF "there is an extension or even a new interpretation to the meaning of general absolution."

alternative text for c. 132 §1, no. 2 of the *1975 Schema* tabled at the meeting of the *Coetus* in June 1977.[133] Together with the Congregation's reminder that the local Churches so arrange pastoral duties "that a sufficient number of priests will be available for the ministry of sacramental confession,"[134] this effort to minimize situations suitable for the authorization of general absolution represented a further manifestation of the trend towards restricting the freedom and power of the diocesan bishop in this area of the Church's life and worship.

The clearest and most striking expression of this trend, however, was reserved for an address to the bishops of New York State during their *ad limina* visit in April 1978. Having reflected on the understanding that the fundamental call to conversion constituted "a whole programme linked with the renewing action of the Gospel [and] the goal to be achieved by our apostolic ministry,"[135] Pope Paul VI centred his remarks on two closely related themes: *vigilance* in the question of auricular confession and *fidelity* to the communion of the universal Church. Within these parameters the Pope, in unprecendented firmness of tone, stated that diocesan bishops, before permitting celebrations of general absolution, were only empowered "to judge whether the necessary conditions determined by the Apostolic See and specified in norm III [of the 1972 Pastoral Norms] were in fact present. [They] were not authorized to change the required conditions, to substitute other conditions for those given, or to determine grave necessity according to their personal criteria, however worthy."[136] Pope Paul then invoked the *intention of Christ the Saviour* to justify the interpretation that general

---

[133] The Latin text in *Communicationes*, 10 (1978), reads: "Quod evenire potest, præsertim in terris missionum, sed in aliis etiam locis, necnon apud coetus personarum, in quibus illa necessitas constat." A text very similar to this had also been included in *OP* 31.

[134] *Notitiæ*, 14 (1978), p. 7 and *CLD*, 9 (1978-1981), p. 599.

[135] Pope Paul VI, Address, 20 April 1978, in *The Teachings of Pope Paul VI*, 11 (1978), p. 170. This involved awakening "a consciousness of sin in its perennial and tragic reality, a consciousness of its personal and social dimensions, together with a realization that 'grace has far surpassed sin' (Rm 5:20) and to proclaim salvation in Christ."

[136] Ibid., p. 171. The term "diocesan bishop" has been substituted for the word "Ordinary" used by the Pope in his address. According to the definition of the latter in *CIC 17*, c. 198 §1 and the *1980 Schema*, c. 131 §1, *Ordinary* is an inaccurate usage here, since norm III of the 1972 Pastoral Norms reserved the judgement to the *local* Ordinary and *OP* 32, together with the *1980 Schema* specified the *diocesan bishop* as the responsible Church official in this matter of sacramental discipline.

absolution was "not to be used as a normal pastoral option, or as a means of confronting any difficult pastoral situation" and the appeal "for faithful observance of the norms."[137] In this light, the Pope both confirmed and extended his previous teaching with the claim that general absolution possessed an *altogether exceptional character* and, as a result, in reference to his discernment of the circumstances then existing in the life of the Church, attempted to place a severe limitation upon diocesan bishops authorizing the third rite of reconciliation in their role as the moderators of penitential discipline.[138]

One reaction to this restrictive approach emerged from the bishops of France who, at the same time, were in dialogue with Rome regarding the completion of the new *OP* in the vernacular edition. Without prejudice to the opposing extremes of radical conformity and militancy adopted by the dioceses of Verdun and Guadaloupe respectively, the remainder encouraged a generally more prudent and restrained exercise of general absolution whilst still upholding the pastoral policies agreed in 1973 at Lourdes.[139] Nevertheless, it was essentially the question of general absolution – more precisely the meaning of grave necessity – which delayed the approval of the *OP* in the French adaptation.[140] With some concessions, such as the need to apply general absolution with more seriousness and above all to insist on the obligatory character, for validity, of the

---

[137] Ibid., p. 171. In his mind, the solution to contemporary problems concerning the sacrament of penance was for priests, under the constant guidance of and with strong spiritual leadership from the bishops, to more deeply understand how they *collaborate with the Saviour* in the work of conversion and give themselves with ever greater zeal to this ministry in accordance with the *OP*. See ibid., p. 172. The line of argumentation used by the Pope seems to corroborate Bishop Dozier's reflection in "Letter of the Ordinary of the Diocese of Memphis," p. 561 that Rome apparently wanted to convey the impression that the Pastoral norms were in some way of divine law.

[138] In his address to a general audience on 23 March 1977 the Pope had stated that the authorization of general absolution had an exceptional nature. Osborne, *Reconciliation and Justification*, p. 228 disputes this papal interpretation.

[139] Werckmeister, "L'absolution collective: évolution de la pratique en France," pp. 296-299 provides an interesting and detailed summary of this response. He notes the perfect expression of the position by Bishop Elchinger of Strasbourg (quoted by Werckmeister on pp. 298-299 from the diocesan bulletin): "I consider along with the French Conference of Bishops that general absolutions are legitimate in certain cases and I also uphold the policies given in 1974."

[140] Werckmeister, ibid., pp. 299-303 provides a helpful summary of the dialogue between Rome and the French episcopate. In short, whereas Rome considered grave necessity to be an extreme situation which could not be avoided (and thus possessing an urgent nature), the French bishops proposed the idea of an exceptionally general situation based on the duty to promote the pastoral good.

penitents' intention to make a subsequent individual confession if conscious of grave sin, the French discipline at that time was maintained basically intact.[141]

The experience with general absolution during this period seemed to both embody and reflect a deeper and more pervasive struggle concerning ecclesiology endured by the postconciliar Church.[142] A fundamental element of this phenomenon was the issue of credibility, not only of the various sacramental rites by which the Church gave liturgical expression to its faith, but also the constitutive structures, such as the local community, through which the Church understood itself and related to the modern world. Different models or images had been proposed and, given concrete form, clashed, as the Church continued the mission inaugurated by Jesus, because the theologies which flowed from the models varied in content and approach to the work of reconciliation.[143] Accordingly, the matter of general absolution opposed a group which sought to reduce the possibility of abuse by restricting through an imposed uniformity the sacramental discipline, and another, decentralized and open to development through an awareness of the Church being a living sign of the reconciliation it works to bring about.[144] The ministry of Pope Paul VI acknowledged and at times embraced these models either in whole or in part, creating a policy which effectively allowed ambiguity of interpretation to persist in the exercise of general absolution, a complex and problematic legacy for the Church as it welcomed the pontificate of John Paul II.

---

[141] This may be concluded from the statements quoted in ibid., p. 302 from the document adopted at the Plenary Assembly of French bishops held at Lourdes in October 1979.

[142] The following notes are dependant upon the summary in Ehiem, *Reconciliation: Problems and Prospects*, pp. 145-149.

[143] On this point Ehiem quotes on p. 146 a passage from B. Häring who identified a tension between the Church viewed as an institution equated with the hierarchy that claimed total control over the conduct and consciences of the Church's subjects and the understanding of the Church as a community of love and fellowship in the Holy Spirit.

[144] See also the comments of Werckmeister, "L'absolution collective: évolution de la pratique en France," p. 316.

5.1.2.5 The Ministry of Pope John Paul II, 1978-1981

The *ad limina* visit which brought a group of Canadian bishops to Rome in late 1978 provided an early opportunity for Pope John Paul II to expound particular aspects of sacramental discipline worthy of the special attention of the universal Church for which the Apostolic See claimed primary responsibility. Reflecting on the theme of the bishop as pastor of a particular Church in which catholic unity abides, the Pope focussed his introductory remarks on the observation that bishops "are called to give absolute pastoral priority to the ever more effective guarding and teaching of the deposit of faith [and] urged to a deep pastoral concern for the sacred discipline common to the whole Church."[145] Given this context, Pope John Paul carefully restated the teaching on general absolution contained in the recent address of Paul VI to the bishops of New York State.[146] In particular, he noted his predecessor had confirmed a link between the 1972 Pastoral Norms and the solemn teaching of the Council of Trent concerning the divine precept of individual confession, and once again indicated the altogether exceptional character of general absolution. He then exhorted the bishops to assure all priests "of the great supernatural effectiveness of a persevering ministry exercised through auricular confession, in fidelity to the command of the Lord and the teaching of his Church [and affirmed] the great benefits derived from frequent confession."[147]

The publication of Pope John Paul II's first encyclical letter *Redemptor hominis* provided two further significant emphases – the Eucharist and the personal aspect of conversion – which effectively completed the canvas of principal themes comprising his

---

[145] Pope John Paul II, Address, 17 November 1978, in *Insegnamenti di Giovanni Paolo II*, I (1978), p. 171. The Pope supported these comments with the understanding that, on the one hand, all the pastoral situations and problems linked to the apostolic ministry are confronted with the power of the Gospel of Christ and, on the other hand, that the delicate and sovereign action of the Holy Spirit assists the bishops in leading the faithful to salvation.

[146] Along with this citation, this influential text of Paul VI was directly quoted by Pope John Paul II in an *ad limina* address to bishops of India from the Bengalese and northwest regions, 26 April 1979, in *AAS*, 71 (1979), p. 666 and in an address to the conference of bishops of the United States at Quigley Seminary South, 5 October 1979, in *The Pope Speaks*, 24 (1979), p. 355. There is also a more indirect reference in the encyclical letter *Redemptor hominis*, 4 March 1979, in *AAS*, 71 (1979), p. 315.

[147] Pope John Paul II, Address, 17 November 1978, p. 172. These points tended to be constant themes of subsequent papal references to sacramental penance.

teaching on penance.[148] In his attempt to comprehend and relate the ineffable meaning of the Eucharist, the Pope noted that among the many facets of this most blessed sacrament, each faithful "has access to the fruits of the filial reconciliation with God that he himself actuated and continually actuates among us by means of the Church's ministry."[149] Given this presence of the full magnitude of the divine mystery, Pope John Paul reflected that "in this sacramental sign [Jesus] entrusts himself to us with limitless trust," as if in a mirror image giving himself into our hands, in complete and mutual human vulnerability, as he gave himself to his Father.[150]

Accordingly, the Pope recognized a close link between the Eucharist and penance, in that the former strengthens and consolidates the call of Christ to repent and believe in the Gospel, whilst the grace of conversion provides faithful with a readiness to offer God the spiritual sacrifice in which they express their sharing in the priesthood of Christ.[151] The Pope concluded that since, in Jesus, priesthood is linked with his unlimited self-giving to the Father, that same unique self-giving raises in human persons "the need to

---

[148] The affirmation and development of a Eucharistic context for penance, both as virtue and sacrament, became a significant element of teaching in the first years of the Pope's ministry. Along with the personal aspect of conversion, it is mentioned in several addresses and documents, as detailed in the comments which follow.

[149] *Redemptor hominis* 20, p. 311. The Latin text reads: "accedere posse ad fructus filiorum reconciliationis cum Deo, quam perfecerit ille continenterque inter nos perficiat ex Ecclesiæ ministerio." English trans. in *Origins*, 8 (1978-1979), p. 640. Other aspects mentioned were the Eucharist as the summit and fullness of the entire sacramental life of the Church and of each Christian, as the perfect sacrament of the union between human persons and Christ, as the most complete expression of our new being in Christ and as the sacrament which builds ever anew the authentic community of the people of God. On these aspects see also his addresses to bishops of India from the Bengalese and northwest regions, pp. 664-665 and to the bishops of Japan in Tokyo, 23 February 1981, in *AAS*, 73 (1981), p. 409.

[150] *Redemptor hominis* 20, pp. 312-313. The Latin text reads: "in hoc sacramentali signo ille se nobis tradit cum fiducia infinita." English trans. in *Origins*, 8 (1978-1979) p. 640. In giving himself to us, the vulnerability is mutual because, as the Pope states, Jesus risks in our response the effect of our human weakness, our unworthiness, the force of habit, routine, or even the possibility of insult.

[151] Ibid., p. 313. Here, Pope John Paul II develops a point previously made by Paul VI in his address of 20 April 1978, and continues, "The Eucharist and penance thus become in a sense two closely connected dimensions of authentic life in accordance with the spirit of the Gospel, of truly Christian life." The Latin text reads: "Sic quidem Eucharistia ac Pænitentia certo quodam sensu exhibentur velut duplex intusque simul coniuncta facies veræ vitæ secundum Evangelii spiritum: vitæ reapse christianæ." English trans. in ibid., p. 640. Pope John Paul briefly revisited this theme in his address to the conference of bishops of the United States, p. 355.

turn to God in an ever more mature way and with a constant, ever more profound conversion."[152]

Although acknowledging the importance of the recent recovery of the community aspect of penance, Pope John Paul II stressed the personal and interior dimensions of this conversion which engages individuals with the whole depth of their conscience, sense of guilt and trust in God.[153] In this light, the Pope recognized in the practice of individual confession – with its personal act of sorrow and the intention to amend and make satisfaction – the Church's defence not only of the faithful's right to a more personal sacramental encounter with Jesus but also the right of Christ to meet each one in the key experience of conversion and forgiveness.[154] By its role in safeguarding the sacrament of penance, the Church thus affirmed its faith in the mystery of the redemption as a living and life-giving reality and preserved the means to satisfy men and women with the righteousness that comes from the Redeemer himself.[155]

In the mind of Pope John Paul II, the implications of this teaching were, first of all, that the personal encounter with Jesus, "which keeps alive in our hearts and in our communities a consciousness of sin ... and which actually brings forth, by the action of

---

[152] *Redemptor hominis* 20, p. 314. The Latin text reads: "necesse sit ad Deum nos dirigamus modo usque maturiore et conversione constanti, semper quidem profundiore." English trans. in *Origins*, 8 (1978-1979), p. 640. In identifying a form of correspondence between conversion and self-giving, Pope John Paul underlined the essential element of sacrifice in the Eucharistic value of reconciliation.

[153] This emphasis is noted by both Osborne, *Reconciliation and Justification*, p. 229 and Chappell, *Regular Confession: An Exercise in Sacramental Spirituality*, p. 26. See also the Pope's addresses to the conference of bishops of the United States, p. 355 and to the bishops of Japan in Tokyo, p. 409.

[154] *Redemptor hominis* 20, pp. 314-315. The comments are a modification of the English trans. in *Origins*, 8 (1978-1979), p. 641. The aggregation to papal teaching of an argument for a more personal encounter between the risen Christ and the penitent based on individual rights appears as something of a novelty in this document. It was repeated in the Pope's later address to the bishops of India from the Bengalese and northwest regions, p. 666, his address to the bishops of Japan in Tokyo, p. 409 and also an allocution to the Tribunal of the Sacred Penitentiary and the Penitentiaries of the Roman basilicas, 30 January 1981, in *Communicationes*, 13 (1981), p. 19. English trans. in *CLD*, 9 (1978-1981), p. 596. The last mentioned citation represents a rather curious paragraph comprising a number of rhetorical questions which extend the rights argument in a dubious manner. For relevant information and discussion pertaining to this right of the Christian faithful, see A.J. Maida, "Rights in the Church," in *Chicago Studies*, 15 (1976), pp. 258-259, 266. Within this context, Desdouits, "Problèmes de l'absolution collective," p. 166 also identifies a right to sacramental grace for those who participate in a celebration of general absolution with the proper disposition and according to the accepted conditions.

[155] *Redemptor hominis* 20, p. 315. The text is adapted from the English trans. in *Origins*, 8 (1978-1979), p. 641.

Jesus and the power of his Spirit, fruits of conversion in justice and holiness of life" is, according to divine precept, properly and most fully expressed in rites of reconciliation with individual confession and absolution.[156] Secondly, and in direct relationship to the first implication, the diligent observance by all the priests of the 1972 Pastoral Norms "is both a question of loving fidelity to Jesus Christ and to his redemptive plan and the expression of ecclesial communion in 'a matter of special concern to the universal Church and of regulation by her supreme authority'."[157]

This aggressive papal affirmation of the individual and personal aspects of conversion and sacramental penance, and the close relationship between mature Eucharistic participation and penance both as a way of life and celebrated sacramentally, was maintained in Pope John Paul's second encyclical letter reflecting on the mercy of God.[158] In a section entitled "The Mercy of God in the Mission of the Church" the Pope recalled that, since the main purpose of Jesus in his messianic mission was to reveal, through his word and his cross, the Father's merciful love, the Church lives its true life in confessing, proclaiming and showing this mercy to all.[159] In this context, all the faithful are called to rediscover the richness of the Father's mercy in a deeply personal way, and come to live in a state or condition of conversion to him that characterizes the pilgrimage each one makes in the course of this life.[160] According to Pope John Paul, the sacrament of penance, where each one individually can experience mercy and a love stronger than sin, has an essential role in this rediscovery, in that it prepares the way for the

---

[156] Pope John Paul II, Address to the conference of bishops of the United States, p. 355. See also his address to bishops of India from the Bengalese and northwest regions, p. 666 and the allocution to the Tribunal of the Sacred Penitentiary and the Penitentiaries of the Roman basilicas, p. 596.

[157] Pope John Paul II, Address to bishops of India from the Bengalese and northwest regions, p. 666. The final quotation is from Paul VI's address to the bishops of New York State, p. 171. According to the Pope's address to the bishops of Japan in Tokyo, p. 409, this understanding highlighted the exceptional character of general absolution, because the norms regulating its use took into account the right on Christ's part with regard to every human being redeemed by him.

[158] Pope John Paul II, Encyclical Letter *Dives in misericordia*, 30 November 1980, in *AAS*, 72 (1980), pp. 1177-1232. An English trans. may be found in *The Pope Speaks*, 26 (1981) pp. 20-58.

[159] *Dives in misericordia* 13 and 14, pp. 1219 and 1221.

[160] Ibid. 13, pp. 1220-1221. In this interesting paragraph, the Pope not only sees a reflection of the Church's pilgrimage in the journey of faith experienced by the individual members, but also seems to shed some further light on the meaning and importance of their fundamental option in life.

inexhaustible love, to which the Eucharist celebrated in memory of Jesus bears witness, with which the risen Lord constantly desires to enter into every human heart.[161]

5.1.2.6 The Plenary Session of the Code Commission, 1981

Within the doctrinal and pastoral context proposed in the teaching of Pope John Paul II, the Pontifical Commission for the Revision of the Code of Canon Law met in plenary assembly from 20-28 October 1981 to consider, in the light of further consultation and examination, the text of the *1980 Schema*.[162] Although several interesting suggestions were submitted for the canons concerning the definition of the sacrament and its celebration, the consensus among the members revealed both a tendency to avoid expanding the text for the sake of an exhaustive doctrinal presentation and at the same time a willingness to further tighten the discipline of general absolution against the possibility of abuse.

The first of these motivations – incarnating the principle *qualificatio vel interpretatio doctrinæ non pertinet ad Codicem* – may be observed at several places in the *1981 Relatio*, beginning with proposals for amending the introductory theological canon, 913.[163] Carefully and almost exclusively supported with citations to the *OP*, these suggestions seemed stimulated by a perception that the canon could express in a more precise and (arguably) more accurate way the meaning and purpose of the sacrament.[164]

---

[161] Ibid., p. 1219.

[162] The various submissions and replies, along with the names of those who participated, are summarized in Pontificia Commissio Codici Iuris Canonici Recognoscendo, *Relatio complectens synthesim animadversionem ab Em.mis atque Exc.mis Patribus Commissionis ad novissimum schema Codicis iuris canonici exhibitarum, cum responsionibus a secretaria et consultoribus datis (=1981 Relatio)*, Typis polyglottis Vaticanis, 1981. A list of the members is provided on pp. 5-8 and the material concerning the canons relevant to this dissertation may be found on pp. 223-228.

[163] This canon was originally numbered 130 in the *1975 Schema*. The proposals were tabled by Cardinals E. Florit and J.R. Knox.

[164] Other than the familiar suggestion to qualify the absolution as judicial, an example of the need for greater precision may be seen in Cardinal Florit's proposal, based on *OP* 1, to insert a reference about the Son's mediation of the Father's mercy. In contrast, Cardinal Knox offered the assessment that the text as it stood was incompatible with *OP* 7 and might encourage the faithful not to celebrate the sacrament on a regular basis.

None were admitted, however, either on the grounds that the material at issue was already sufficiently present in the text or in other parts of the Code, or as without having any foundation. A similar reticence met proposals for the refinement of c. 914.[165]

In a move which revived a suggestion previously tabled at the 1977 meeting of the *Coetus studiorum de sacramentis*, the canons specifically devoted to general absolution were subject to renewed calls for their suppression from the proposed new Code of Canon Law.[166] The response, however, stated that the question of general absolution was of sufficient magnitude to warrant a place in the Code, and at the same time confirmed the canons as a faithful reproduction of the relevant elements in their source document. In this context, a proposal arose illustrative of the second motivation – incarnating the principle *necessitas ad abusus vitandos* – which produced a major amendment to these texts at this stage of their preparation.

The initial concept of this proposal suggested that the material set out in c. 915 §1 be introduced as negative conditions, with the verb *impertio* employed as a passive subjunctive, altering the phrase *generali modo impertiri potest, immo vel debet: si ...* to read *generali modo ne impertiatur, nisi ...* followed by the two approved situations of grave necessity.[167] A second and similar idea, based on the premise that the draft "was dangerous and could lead to damaging the spiritual life of the faithful and for vocations and for those faithful who practically no longer confess their sins," advocated that the text read *generali modo impertiri non potest: nisi...*, with the serious nature of the issue

---

[165] Originally listed as number 131 in the *1975 Schema*, this canon suffered, in the opinion of Cardinal R.F. Primatesta, from the absence of a reference to contrition and satisfaction. According to the response, the former element was already present in c. 913 and the latter covered by c. 936. From another perspective, Cardinal P. Palazzini advised the addition of the phrase *de iure divino* in line with the definition of Trent. The response indicated that this was a theological matter which *non pertinet ad Codicem.*

[166] On the one hand, Archbishop J.L. Bernadin considered the canons superfluous to the comprehensive treatment provided in the *OP* whilst Cardinal Palazzini, in a relatively lengthy statement, not only queried the fidelity of the canons to the 1972 Pastoral Norms, but also observed "a contradiction between affirming that [individual] confession is the ordinary means of reconciliation and giving considerable space to this other form of pardon of sins." See the *1981 Relatio*, p. 226 and Schlick and Stalter, "La pluralité de la pratique pénitentielle face à la législation canonique," p. 240.

[167] This canon was originally listed as c. 132 §§1-2 in the *1975 Schema.* According to the *1981 Relatio*, p. 227, Cardinal Florit proposed this form of the text.

reinforced by substituting the more restrictive *pergravis* for the adjective *gravis*.[168] The change to a negative formulation was admitted to the text, but without the additional qualification for the level of necessity required for authorizing a celebration of the third rite of reconciliation.

The concern for abuses of the sacramental discipline also generated suggestions centred on the adverb *diu* in c. 915 §1, no. 2. A word which had an established history of interpretative controversy,[169] *diu* was considered by one approach as an unworkable term and a source of anxiety and confusion among the faithful which recommended its removal from the text.[170] As an alternative solution, another proposal suggested that the term be given some clarification.[171] Both suggestions were rejected, the former on account of the fundamental nature of the matter and the latter by the consistent application of the first principle identified above.

Two proposals for refining c. 915 §2 sought a further restriction on the role of the diocesan bishop, either by reserving the judgement for the authorization of general absolution to the bishops of an ecclesiastical province or giving a compulsory nature to the directive by which bishops discerned cases of necessity.[172] Although the summary of the *1981 Relatio* indicated the non admittance of these suggestions, a comparison between the text of the *1980 Schema* and the revised draft which emerged from the

---

[168] This proposal was submitted by Cardinal L.S. Duval. See the *1981 Relatio*, p. 227 and Schlick and Stalter, "La pluralité de la pratique pénitentielle face à la législation canonique," p. 240.

[169] J. Huels, *Disputed Questions in the Liturgy Today*, Chicago, IL, Liturgy Training Publications, 1988, p. 79 and see especially p. 89, footnote 7.

[170] This was the opinion of Cardinal G.B. Hume, Archbishop Bernadin and Bishop J. O'Connell, based on comments originally contained in the 1975 report of The Canon Law Society of Great Britain and Ireland. Coupled with the concomitant idea to suppress the final portion of the text, *Necessitas vero ... peregrinatione*, this would have effectively eliminated the element of urgency from the understanding of general absolution.

[171] This idea was advocated by Cardinal J. Siri.

[172] This canon was originally numbered 132 §3 in the *1975 Schema*. The former suggestion was tabled by Cardinal Florit and the latter by Cardinal Duval. The persistent move to place the role of the bishop under a broader control mechanism also seems to be an implication drawn from the desire to prevent the continuation or growth of abuses.

Relatio reveals a substitution of the adjective *aliis* with *ceteris*.[173] This change, though subtle, seemed empathetic to the sentiment in the rejected amendments, since it required the diocesan bishop to consult with (all) the remaining members of his bishops' conference rather than (some) others.[174] A final suggestion concerning this canon proposed a restoration, under the pretext of its correspondence with the *OP*, of the text in c. 132 §3, no. 2 of the *1975 Schema*, which conceded a role in judging cases of necessity to individual confessors.[175] The text was not admitted, not only for its lack of conformity with the letter and spirit of the *OP* but, since it also raised the issue of interpretation, such a norm was considered *non pertinet ad Codicem*.[176]

The strict application of this working principle was also invoked to assess the proposals tabled for c. 916 §1.[177] In these instances, it was suggested that the phrase *debito tempore* be determined more precisely in the new Code.[178] The response affirmed that for the purpose of the law, it sufficed to say *debito tempore* and considered any further determination or interpretation inappropriate.[179] Since no comments were raised

---

[173] See Pontificia Commissio Codici Iuris Canonici Recognoscendo, *Codex iuris canonici: schema novissimum iuxta placita patrum Commissionis emendatum atque Summo Pontifici præsentatum (=1982 Schema)*, Typis polyglottis Vaticanis, 1982, c. 961 §2, p. 174. There is nothing to indicate in the *1981 Relatio* how or by whose authority this change was effected.

[174] Green, "Reflections on the Revised Code," notes on p. 368 that "throughout the revision process a general issue that surfaced frequently was the relationship between the diocesan bishop and the conference of bishops in legal-pastoral matters. This was also true in this area. Whereas generally the Commission [for the Revision of the Code] tended to enhance the individual bishop's discretion and minimize his being limited in his pastoral judgements by the conference, here is an exception to that rule."

[175] This idea was advocated by Cardinal G.E. Carter, who based his proposal on the provisions contained in *OP* 32.

[176] See the response in the *1981 Relatio*, p. 228, which indicated that individual confessors might apply the principles of moral theology in cases not foreseen by the bishop. See Huels, *Disputed Questions in the Liturgy Today*, p. 81 for some examples of these principles. Whereas Huels interprets this as a broadening of the law established in *OP* 32, Green, "Reflections on the Revised Code," p. 370 views it as a further example of the overall restrictive approach to this section of the law.

[177] This canon was originally listed as c. 133 §1 in the *1975 Schema*.

[178] This was the opinion of Cardinal C. Bafile, who suggested the alternative phrase *ubi primum opportunitatem habeat*, and Cardinal Palazzini. See the *1981 Relatio*, p. 228.

[179] As Tettamanzi, *Riconciliazione e penitenza: prospettive pastorali*, notes on p. 109, norm VII of the 1972 Pastoral Norms and *OP* 34 provide a sufficient explanation of this term, an opinion supported by De Clerck, "Celebrating Penance or Reconciliation," p. 315.

with respect to cc. 916 §2 and 917, these norms passed unchanged into the revised document prepared for the consideration of Pope John Paul II.

5.1.2.7 The Personal Intervention of Pope John Paul II

The documents and addresses contemporary with Pope John Paul II's examination of the final draft for the new Code of Canon Law maintained the consistent promotion of conversion and its sacramental celebration established in the first years of his ministry. At the same time, the Pope explored this vital aspect of the Church's life and worship from different perspectives, which resulted in the emergence of new emphases in his teaching. One such emphasis may be detected in an extensive treatment on the role of the Christian family in the modern world.[180] Within a broader context of the Christian family as a community in dialogue with God, an essential and permanent part of its sanctifying role consisted in accepting the Gospel call to conversion. This grace of repentance and mutual pardon, characteristic of and experienced within the daily life of the family, has a specific sacramental expression in Christian penance which is of special significance to each member of the family and their life together.[181] As a community, a family discovers in faith the contradictory nature of sin: to the covenant with God, the covenant between spouses, and the communion of the family itself, through which they are led to an encounter with God who "reconstructs and brings to perfection the marriage covenant and the family communion."[182] In this way, the Pope strongly affirmed a dynamic communal aspect to the mystery and ministry of reconciliation.

A pastoral visit to Nigeria provided Pope John Paul with a timely opportunity to integrate the communal aspect of reconciliation into his overall presentation on the

---

[180] Pope John Paul II, Postsynodal Apostolic Exhortation *Familiaris consortio*, 22 November 1981, in *AAS*, 74 (1982), pp. 81-191. English trans. in *The Pope Speaks*, 27 (1982), pp. 1-77.

[181] *Familiaris consortio* 58, pp. 150-151. The text is a modification of the English trans., pp. 48-49.

[182] Ibid., p. 151. The Latin text reads: "reficit ac perficit coniugale pactum familiaremque communionem." English trans. in ibid., p. 49. The encounter or dialogue with God appears to sacramentalize the more informal divine encounter experienced through family life and relationships.

sacrament of penance.[183] Aware of a new accent which Vatican II and the directives of the Apostolic See had placed on certain aspects of the sacrament,[184] and in expectation of the forthcoming Synod of bishops on reconciliation,[185] the Pope told the bishops that in calling their people to constant conversion, preaching the forgiveness and mercy of the Saviour, stressing the community aspect of reconciliation and promoting the proper use of individual confession and absolution they extolled the mystery of the Redemption and defended one of the most sacred rights of their people.[186] Given this theological framework, the Church could only authorize general absolution in exceptional cases.

An added richness in papal teaching on penance emerged during the *ad limina* visit by the bishops of eastern France on the threshold of Holy Week 1982. Based on an affirmation of the radical individuality of each faithful – unique in the eyes of God and their pastor – and the essential bond between the sacramental acknowledgement and forgiveness of sin, the Pope reflected with the bishops on the process aspect of reconciliation. In his first clear reference to this theological value, which in his thinking completes and is even a means to the formation of conscience and brings the divine grace of forgiveness, Pope John Paul included within the penitential process not only the necessity of its acceptance but also the need to both recognize one's faults before God and give an account of them to the Church.[187]

---

[183] Pope John Paul II, Address to the bishops of Nigeria at Lagos, 15 February 1982, in *Insegnamenti di Giovanni Paolo II*, V, part 1 (1982), pp. 465-467. Significantly, the Pope maintained a Eucharistic context for his teaching on penance, stating on p. 467 that all conversion leads to the union between Christ and the faithful which is fully expressed in the Eucharist.

[184] Here the Pope cited in particular the ministry of the Church in the pardon of sins, the effects of sin on the whole body of the Church, and the role of the community in both the celebration of penance and in the work of reconciliation. See his address at Lagos, p. 465.

[185] According to the Pope's address, pp. 465-466, the Synod would furnish "an excellent opportunity for the magisterium of the Church to reiterate collegially the vital role of this sacrament and its proper use according to the approved norms of the Church [which] conform to the divine law and express the authentic renewal willed by the Second Vatican Council and the Apostolic See."

[186] Ibid., p. 466. The Pope continues with a lengthy quotation from *Redemptor hominis* 20, concerning the right of each human being to a most personal encounter with the crucified Christ who pardons and the right of Christ himself with respect to each one whom he redeemed.

[187] Pope John Paul II, Address, 1 April 1982, in *La Documentation catholique*, 79 (1982), p. 440. The text is composed from the English trans. in *The Pope Speaks*, 27 (1982), p. 293.

The importance of this matter – evidenced by a perceived crisis in the practice and understanding of the sacrament – required a renewal of spiritual life and a new awareness of the values of the sacrament, to which the new *OP*, through its emphasis on the ecclesial nature of sin and its forgiveness and the place of the Word of God, assisted each person to position themselves better with regard to the Lord's demanding love.[188] In the mind of the Pope, therefore, an appropriate catechesis "should lead the faithful to preserve the consciousness of their state of sinfulness and to understand the necessity and sense of a *personal process* of reconciliation before receiving, with the Eucharist, all its fruits of renewal and unity with Christ and his Church."[189]

Notwithstanding these observations, and perhaps indeed because of them, Pope John Paul II also warned against an enthusiasm for the community aspect of Christian life that might incline faithful to neglect this vitally necessary personal process. Presuming penitential celebrations with general absolution a source of such enthusiasm, the Pope carefully stated that recourse to this rite of the sacrament may be had *only* in exceptional circumstances *when it is a matter of physical and moral impossibility* and in cases of grave necessity.[190] This understanding enabled the Pope to categorically deny any application of general absolution "for renewing the ordinary pastoral administration of the sacrament of penance."[191]

---

[188] In what appears to be his first admission of a crisis in the sacrament, Pope John Paul recalls some themes to which his predecessor often adverted: a generally dechristianized environment, a widespread lack in the sense of sin and a questioning attitude to the Church's official role of intervention in the penitential process. See ibid., p. 294.

[189] Ibid. When this catechesis is related to communal penitential celebrations which involve individual confession and absolution, the Pope noted that the faithful can be lead "to discover the communal sense of their acts, and still more of their state as sinners before God and their brethren, and to give thanks together." This represents the true grace of Lent, "a deepening of the sense of sin which makes us captives and ... a pressing desire for liberation and new life with Christ, a life shared in joy, service and brotherly love."

[190] Ibid. The Pope cites norm III of the 1972 Pastoral Norms in support of this comment, although norm I is also a relevant source. Comparison of the texts reveals a movement towards a more restrictive position which was subsequently manifested in the Pope's personal amendments to the draft of the new Code of Canon Law.

[191] Ibid. The Pope thereby rejected a consistent argument for general absolution, even though anecdotal evidence showed either a return of many faithful to the sacrament of penance or an increase in the number and fervour of individual confessions after its celebration. See for example Werckmeister, "L'absolution collective: évolution de la pratique en France," p. 301 and Bishop Dozier, "Letter of the Ordinary of the Diocese of Memphis," p. 560.

In the context of this theological and pastoral framework the Pope, assisted by a small group of experts, studied and assessed the schema for the new *Code of Canon Law* delivered to him on 22 March 1982. Other than some minor changes of a more or less stylistic nature, three significant amendments to the text of the relevant canons may be attributed to this intervention of Pope John Paul II.[192] These major alterations tended to reflect the policy development of the Church's central doctrinal authority and the recent teaching of the Pope which sought a strict compliance with their interpretation of the norms governing general absolution.

As the precept defining individual, integral confession and absolution as the sole ordinary means of sacramental reconciliation, c. 960 had the phrase specifying the excusing cause for the licit use of general absolution altered from a negative condition to an excluding clause by the replacement of the conjunction *nisi* with the adverb *solummodo*.[193] Effectively separating the two accepted means of reconciliation, this approach was enhanced by the addition of the phrase *quo in casu aliis quoque modis reconciliatio haberi potest*, indicating that general absolution was a sacramental mode distinctly *other* to the individual form.[194] Together, these two changes reinforced with canon law the theological assertion that the institute of general absolution possessed an exceptional character and also sought to expunge the argument for its use based on pastoral usefulness.[195]

---

[192] The minor changes involved the substitution of the conjunction *atque* for *simulque* in the introductory theological canon 959 and the replacement of *nec antea* in c. 963 with the conjunction *antequam*. Neither change appeared to alter the sense of these particular canons.

[193] Consequently, the form of the verb *excuso* was changed from the present subjunctive active to the present indicative active.

[194] The division was also emphasized by the use of a semicolon after *reconciliatur*, showing that the Church recognized both an ordinary mode and an extraordinary mode by which faithful could celebrate sacramentally their reconciliation with God and the Church. See Green, "Reflections on the Revised Code," p. 367. Tettamanzi, *Riconciliazione e penitenza: prospettive pastorali*, p. 106, notes the recognition of an ordinary mode of reconciliation also argues for the possibility of the extraordinary; in this case, the presence of physical or moral impossibility preventing celebration of individual, auricular confession and absolution. The question remains, however, concerning the reasonableness of such an argument.

[195] The latter conclusion is noted by Schlick and Stalter, "La pluralité de la pratique pénitentielle face à la législation canonique," p. 241.

Notwithstanding the extensive redrafting to which c. 961 had been subjected, this precept describing the conditions indicative of grave necessity and the judgement concerning their presence underwent further modification at this stage of preparation for the new Code. In §2 of this canon, the autonomous legislative power of the bishop for determining the cases of grave necessity was withdrawn, and transferred under a different category to the conference of bishops. This was achieved by the elimination of the words *quidem generali quoque ordinatione* and altering the phrase *collatis cum ceteris membris Episcoporum conferentiæ consiliis* to read *attentis criteriis cum ... concordatis*.[196] Conferences of bishops were thereby given a new role – to agree on a set of criteria – raising their profile and influence but correspondingly limiting the power of individual bishops in moderating the local discipline of sacramental penance.[197]

A combination of the definitive nature of the material it contained, and the Pope's emphatic concern for a catechesis sufficiently sound that the sacrament might be celebrated worthily and with the fullest possible understanding and participation, was reflected in the change to c. 962 §2. After the noun *Christifideles*, the adjectival clause *quantum fieri potest etiam occasione absolutionis generalis recipiendæ* was inserted to stress the importance of both remote and proximate pastoral instruction suitable to the faithful for a valid and spiritually fruitful celebration of the third rite of reconciliation. At the same time, any distinction among persons or lack of ritual integrity suggested by the conjunction *etiam* in the subsequent phrase was removed by the use of *quoque* in its stead.[198]

---

[196] Green, "Reflections on the Revised Code," pp. 368-369.

[197] Schlick and Stalter, "La pluralité de la pratique pénitentielle face à la législation canonique," p. 242, note this change is clearly revealed by a comparison between the revised canon and norm V of the 1972 Pastoral Norms and seems to represent a modified form of the procedure adopted by the French conference of bishops in 1973 and reaffirmed in 1979. The criteria for which the conference of bishops was now responsible would probably represent a general executory decree according to the definition of c. 31 §1 which, in the light of c. 455 §2, required a review by the Apostolic See prior to their promulgation. The general decree of an individual bishop prescribed in c. 961 §2 of the *1982 Schema* did not attract such a review. This indicated not only that the diocesan bishop should not be regarded as a competent legislator for general absolution, but also provided a canonical reflection of the understanding that, since general absolution was an area of sacramental discipline of concern to the entire Church, the Apostolic See claimed primary authority for its regulation and vigilance.

[198] In sum, the canons finally approved by Pope John Paul II necessitated extensive changes to the *OP*. These are conveniently set out in Sacred Congregation for the Sacraments and Divine Worship, "Variationes in novas editiones librorum liturgicorum ad normam Codicis iuris canonici nuper promulgati

The imminence of the 1983 Synod of bishops devoted to the theme of penance and reconciliation, appropriately scheduled for celebration within the forthcoming extraordinary Holy Year dedicated to the mystery of the Redemption, the anticipated promulgation of the new Code of Canon Law and the doctrinal and pastoral framework established during the initial years of his ministry enabled Pope John Paul to appeal, in the context of the Church's self-understanding as the place, minister and example of ongoing reconciliation in Christ, for a renewed and greater emphasis on the sacrament of penance and individual confession in the lives of all the faithful.[199] This appeal was given more tangible and experiential substance in the Pope's principal wish at the inauguration of the Holy Year, "that fundamental importance be given to the two main conditions required for gaining a plenary indulgence, namely [personal] and complete sacramental confession, wherein takes place the encounter between man's misery and God's mercy, and the worthy reception of Eucharistic communion."[200] In connection with this desire, the Pope expressed a preference for community celebrations specifically organized for the faithful to gain the jubilee indulgence, including penitential services concluding with the individual confession of the participants.[201] This pastoral strategy indicated the Pope's more general concern that the ministry of reconciliation – the wonderful gift of the infinite mercy of God – be exercised with fidelity to the norms established by the

---

introducendæ," 12 September 1983, in *Notitiæ*, 19 (1983), pp. 549-551. Similarly, it would seem that the 1972 Pastoral Norms need to be read with these changes in mind.

[199] See, for example, Pope John Paul II, Homily, 30 May 1982, in *Insegnamenti di Giovanni Paolo II*, V, part 2 (1982), p. 1992; Address to the bishops of Kenya, 6 December 1982, in *Insegnamenti di Giovanni Paolo II*, V, part 3 (1982), p. 1533 and Letter, 25 January 1983, in *Insegnamenti di Giovanni Paolo II*, VI, part 1 (1983), p. 212. The Pope also commented at some length on this matter in an *ad limina* address to some bishops of the Federal Republic of Germany, 21 January 1983. A French trans. of the relevant section from the original German text is recorded in *La Documentation catholique*, 80 (1983), p. 194.

[200] Pope John Paul II, Bull *Aperite portas Redemptori*, 6 January 1983, in *AAS*, 75 (1983), p. 102. English trans. in *The Pope Speaks*, 28 (1983), p. 161. The Latin text reads in full: "Ante omnia vero primarium tribuatur volumus momentum duabus præcipuis condicionibus postulatis ad omnem impetrandam indulgentiam plenariam: videlicet quæ sunt sacramentalis confessio personalis et integra, in qua hominis miseria et misericordia Dei inter se veluti occurrunt, atque communio eucharistica, digne suscepta."

[201] Ibid., p. 103. The services were to conform with the rite set out in *OP* 48-59.

Church, with individual confession promoted as the efficacious announcement of the Lord's goodness to everyone.[202]

In the course of the Church's Holy Year proclamation of Jesus as the Redeemer of humankind, to which the Synod of Bishops that year had been carefully linked, Pope John Paul continued his invitation for each one to reflect deeply on the mystery of reconciliation in all its implications. Given the significance of this call for those in preparation for the synod, the *ad limina* visit which brought bishops from New York State to Rome provided the Pope with an appropriate context to sum up his understanding of this aspect of the Church's life and worship.

On one hand, the Pope noted that the proclamation of reconciliation in Christ included the need to foster among the faithful their acceptance of God's will as the criterion for human action and the sense of human responsibility which recognized the reality of sin and understood its effect as alienation from God and opposition to creation and community.[203] Pope John Paul considered this formation vital for all to open their hearts to penance and personal conversion so that, in conformity with divine precept they might encounter sacramentally the merciful God in Jesus Christ the Redeemer, who forgives and reconciles each faithful personally through individual confession and absolution.[204] Recommended as the centre-piece of a whole pastoral programme for the Jubilee, the sacrament of penance could be made a dynamic part of people's lives and help build the Church as a reconciled and reconciling community.[205]

With similar consistency, Pope John Paul recalled his predecessor's words on the question of general absolution. Citing the new Code of Canon Law in defence of the extraordinary character of this practice, the Pope reflected that the experience of the

---

[202] Pope John Paul II, Address, 10 February 1983, in *Insegnamenti di Giovanni Paolo II*, VI, part 1 (1983), p. 381. English trans. in *L'Osservatore Romano*, weekly ed. in English, 7 March 1983, p. 8.

[203] Pope John Paul II, Address to the bishops of New York State, 15 April 1983, in *The Pope Speaks*, 28 (1983), p. 234.

[204] Ibid., pp. 234-235. Pope John Paul built his comments carefully upon the text of Paul VI's address made five years previously.

[205] Ibid., pp. 235-236. At several places in his address, the Pope refers to the pastoral generosity and zeal necessary for such a strategy to be effective. See also Pope John Paul II, Address to a group of bishops from the United States, 9 September 1983, in *Insegnamenti di Giovanni Paolo II*, VI, part 2 (1983), p. 424.

entire Church confirmed the need on the part of all bishops for further pastoral vigilance. Using the example of such penitential services incorporated into the preparation for major feastdays and pilgrimages, the Pope requested the cooperation of bishops that the norms for the discipline of sacramental penance be understood and properly applied.[206]

In a final significant address before the 1983 Synod of Bishops, Pope John Paul returned to the theme of the Eucharist and sacramental penance. During this meditation, the Pope asserted that whilst the Eucharist obtains an effect of remitting sins for the world, contributes to the reconciliation of sinful humanity with God, and offers a special grace of forgiveness and reconciliation to those who share in the celebration, the principal fruit of the Eucharist is not the remission of sins of those who participate in it.[207] Beginning from the perspective of an express institution by Christ Jesus of a sacrament of penance for the forgiveness of all sins, the Pope argued for its traditional status as an irreplaceable sacrament in Christian life and worship, necessary for the reconciliation of those conscious of grave sin and useful to fructify the seed of divine life in all the faithful.[208] This enabled Pope John Paul to counsel the proper purpose of the penitential preparation in the introductory rites of the Mass; namely, not to render the sacrament of penance useless, but "revive in the participants the awareness of an ever greater need for purity and ... increasingly feel the value of the grace of the sacrament."

5.2 THE 1983 SYNOD OF BISHOPS

The sixth triennial general assembly of the Synod of Bishops opened in Rome on the evening of 29 September 1983 to reflect, in a context and spirit of collegiality, on reconciliation and penance in the mission of the Church.[209] Generally regarded as both

---

[206] Pope John Paul II, Address to the bishops of New York State, pp. 235-236.

[207] Pope John Paul II, Address, 15 June 1983, in *Insegnamenti di Giovanni Paolo II*, VI, part 1 (1983), p. 1503. English trans. in *L'Osservatore Romano*, weekly ed. in English, 20 June 1983. This reference and those which follow may be found on p. 3 of this report.

[208] The Pope continues, "The Eucharist cannot replace this sacrament ... which keeps its proper value, while remaining in close connection with the sacrifice of the altar.

[209] According to Bishop S. Naidoo, "Impressions of the 1983 Synod of Bishops," in *Studia moralia*, 22 (1984), p. 4, "the modern Synod of Bishops grew out of the Second Vatican Council [as] a deliberative

timely and encouraging, this theme, holding within itself the entire Christian mystery: reconciliation of human beings with God, among one another, and with the whole cosmos, projected the intention of the Synod, representative of a movement which embraced the whole Body of Christ, to engage in a sincere and open dialogue on the internal life of the Church and to participate with hope and understanding in the continuum of human life and activity on the eve of the third millennium.[210] Consequently, the impact and credibility of this synodal process, both immediate and subsequent, depended significantly on the quality and depth of the preparatory inquiry and consultation conducted throughout the Church.[211]

5.2.1 PREPARATION FOR THE SYNOD

In accordance with established procedure the *Lineamenta*, the first of three major documents, was circulated to bishops and conferences of bishops, as its premier and authoritative recipients, nearly two years before delegates were scheduled to meet, in order to facilitate discussion and submissions at different levels and by various categories of the People of God, the fruit of which would be gathered to provide a comprehensive basis for the formal deliberations of the Synod fathers in assembly.[212] Whilst those

---

body ... to assess the position of the Church on particular theme[s] and then give orientations." A. Mukasa, "The Synod of Bishops," in *Doctrine and Life*, 34 (1984), p. 22 notes that 221 delegates attended this month-long assembly, which concluded with a celebration of the Eucharist under the presidency of Pope John Paul II on 28 October 1983. This latter article may also be found under the title "Penance and Reconciliation: The 1983 Synod of Bishops," in *African Ecclesial Review*, 26 (1984), pp. 132-143. Both authors include a comprehensive summary of the process followed during the synodal proceedings, from the oral and written interventions of the participants, through small group work, to the formulation of propositions and voting. There is also a more exhaustive presentation provided in Synode des évêques, *La pénitence et la réconciliation dans la mission de l'Église.*

[210] Archbishop J. Tomko, "Reconciliation and Penance in the Mission of the Church," in *The Laity Today*, 29 (1983), pp. 7 and 21; B. Hearne, "Synod 1983: Initial Document on Reconciliation," in *African Ecclesial Review*, 25 (1983), pp. 2-3 and Naidoo, "Impressions of the 1983 Synod of Bishops," p. 4.

[211] See the relevant comments of Bishop Naidoo, "Impressions of the 1983 Synod of Bishops,"pp. 3-5.

[212] Mukasa, "The Synod of Bishops," p. 22 and A. Nicolas, "Reconciliation: The Courage to Create a New Future," in *East Asian Pastoral Review*, 19 (1982), p. 344. The consultation assisted in the composition of the second preparatory document, the *Instrumentum laboris*, or definitive working paper of the Synod. The third important document was the result of a study on penance and reconciliation specially requested of the International Theological Commission (a body advising the pope) by the secretary general

responsible for writing the document considered its character provisional and limited, so that any critique or attempt to perfect the text would be an exercise in futility,[213] published reactions and comments submitted invariably included criticism of style and content along with suggestions for improvement amongst the concerns and thoughts made known by local Churches.

5.2.1.1 Document 1: *Lineamenta*

With a bold promise to proclaim a liberation in Christ involving all dimensions of the individual, society and the universe, and revealing the New Testament vision of God and his plan of salvation,[214] this document, which effectively initiated the synodal process, comprises three parts: the first, evangelical in purpose, explores the cause of tensions and division in the world and the need for reconciliation; the second, primarily doctrinal in character, elaborates the work and message of reconciliation personified in Christ Jesus and entrusted to the Church by him in terms of the divine initiative of merciful and unlimited love and a human response of penance and conversion; the third, pastoral in tone, thinks on the Church as place and mediator of reconciliation in its mission and ministry. Appended to each part of the *Lineamenta* are a series of questions, neither exhaustive nor universally applicable, which had "the function of stimulating and

---

of the Synod of Bishops. The *Lineamenta* was presented at a press conference given by the then Archbishop Tomko on 28 January 1982. For the first time it was made available to the public and published in various languages. An English text released by the Synod Secretariat in Rome may be found under the title "Reconciliation and Penance in the Mission of the Church" in *Origins*, 11 (1981-1982), pp. 565, 567-580. All references to the *Lineamenta* in this dissertation will be cited from this text.

[213] *Lineamenta* 3, p. 567. The document was not "a scheme or project of a future synodal document" but, as altogether generic and allusive, intentionally left "space for the more detailed and concrete considerations which will be put forward as experiences of faith and life in the ecclesial communities."

[214] *Lineamenta* 8 and 9, p. 569. In specific terms, the document notes that "the Church, in the forthcoming synod, intends, as its proper aim, to treat with particular attention this profound and at times acutely perceived need of the contemporary world and this aspiration of contemporary human persons for interior freedom. Together with all believers in Jesus Christ she will search for the light for all of humanity in the word of God and in the history of salvation." See also the comments in Nicolas, "Reconciliation: The Courage to Create a New Future," p. 345.

urging an examination of the concrete situation in the individual local Churches and towards the operative proposals therein."[215]

In assessing the *Lineamenta*, commentators and individual members or groups of faithful who offered responses and insights, found evidence of richness and real theological renewal throughout the text which at places provided a solid basis for further development.[216] Nevertheless, careful analysis of the document also revealed shortcomings and omissions in the text which, if the basic form and content were retained, might be appropriately augmented by developing the main points with greater depth and with a more sensitive appreciation of complex human experience, whilst also integrating the anthropological, theological and pastoral perspectives more convincingly with the fundamental intention that the Synod not only become immersed in present realities but also anticipate and engage the future creatively.[217]

Although well grounded in the teaching of Vatican II and considered sound in terms of a broad reflection on negative experiences common to humankind, the anthropology presented in the *Lineamenta* emerged as the major weakness of the entire document.[218] The introspective and somewhat abstract model employed to explain sin as the ultimate cause of "the situation of injustice which poisons humanity and the world" appeared to neglect certain aspects of the process by which people weaken or withdraw from communion with God, creation and one another, resulting in a less than convincing response to the muddy and intricate nature of human reality.[219] Notwithstanding the

---

[215] Archbishop Tomko, "Reconciliation and Penance in the Mission of the Church," p. 16. The author provides a faithful summary of the document's contents on pp. 16-20.

[216] See for example Nicolas, "Reconciliation: The Courage to Create a New Future," pp. 347, 354, 356, 358 and 361; Hearne, "Synod 1983: Initial Document on Reconciliation," p. 4 and Nicols, "Preparing for the Synod: Reconciliation and Penance in the Mission of the Church," pp. 44 and 45.

[217] *Lineamenta* 2, p. 567 and see the comments by Nicolas, "Reconciliation: The Courage to Create a New Future," pp. 345-348. In the pages which follow, the remarks of those commenting on the *Lineamenta* have been augmented with material from other contemporary authors.

[218] After a brief outline in no. 5 "of that reality in which the human person today is living," *Lineamenta* 6-8 on pp. 568-569, quoting extensively from *GS* 10 and 13, then discuss the divisions and tensions recognized and acknowledged in relation to humanity in order "to reach the[ir] properly human root." See the positive response in Nicols, "Preparing for the Synod," p. 44 and the more negative assessment of Nicolas, "Reconciliation: The Courage to Create a New Future," p. 348.

[219] *Lineamenta* 7, pp. 568-569 defines sin as "an evil that the human person does before God, rejecting his love, ... rendering [the person] an alienated being." In contrast Nicolas, "Reconciliation: The

essential place and dignity of the individual person in thinking on sin and the mystery of God's reconciliation of the world in Christ, the full meaning of that person can only be explored with due regard for the social and structural environments within which he or she lives, works and forms relationships.[220]

A common feature, therefore, among the reflections of commentators and the input received from consultation within local Churches, was the suggestion that the Synod consider the communal implications of sin and reconciliation as a *constitutive* part of personal change rather than in a predominantly consequential way.[221] Theological and popular understanding contemporary with the synodal preparation had begun to reveal a "shift to an awareness of collective responsibility for individual sins, and individual responsibility for the collective sin that expresses itself in prejudices, public policy and unjust structures of society."[222] Grasping thereby the meaning of their life and personal freedom in a concrete social and historical context, people could acknowledge the reality of sin – discerned from the patterns of disorientation in their society and in their own lives – and the need for a persevering examination of conscience – in response to the Gospel imperative for the conversion that must come about in each one – in order to

---

Courage to Create a New Future," p. 348, suggests that "very seldom do we relate directly to God, either in sin or reconciliation. It is breaking our communion with others and with creation, breaking the harmony within ourselves and across the structures of our human communities, that we deny God and break away from him." This view also reflects the particular case discussed by L. Bartels, "Reconciliation and Penance: A View From Ethiopia," in *African Ecclesial Review*, 25 (1983), pp. 220 and 224-225.

[220] Nichols, "Preparing for the Synod," p. 44. According to surveys conducted in Ireland, this understanding included a significant role for the Church, not as an agent of salvation, but as *a community that enables people* to live out the life and salvation which Christ has freely bestowed on them. See L. Ryan, "Faith Under Survey," in *The Furrow*, 34 (1983), p. 11.

[221] Nicolas, "Reconciliation: The Courage to Create a New Future," p. 349; Bartels, "A View From Ethiopia," pp. 222-223; Hearne, "Synod 1983: Initial Document on Reconciliation," p. 4, and Nichols, "Preparing for the Synod," pp. 44 and 46. According to the latter author, *Lineamenta* 7, 18 and 21 seemed to present the communal aspect "as opposed to or an alternative to a sense of individual sin and responsibility."

[222] M. Hellwig, "Theological Trends: Sin and Sacramental Reconciliation I," in *The Way*, 24 (1984), p. 221. "As a consequence of this," says Hellwig, "there are many Christians who recognize themselves as sinful because they belong to a war-threatening country and economy, or because they are part of a society and economy which systematically discriminates against some people on grounds of race or original language or nationality, or because they are inescapably part of a structure that relentlessly grinds down the poor in their own country or in other lands." See also De Clerck, "Celebrating Penance or Reconciliation," p. 317, who suggests that "global evil, world hunger and the arms race" make any celebration of the sacrament that emphasizes an individualistic context "look rather shabby."

make an empirical difference in the sinful situation.[223] Consequently, the maturity of faith and knowledge presumed of penitents by the new rites of reconciliation might be further developed among the faithful and help instil within every member of the Church a progressively more sensitive perception of what it means to live as a true follower of Christ.[224]

An authentic and pervasive establishment of this consciousness was considered impossible without due regard by the Synod for the perspective of culture. "The experience of sin and reconciliation is so deep and, at the same time, so much affected by our relationship to reality, our worldview, our basic religious attitudes and orientation in life, that all these factors modify at its core the experience itself."[225] A topic subject to serious though inconclusive debate among scholars of various disciplines, this issue invited contributions from communities and individuals enriched by open and reverent awareness of cultural milieux or elements influential upon the expression and practice of Christian discipleship to assist the Synod fathers in both deliberative and evangelical aspects of their work.[226] The benefits of the continuing challenge to integrate faith and culture were thus seen to extend not only to the internal life and witness of local Churches, but also to their fundamental apostolate of evangelization.[227] The combined

---

[223] Hellwig, "Theological Trends: Sin and Sacramental Reconciliation I," p. 222. A similar thought is noted by Nichols, "Preparing for the Synod," pp. 42 and 44; Hearne, "Synod 1983: Initial Document on Reconciliation," p. 4 and E.E. Uzukwu, "Reconciliation and Inculturation: A Nigerian (Igbo) Orientation," in *African Ecclesial Review*, 25 (1983), p. 279. It is not, therefore, a simple or obvious matter to recognize sin and articulate it with precision. On the contrary, "sin is a mystery," says Nicolas, "Reconciliation: The Courage to Create a New Future," p. 363, "which affects human persons in all dimensions, from the depth of their radical openness to reality and to God, to the whole network of relationships in which their life is determined as concrete, free and responsible."

[224] Hellwig, "Theological Trends: Sin and Sacramental Reconciliation II," p. 305 and see also the comments by Nichols, "Preparing for the Synod," p. 46.

[225] Nicolas, "Reconciliation: The Courage to Create a New Future," p. 350. As the author notes, the *Lineamenta* seemed to understand the relationship between religious experiences and culture as a simple question of different expressions of a common experience. See for example *Lineamenta* 7 and 13-14.

[226] The information provided by Uzukwu, "Reconciliation and Inculturation: A Nigerian (Igbo) Orientation," pp. 276-278 and Bartels, "A View From Ethiopia," pp. 223-225 are illustrative of such contributions.

[227] Nicolas, "Reconciliation: The Courage to Create a New Future," pp. 350-351. See also Hearne, "Synod 1983: Initial Document on Reconciliation," p. 5 and Pope John Paul II, Apostolic Exhortation *Catechesi tradendæ* 53, 16 October 1979, in *AAS*, 71 (1979), pp. 1319-1321. English trans. in *The Pope Speaks*, 25 (1980), pp. 69-70.

effect of these suggestions could provide a more complete vision of the human person dignified by circumstance, environment, interaction ... all that together make him or her a particular, unrepeatable and unique individual.[228]

Although impaired by structural problems and a somewhat apologetic and repetitive style, the theological aspects of the synodal theme set out in the *Lineamenta* represented a rather broad canvas which summarized in large part the best Christian traditions regarding sin, reconciliation and penance.[229] Beginning with the initiative of God's love and mercy towards an alienated humankind, the *Lineamenta* recapitulate the reality, meaning and impact of sin and proceed to describe its resolution in the person and work of Christ Jesus as reconciliation and peace for the whole world, to dwell on its fruit as the new cosmic order in which each person enjoys, in superabundant fullness, peace with God and his or her brothers and sisters.[230] Nevertheless, since they can be recreated only with their free and responsible consent, the *Lineamenta* also address the human response to this activity of God; a personal, fundamental choice itself initiated by God summed up in the word *conversion.*[231]

Without prejudice to the understanding that "the effects of sin reach throughout the network of human living and require the initiative of God's love in order to restore true and full relationships ... appreciation of the active love of God, of humanity as loved by God, is the most important motive for conversion."[232] Fascination with the negative

---

[228] Nicolas, "Reconciliation: The Courage to Create a New Future," pp. 347-348.

[229] A revised methodology, inclusive of the recommendations collected from the consultation conducted in England and Wales, is provided by Nichols, "Preparing for the Synod," pp. 45-46. This author, along with Hearne, "Synod 1983: Initial Document on Reconciliation," p. 4 notes the repetitive style and Nicolas, "Reconciliation: The Courage to Create a New Future," despite his generally positive response, exposes the document's apologetic tone on p. 345.

[230] *Lineamenta* 12-18, pp. 570-572. "In Christ crucified, reconciled humanity rises to God, finding again the intimacy of friendship: 'For through him we have access in one Spirit to the Father. So then you are no longer strangers and sojourners, but you are ... members of the household of God'."

[231] *Lineamenta* 19-21, pp. 572-573. "Once again God is the first to intervene, to touch the hearts of sinful persons, making them conscious of their sin and inviting them to walk the way which returns to God. As the prophet says: 'Convert us O Lord, and we shall be converted'."

[232] Nichols, "Preparing for the Synod," p. 45. The author notes a persistent request from the consultation "that the initiative of God in the process of reconciliation be clearly brought out and that here in particular stronger emphasis be placed on the unending search of God for the heart of the people which has turned from him."

theme of sin left little room for the *Lineamenta* to affirm the inherent goodness of creation, or the overflowing nature and infinite openness of God's forgiveness and justification, as the proper and more inviting context in which conversion and reconciliation may be interpreted as the acceptance of the reign of God as life's orientation in preference to the rejection of past behaviour.[233] Given its fullest expression in Jesus Christ, the active love of God revealed in the paschal mystery was considered the theme to "most effectively draw people to conversion, rather than the theme of Christ offering satisfaction for the sins of the world."[234] As a meaningful complement to the judicial analogy associated with reconciliation, this theme looked to the example and guidance of Jesus himself, who welcomed sinners and reconciled them to the Father.[235]

In this fundamental context of the loving, redemptive activity of God towards humankind, the Trinitarian perspective central to the relationship between God and humanity suffered from an extreme marginalisation in the *Lineamenta* of the abiding presence and essential role of the Holy Spirit. "It is the outpouring of the Holy Spirit on the whole of creation, on the Church and on each individual which is the power of God to reconcile."[236] At the same time, the mystery of the blessed Trinity also grounds the Christian understanding and practice of communion and community. If "the human person, created by God for love, is ordained to communion with God in love,"[237] it necessarily seems to follow "that the Church's message of reconstructed community, of a new world of love and justice, of a new humanity of hope, [should] find its inspiration

---

[233] Ibid., p. 43 and Nicolas, "Reconciliation: The Courage to Create a New Future," p. 354.

[234] Nichols, "Preparing for the Synod," p. 45. As Nicolas, "Reconciliation: The Courage to Create a New Future," expounds on p. 356, "This is the Christ who became the Gift, who took away our 'debt', after whose paschal event all debts have to be considered cancelled, *because it all comes from the great love that God had to the world.*"

[235] Nicolas, "Reconciliation: The Courage to Create a New Future," p. 357 and see the similar comments by De Clerck, "Celebrating Penance or Reconciliation," p. 318.

[236] Nichols, "Preparing for the Synod," p. 45 and see the comments of Puthanangady, "The Sacrament of Penance and Reconciliation," pp. 28 and 30. A more open and inclusive embracing of the rich theological traditions of the entire Church with regard to the working presence of the Holy Spirit would provide what Nichols calls "the foundation for a proper appreciation of the role of the Church not only to prophetically announce the Good News of God's reconciliation in the world but also to co-operate with those who are actively engaged in this work, whether consciously in the name of Christ or not."

[237] *Lineamenta* 12, p. 570.

and guidance from the same sources from which the whole Christian mystery originates and to which it leads."[238] In this community, conversion must be an encounter with the person of Jesus Christ, who reveals the Father's love and mercy, and a "surrender to the renewing and recreating power of the Spirit, so that a new being is born from him."[239]

The deficiencies identified in the anthropological and theological framework employed by the *Lineamenta* compound in its examination of the pastoral perspectives of sin and reconciliation. Having affirmed the Church as the general sacrament of salvation and the eminent sign and instrument of reconciliation, a truth which "opens up a vast and fundamental horizon for the mission and activity of the Church,"[240] the *Lineamenta* suggest that the Church fulfils the ministry of reconciliation received from Christ the Lord in the (prophetic) announcement of reconciliation, the (priestly) sacramental celebration of reconciliation and the (royal) witness to a reconciled life.[241] Although regarded by commentators as a positive and useful foundation, the document's explanation for the role of the Church in the modern world lacked the depth and development necessary to link the broad theoretical vision with the concrete pastoral applications in a consistent manner.[242]

As a community at the same time holy yet always seeking the path of repentance and renewal, the Church's understanding of itself as the sacramental locus of reconciliation required integration of all the factors involved in life and ministry. At the heart of this suggestion lay the insight that the sacramental nature of the Church did "not rest in the fact that we have a message, a series of celebrations and an obligation to be witnesses. It is the whole life of the Church that becomes sacrament and instrument of

---

[238] Nicolas, "Reconciliation: The Courage to Create a New Future," p. 358. As Nichols, "Preparing for the Synod," p. 45 notes, "Just as an understanding of the human person, and of sin, is impossible without reference to the community, so too *the fullness of reconciliation can only be understood in the context of the reconciled community*."

[239] Nicolas, "Reconciliation: The Courage to Create a New Future," p. 364.

[240] *Lineamenta* 22, p. 573.

[241] Ibid. 23, p. 574.

[242] Nicolas, "Reconciliation: The Courage to Create a New Future," p. 358 and Nichols, "Preparing for the Synod," p. 46.

reconciliation."[243] Consequently, the sacramental nature of the Church obtains a bolder and richer interpretation when fashioned upon its imitation of the example, pattern and inspiration of Christ the Lord. A crucial component of this approach is the local community, and the artificial thought process by which the *Lineamenta* make little of this element at the expense of the individual dimension tended to corrupt an authentic and dynamic meaning of each one's participation in sin and reconciliation.[244]

The implications of this problem begin to emerge as the *Lineamenta* explain the mission of the Church in terms of the prophetic announcement of reconciliation.[245] In conformity with the established pattern, the *Lineamenta* suggest a negative foundation for this task – the sinfulness of the human person – from which the freedom, responsibility and ultimate truths concerning men and women are derived.[246] Notwithstanding their liberation from a fundamental determinism and corresponding placement into a relationship of loving dependence upon God in all things by this method, the *Lineamenta* missed an opportunity in this context to affirm the radical goodness of human persons in contradistinction to contemporary attitudes in society.[247] Given the rather uninspiring description of individual growth or regression through concrete moral choices in the document, a balanced presentation of the truth about the human person may have clarified the primary motivation for reconciliation and the aspects of the process by which this mystery is engaged in daily living. It may also have

---

[243] Nicolas, "Reconciliation: The Courage to Create a New Future," p. 358 and see also Hearne, "Synod 1983: Initial Document on Reconciliation," p. 4.

[244] See *Lineamenta* 21, p. 573, which perpetuates a "collective" interpretation of the communal aspect, and the comments of Nichols, "Preparing for the Synod," p. 46; Nicolas, "Reconciliation: The Courage to Create a New Future," pp. 351-352 and J. Dallen, "Church Authority and the Sacrament of Penance: The Synod of Bishops," in *Worship*, 58 (1984), pp. 205-206. Some interesting thoughts are also presented by Bartels, "A View from Ethiopia," p. 223. In addition, a willingness to explore the true meaning of community might overcome the impression noted by Hearne, "Synod 1983: Initial Document on Reconciliation," p. 4 "that the Church is somehow independent of its members, providing forgiveness to them."

[245] See *Lineamenta* 24-31, pp. 574-576.

[246] Ibid. 25, p. 574. Consistent with its previous statements, the document carefully specifies the source of sin in the depths of the heart of the individual person. Sin is, therefore, a personal choice which can never be passed on to others, an understanding which maintains and reiterates the consequential nature of the communal dimension of sin.

[247] Nichols, "Preparing for the Synod," p. 46.

assisted the Synod to recognize the areas where the longing for reconciliation and peace is manifested so that the Church, in its preaching and statements, can identify and stand in critical solidarity with all those who, by their genuine striving for reconciliation between individuals, groups or factions within a given community, show that they are open to the one Holy Spirit of God.[248]

The link between the broad theoretical vision and concrete pastoral practice becomes more discordant when the *Lineamenta* proceed to address the sacramental celebration of reconciliation. Beginning with baptism, the *Lineamenta* acknowledge diverse forms of sacramental and non-sacramental penance and reconciliation for postbaptismal sinners.[249] In principle, the *Lineamenta* present and proclaim God in his infinite love and unlimited mercy and forgiveness made visible and available in Christ.[250] Nevertheless, the effort to substantiate and maintain traditional thinking on sacramental penance tended to undermine this immediacy of God with the human person by not fully integrating the insight that the context of faith and worship depends on the presence of the risen, glorified Christ dwelling among his people and in the entire universe.[251] The narrow and superficial meaning which results diminished the superabundant quality of reconciliation and suggested that the precise role of the sacraments in the life of the Church required more careful development than provided in this document.[252]

---

[248] Ibid., pp. 44, 46-47.

[249] *Lineamenta* 32-36, pp. 576-577. Surprisingly, the *Lineamenta* find no space in this section for the sacrament of the anointing of the sick.

[250] Ibid. 30, pp. 575-576. "Not only does [Jesus] speak of [mercy] and explain it by the use of comparisons and parables," say the *Lineamenta*, "but above all he himself makes it incarnate and personifies it. He himself in a certain sense is mercy. To the person who sees it in him – and finds it in him – God becomes visible in a particular way as the Father who is rich in mercy. For this reason the welcoming of the gratuitous and loving initiative of God, who reconciles in Christ, becomes for the human person a new possibility to be introduced into the knowledge and experience of the love of God."

[251] Nicolas, "Reconciliation: The Courage to Create a New Future," pp. 354-355 and Hearne, "Synod 1983: Initial Document on Reconciliation," pp. 4-5. Speaking in the context of a desire for a sacrament, Nicolas notes on p. 355 that sacraments must not be interpreted as if God could not come directly to us without them. "Mediations are not limiting conditions. God is there all the time offering and giving his grace and his forgiveness." A similar view seems to ground the comments of M. Hebga, "Reconciliation and African Culture," in *African Ecclesial Review*," 25 (1983), p. 354.

[252] Hearne, "Synod 1983: Initial Document on Reconciliation," p. 5. Nicolas, "Reconciliation: The Courage to Create a New Future," p. 355 mentions in particular the non-sacramental liturgical celebrations of reconciliation and the sacrament of the Eucharist explained in *Lineamenta* 35 and 36 on p. 577. He notes

Given the aim of the *Lineamenta* to help prepare the 1983 assembly of the Synod of Bishops as a means and message of hope to a divided and suffering world, the presentation of the sacrament which celebrates the reconciliation of postbaptismal sinners with God and their brothers and sisters should express the joy of the Church to offer without fear the unlimited fount of God's grace recreating the lives of all people.[253] In accordance with this broad and very positive intention, the *Lineamenta* introduce the sacrament with a series of quotations from the new *OP* which serve to summarize several aspects of the rich theological understanding embodied therein.[254] Nevertheless, the emphasis on sacramental absolution and its judicial nature, albeit analogical but surprisingly not integrated with relevant biblical images, sits rather uneasily in this context and was considered a source of possible confusion among laity and pastors alike.[255]

The balance of the presentation on the sacrament generated little enthusiasm or positive response from either commentators or participants in the consultation process.[256] Largely comprised of a text from Pope John Paul II's first encyclical letter *Redemptor hominis*, the *Lineamenta* give primacy in the sacramental celebration of reconciliation to

---

that "by offering the kind of formulations that the document quotes we are undermining the very hope and the horizons of trust that the previous theology was promising." Compare for example the Eucharistic dimension of reconciliation advocated by Hellwig, "Theological Trends: Sin and Sacramental Reconciliation II," p. 306 and Puthanangady, "The Sacrament of Penance and Reconciliation," pp. 21-22. In addition E. Marciniak, "The Sacrament of Penance: A Report From the Pews," in *America*, 149 (1983), pp. 26 and 27 reiterates the reconciling impact of the revised Eucharistic liturgy, absent from the preparatory discussions, which offers faithful "the opportunity for a genuine Christian encounter with God, a public occasion to celebrate God's healing presence in their lives." This is also presented as the experience of the Orano people by Bartels, "A View from Ethiopia," p. 225.

[253] This statement is based on the observations of Nicolas, "Reconciliation: The Courage to Create a New Future," pp. 356 and 364.

[254] See *Lineamenta* 37, pp. 577-578. Paragraphs cited and the content expressed are *OP* 2 (the institution of the sacrament), 9 (the Church's exercise of the sacramental ministry), 10 (the role of the confessor) and 11 (the role of the penitent).

[255] Despite the comment of the *Lineamenta* that "the penitential judgement of the Church manifests its true and profound reality in being memorial, presence and prophetic announcement of the very judgement of Christ: of Christ who died on the cross, of Christ who will return as universal judge at the fulfilment of human history." See Nicolas, "Reconciliation: The Courage to Create a New Future," p. 357.

[256] See for example the negative assessment of Dallen, "Church Authority and the Sacrament of Penance: The Synod of Bishops," p. 206.

those forms inclusive of individual and integral confession and absolution.[257] The strictly communal form of general confession and absolution appears as a limited alternative to the ordinary mode which may be licitly exercised according to the norms in force.[258] The point of deepest concern regarding the text of the *Lineamenta*, bearing in mind the theological, canonical and pastoral issues involved, was centred on the use of general absolution and the nature of its relationship to the individual form of the sacrament.

At the basis of the issues extending an influence upon the question of general absolution lay a deep reluctance evident in the *Lineamenta* to consider a communal celebration of reconciliation truly sacramental.[259] Of the factors at work in this situation, one finds its source in the poor anthropology espoused by the document. Emphatically individualistic in terms of the person, human freedom, sin and reconciliation, the *Lineamenta* leave unexplored the rich possibilities embodied in the interdependent relationship between a member and community, so that introspection takes precedence over an encounter with God and reduction in understanding of personal involvement radically affects the means by which the Church can respond to the spiritual needs of the faithful.[260]

A second factor emerges from the propensity in the *Lineamenta* for a theological rationalization which reveals a certain confusion between reconciliation itself and the

---

[257] *Lineamenta* 38, p. 578, citing *Redemptor hominis* 20. There is also a short passage attributed to the 1972 Pastoral Norms reiterating the individual form as the only ordinary mode of reconciliation. The *Lineamenta* do not manifest any awareness of the changes made to this latter text which resulted from the process of revising the Code of Canon Law.

[258] *Lineamenta* 39, p. 578. Since this section depends on two major citations from *OP* 31 and 33 that were uncritically employed without reference to later amendments, the text lends a curiously uneven tone to the Church's official contemporary approach to this form of reconciliation.

[259] Hearne, "Synod 1983: Initial Document on Reconciliation," p. 5.

[260] Nichols, "Preparing for the Synod," p. 44 and see also the pertinent comments of De Clerck, "Celebrating Penance or Reconciliation," p. 317. "In its present common understanding as a means to free oneself from the sense of guilt, to feel justified before God and humankind," says Puthanangady, "The Sacrament of Penance and Reconciliation," p. 18, "this sacrament has become more and more a rite by which one is reconciled with oneself, with one's conscience. This is a far cry from the symbol advocated by the Church – reconciliation with one's brothers and sisters as a sign of reconciliation with God. Other human realities, and notably economic and political relationships, remain untouched by this celebration of reconciliation."

sacramental expression of this mystery.[261] Whilst the *Lineamenta* acknowledge "the fraternal community of the faithful in the penitential celebration [as] a great help for the act of personal conversion,"[262] the comment that the community not be used to replace or substitute for the individual was regarded as a misunderstanding of the contemporary emphasis on the community's role as an active participant in every stage of reconciliation to build up the Body of Christ by the power of the Spirit.[263] Contributions elicited by the Synod's preparatory consultation suggested that limitation of the personal involvement in the experience of conversion and reconciliation to a single ordinary mode, although a legitimate option, placed an unnecessary and even frustrating restriction on the meaning, power and expression of the sacrament.[264]

A third factor arises from the hesitancy with which the *Lineamenta* approach the concrete pastoral circumstances of the Church in the world of today. Although aware of the great need and longing for reconciliation throughout the world, the unimaginative and detached assessment of the *Lineamenta* concerning the diminution in practice of sacramental penance neglected to analyse what appeared to commentators as an alarming lack of actual renewal in response to the recent promulgation of the new *OP* accompanied by inadequate education and preparation of the faithful.[265] The *Lineamenta*

---

[261] Nicolas, "Reconciliation: The Courage to Create a New Future," p. 362 and see the explanation provided by Hellwig, "Theological Trends: Sin and Sacramental Reconciliation II," p. 309. According to the latter author, the mystery "is on the one hand the reconciliation or reassertion and strengthening of the bond with the Church, the community of salvation, and on the other hand the personal conversion of the individual which that community of salvation makes possible. And this is sign in its turn, because it testifies to the invisible reality of the reconciliation and progressively more intense intimacy with God. But this means that the sign is efficacious when what is signified is really the welcome and continuing invitation into the fullness of community and the assurance of the possibility of authentic continuing conversion by the offer of support in such a conversion." For a similar view, see De Clerck, "Celebrating Penance or Reconciliation," p. 318.

[262] *Lineamenta* 38, p. 578, citing *Redemptor hominis* 20.

[263] Nicolas, "Reconciliation: The Courage to Create a New Future," p. 362.

[264] Nichols, "Preparing for the Synod," p. 48; Hearne, "Synod 1983: Initial Document on Reconciliation," p. 5 and Nicholas, "Reconciliation: The Courage to Create a New Future," p. 362. The latter author continues on p. 363, "Opening the range of possibilities in order to allow for a wider choice that will help pastorally the living faith of the parish or the community cannot be considered a threat to the 'right' to encounter Christ. On the contrary it can only facilitate this encounter and multiply the opportunities and the forms of integrating his love."

[265] See for example Nichols, "Preparing for the Synod," pp. 41-42, 48; Puthanangady, "The Sacrament of Penance and Reconciliation," p. 30; Marciniak, "The Sacrament of Penance: A Report From

epitomize this issue in the presentation of general confession and absolution, where an uncritical regurgitation of canonical regulations did not adequately dialogue with the experience of some local Churches. Pastoral practice had shown not only that complementary use of the third rite was encouraging many to participate more fully and actively in the life and worship of the Church, but also made available to people an encounter with the reconciling love of God in a fitting and proper way and brought them to a deeper awareness of the true nature of sin and to a practice of personal conversion, reconciliation and penance.[266]

Concluding with a brief reflection on the witness of a reconciled life as the final aspect of the Church's mission, the *Lineamenta* remark that a person reconciled to God and the Church "is conformed to Christ the Lord and is enabled to live according to the Gospel [which he or she expresses] in the concrete choices of the Christian life."[267] Although commentators readily agreed with this understanding of the effect of the sacrament, the query arose whether the contemporary theology and liturgy fostered the dynamism necessary to transform reconciled persons for effective witness in daily life.[268]

---

the Pews," pp. 25-26; F. Gómez, "The Sixth Assembly of the Synod of Bishops," in *East Asian Pastoral Review*, 21 (1984), pp. 5-6 and S. O'Riordan, "The Synod of Bishops, 1983," in *The Furrow*, 34 (1983), pp. 748-749. An interesting reflection on the implementation of the *OP* is provided by Murphy, "Sin and Reconciliation in a Time of Confusion," pp. 376-377.

[266] Nichols, "Preparing for the Synod," p. 48; Hellwig, "Theological Trends: Sin and Sacramental Reconciliation II," p. 309 and Hebga, "Reconciliation and African Culture," p. 354. This suggests that whilst conversion and reconciliation is a deeply personal experience, it need not be limited to a purely individual event. "When a community moved by the word of God responds in faith and trust to God's call to conversion and reconciliation," says Nicolas, "Reconciliation: The Courage to Create a New Future," p. 360, "this community event is as genuine and true as it could be when it happens to the individual alone; and going further, this community event has a depth and wealth of Christian experience that the individual event cannot have." In the mind of De Clerck, "Celebrating Penance or Reconciliation," p. 317, the sacrament must be re-thought in terms of a theology of reconciliation that stresses the joy of experiencing God as Father and conformity to the nature of God in the radical forgiveness of one another.

[267] *Lineamenta* 40, pp. 578-579, adding: "Thus the whole life of the Christian sinner, now penitent and reconciled ... assumes the character of a 'continual penance'."

[268] Nichols, "Preparing for the Synod," p. 49 and see Puthanangady, "The Sacrament of Penance and Reconciliation," p. 19. The latter author remarks on pp. 32-33 that "the authenticity of the sacrament of reconciliation can only be verified if it blossoms forth into a life of reconciling witness and mission on the part of the Church and of every Christian."

Consequently, the primary issue generated by this aspect emerged as the relationship between sacramental forgiveness and real or actual forgiveness.[269]

The *Lineamenta* suggest that "to the extent Christians are thankful and faithful to God for the great gift of reconciliation, they become living witnesses and founts of reconciliation ... in the ecclesial community and in human society, which is both grace received and responsibility assumed by Christians in the world."[270] Notwithstanding the importance of this rather general observation, commentators noted the surprising absence of healing in the *Lineamenta* as an aspect of reconciliation that requires concrete expression in human relationships.[271] Recognition of this element may have assisted the Synod address and offer a prophetic word of hope in response to the ecological dimension of disintegration that negatively affects the quality of life.[272] Similarly, it may have enabled the *Lineamenta*, in proposing the Church as a sacrament of reconciliation, to include the need for reconciliation among the Christian Churches and the significance of the ecumenical movement.[273] "Freed from sin by the grace of Christ, may [the reconciled] work with all people of good will for justice and peace in the world."[274]

5.2.1.2 Document 2: *Instrumentum laboris*

In response to the comments and suggestions generated by the initial phase of the synodal process, the definitive working paper was released on 17 February 1983 to assist not only the delegates in their own work of preparation for the Synod, "but also the

---

[269] Hearne, "Synod 1983: Initial Document on Reconciliation," p. 5.

[270] *Lineamenta* 42, p. 579.

[271] Nichols, "Preparing for the Synod," p. 47. The author continues, "Such healing can be spiritual, emotional and physical and will be experienced in many different ways, not least in the welcome and support offered by the parish community to those in positions of estrangement or isolation."

[272] Nicolas, "Reconciliation: The Courage to Create a New Future," p. 353.

[273] Hearne, "Synod 1983: Initial Document on Reconciliation," p. 4 and Gómez, "The Sixth Assembly of the Synod of Bishops," p. 4 note the absence of this aspect. Nichols, "Preparing for the Synod," p. 47, includes the cause of Christian unity among a table of areas where situations of alienation "can be broken down and the reality of reconciliation not only glimpsed but also achieved."

[274] *Lineamenta* 42, p. 579, citing *OP* 5.

episcopate, the clergy and all the faithful [to revive] in people's consciences the sense of God and the sense of sin, the sense of the greatness of God's forgiveness, the sense of the importance of the sacrament of penance for human and Christian growth, and indeed for the very renewal of society."[275] Accordingly Pope John Paul, in thinking on the background preparation for the Jubilee year, carefully emphasized a central theme of the *Lineamenta* repeated in the *Instrumentum laboris*:

> At the root of the moral evils that divide and wound society is sin. Thus the whole of human life is seen to be a struggle, often a dramatic one, between good and evil. Only if the roots of evil are taken away can true reconciliation be attained. And so personal conversion to God is at the same time the best path to a lasting renewal of society: for in every act of true reconciliation with God through repentance there is intrinsically present the social dimension, side by side with the personal one.[276]

Integration of this theme would serve the task of the Synod to rekindle an awareness of the mission and ministry of reconciliation incumbent on each member of Christ's faithful.

Published commentaries of the 1983 Synod and its preparation judged the *Instrumentum laboris* a more extensive and rather improved document, which retained the general structure and a materially significant portion of the *Lineamenta*, albeit

---

[275] Pope John Paul II, Letter, 25 January 1983, pp. 209-210. The Latin text reads: "sed Episcopos etiam, clericos ac fideles omnes ... [redintegrare] in hominum consciorum mentibus Dei ac peccati sensum, magnitudinis quoque divinæ indulgentiæ necnon momenti ipsius sacramenti pænitentiæ ad profectum christiani et hominis ac tandem ipsam ad societatis renovationem." English trans. issued by the Vatican published under the title "The Holy Year and the Synod," in *Origins*, 12 (1982-1983), p. 615. The bulk of this letter, which accompanied the publication of the synodal working paper, was devoted to the celebration of the extraordinary holy year set to run from 25 March 1983 until 22 April 1984. The English text of the working paper which, unlike the *Lineamenta*, is presented in a form of inclusive language, may be found under the title *Reconciliation and Penance in the Mission of the Church*, Unofficial Translation of the Working Document for the Sixth General Assembly, Synod of Bishops, 1983 (=*Instrumentum laboris)*, Ottawa, Canadian Conference of Catholic Bishops, 1983. All references to the *Instrumentum laboris* in this dissertation will be cited from this text. The corresponding French text is *La réconciliation et la pénitence dans la mission de l'Église*, traduction non officielle du document de travail pour le Synode des évêques de 1983, Ottawa, Conférence des évêques catholique du Canada, 1983.

[276] Pope John Paul II, Letter, 25 January 1983, p. 210. The Latin text reads: "Moralibus quidem malis, quæ scindunt societatem dirumpuntque, subest peccatum. Omnis propterea hominum vita uti dimicatio videtur nonnumquam vere insignis inter bonum ac malum. Modo si malorum exstirpatur radix, valida obtineri potest conciliatio. Quam ob rem cuiusque hominis conversio ad Deum eodem tempore optima est via perennis renovationis ipsius societatis, quoniam singuli conciliationis veræ actus cum Deo per pænitentiam suapte natura continent rationem socialem una cum personali." English trans. in "The Holy Year and the Synod," p. 615.

inclusive of certain important modifications.[277] Veracity of this judgement begins to emerge from recognition of original elements incorporated into the introduction to the new document. Given the direct relationship between the synodal theme and the purpose of the holy year, the *Instrumentum laboris*, explicitly admitting existence of a crisis affecting the spirit of penance and the celebration of the sacrament of reconciliation, and seeking to demonstrate better the link between personal conversion and reconciliation for all humankind, in addition to the reasons already advanced in support of an urgent treatment of the intended topic considered it necessary, for the purpose of internal order, "to propose to youth, in whom rests the hope of the Church and of society, a fuller living of the gospel of reconciliation and a greater witnessing to it with all their energies" and, with respect to the motives regarding relationships of the Church with the world, a prioritisation of "the need to save humanity, by making it aware of its proper, inalienable dignity which must be effectively protected."[278] In this way, the mystery of redemption accomplished and offered to all by Jesus the Lord might become more evident to a gravely divided world in the life of the Church as community of Christ so that, out of tension and imbalance an "internal renewal, through reconciliation and penance, can be seen to be absolutely necessary and to respond to deep and lively aspirations of the heart."[279]

Consistent with this modified approach, the *Instrumentum laboris* exhibits a richer and more credible anthropology in its presentation of the world and humanity in search of reconciliation. To be sure, the document commences the reflection with similar, albeit expanded, content,[280] which maintained emphasis on the individuality of the radical

---

[277] See the relevant comments in *Instrumentum laboris* 3-5, pp. 5-6 and the observations of O'Riordan "The Synod of Bishops, 1983," pp. 750-751 and Gómez, "The Sixth Assembly of the Synod of Bishops," p. 5.

[278] *Instrumentum laboris* 1 and 2, pp. 3-5. These amendments added at the same time a more realistic and positive character to this part of the document.

[279] *Instrumentum laboris* 5, p. 6. In contrast to *Lineamenta* 4, therefore, the working paper shifts the emphasis in the first part of the document from a negative to a positive focus.

[280] Intent on forging a connection between the topic of this Synod and the preceding assembly in 1980, *Instrumentum laboris* 6, pp. 7-9, inserts material which recalls the various ways in which *families* are not exempt from discord of all kinds. The section then lists signs of breakdown in civil society, crises extant in the realm of nations and groups of nations, and mentions finally "contrasts among the very

freedom grounding the Church's understanding of sin and conversion.[281] At the same time, however, the *Instrumentum laboris* develops the meaning of this freedom to recognize a keen desire on behalf of all people to be and to live fully through the irresistible aspiration of their spirit towards good, thereby amending the *Lineamenta* to focus on a renewed sense of reconciliation for which the contemporary world strives so fervently.[282] Accordingly, a more specific mission of the Church *ad extra* emerges, "towards other Christian communities [and] non-believers [as well as] the whole human race within which the Church lives."[283]

Having affirmed the fundamental dignity of human persons in their relationships to God and one another, the *Instrumentum laboris* examines the anthropological question subsequently in terms of creation and moral values, which occasioned a major restructuring of the material previously presented in the *Lineamenta*.[284] Although compromising the more positive image of the human person constructed in the first part of the document, the *Instrumentum laboris* clearly discerns a social dimension to sin and reconciliation since "the will of every human being is by nature oriented towards society."[285] Nevertheless, the determination of the *Instrumentum laboris* to promote an anthropology which excluded the learning value of a dialogue between Gospel and

---

disciples of Christ, baptized in the name of the one and the same Lord [and] certain divisions within the ambit of [the] Catholic Church."

[281] See *Instrumentum laboris* 7-9, pp. 9-13. The addition to no. 7 which suggests that a complex of elements arising from modern theories of psychological determinism, although exercising a real influence on the will, do not destroy the liberty of an individual, the very freedom by which one remains truly responsible for one's actions, may still elicit a response which rightly queries whether human beings are truly so free, since the document in no. 9 also admits the *bondage of sin* from which the Lord himself came to free and strengthen them.

[282] *Instrumentum laboris* 9, pp. 12-13 and compare *Lineamenta* 9, p. 569, which places the emphasis on interior freedom.

[283] *Instrumentum laboris* 10, p.14.

[284] Eliminating *Lineamenta* 12, the *Instrumentum laboris* provides an extensive redraft of *Lineamenta* 13 in its place, and then inserts *Lineamenta* 25-28 before returning to the material in *Lineamenta* 14. This amendment served to reduce somewhat the general impression of repetition which had been observed in the initial document.

[285] *Instrumentum laboris* 13, p. 18 and see also no. 17, pp. 22-23, together with the comment of O'Riordan, "The Synod of Bishops, 1983," p. 751. In acknowledging this dimension, the document speaks only in a derivative sense.

culture risked the relevance of the Synod for many Christian faithful.[286] Consequently, the conclusions concerning the development of the human person presented such a clear, well-defined image that it remained somewhat beyond the drama that is life in a modern and complex world.[287]

Without prejudice to the satisfactory nature of the theology in the *Lineamenta*, the text of the *Instrumentum laboris* reveals evidence of some changes in the material as proposed in its initial form.[288] Most noteworthy of these modifications was a long synthesis of (mainly) biblical citations, appended to a revised version of *Lineamenta* 21, which served to justify sacramental penance as an essential and obligatory element in the order of salvation, directly instituted by the risen Lord Jesus and confided to the apostles and their successors as a specific ministry for the reconciliation of sinners with God and the Church.[289] Whereas it might have fruitfully explored the mystery of reconciliation in terms of the encounter between sinners and the merciful Christ, the forgiving example of Jesus for every person working for reconciliation and peace in the world, and the meaning of community incarnating the initiative of God's love towards all, the *Instrumentum laboris* preferred a theological foundation unambiguously in support of the traditional form of individual confession and absolution.

In a dramatic contrast to the *Lineamenta*, the *Instrumentum laboris*, heralding a series of important textual developments, introduced its presentation of the pastoral aspects of reconciliation with new paragraphs centred on the reconciling word of God

---

[286] *Instrumentum laboris* 15, pp. 19-21 and Uzukwu, "Reconciliation and Inculturation: A Nigerian (Igbo) Orientation," p. 277. As Uzukwu sums up on p. 279, "The main point at issue seems to be the need of the Christian tradition to allow itself to be questioned by other traditions, and not to assume that the western models of reconciliation, with their presupposition that human beings are individualized atoms and not intrinsically caught up in relationships, are the only or even the best ones."

[287] See *Instrumentum laboris* 16-17, pp. 21-23. These sections are noteworthy for the lack of references in support of the various realities claimed as universal and permanent.

[288] Several parts in the text of *Lineamenta* 17-20, for example, were redrafted to incorporate aspects of the dignity, freedom and responsibility of the human person, the role of the Holy Spirit and the active love of God for humankind. See *Instrumentum laboris* 20-23, pp. 26-31.

[289] *Instrumentum laboris* 24, pp. 32-34. Whilst the document admits here that "Christ confided the mission of bringing reconciliation and penance to all the people of God" no. 26, citing *OP* 8, touches to some extent the sacramental understanding of this work. Curiously, the *Instrumentum laboris* relies on the exegesis of Jn 20:22-23 offered by the Council of Trent, choosing to ignore important insights which had emerged from modern biblical scholarship.

and the message of salvation and peace committed to the Church for proclamation.[290] Having thereby given proper emphasis to the person and work of Christ Jesus, the *Instrumentum laboris* then examines the celebration of penance in life and through the sacraments, beginning with the sacrament of baptism.[291]

As the primary sacrament of reconciliation, the meaning of baptism as the effective sign of incorporation into the Church by radical rebirth into Christ as a new creature who shares definitively in his victorious death and resurrection, is carefully recalled in the *Instrumentum laboris* since it "places in splendid light the full and absolute gratuity of the pardon given by God."[292] Nevertheless the *Instrumentum laboris*, by means of an expanded explanation on the need for all to conform more closely to Christ, augmented the *Lineamenta* with a greater emphasis on the gift of *metanoia*, thus lending a noticeably dynamic character to the presentation. This apparent attempt to accommodate issues raised by the consultation process was carried into the following section introducing the second reconciliation through the sacrament of penance. The *Instrumentum laboris* not only affirmed conversion as a journey to holiness but also, as a loving response to the grace of the Holy Spirit, a source of spiritual healing. In connection with this aspect, the document mentions the sacrament of the anointing of the sick, in which God frees the faithful from sin, saves them and raises them up.[293]

Evidence of significant textual modification is also revealed in a subsequent reflection concerning daily forms of reconciliation. The Gospel message of repentance and renewal "proclaims that all persons need Christ as model, saving and life-giving Master."[294] In this context, the Church exhorts the faithful to sanctify their daily activities by various forms of non-liturgical penance and "by properly and diligently fulfilling their

---

[290] *Lineamenta* 24 and 29-31 were eliminated and replaced by *Instrumentum laboris* 27-28.

[291] The *Instrumentum laboris* repeats the established structure here, with nos 29-33 corresponding to *Lineamenta* 32-36. In terms of content, however, these sections show evidence of extensive redrafting, including the addition of a considerable amount of new material.

[292] *Instrumentum laboris* 29, p. 39 and see also *Lineamenta* 32, p. 576.

[293] *Instrumentum laboris* 30, pp. 41 and 42. The description of the effect of this sacrament is a paraphrase of part of the sacramental form.

[294] Ibid. 31, p. 43. The document thus maintains the emphasis on the person and work of Christ for the meaning and importance of the penitential life.

duties and patiently supporting the difficulties which come from living in society."[295] Summing up the contemporary state of such daily penance the *Instrumentum laboris*, without apparent foundation, enters into a dubious and judgemental commentary on the activities and motives of modern men and women.[296] Nevertheless, "in the full light of the cross of our Lord," these attitudes and values might be further deepened "beyond helping the health of the body and the strength of the spirit, [to] have a value for salvation" so that, allied with a renewal of traditional forms of penance, specifically Christian ways of life, self-renunciation, humility and patience develop and flourish from their conscious practice.[297] This educational theme is then extended to penitential services, which the *Instrumentum laboris* considered a prime example of the various non-sacramental liturgical rites of penance and reconciliation.[298] The continued exclusion of a sacramental nature for these services of God's word, however, seemed to minimize the meaning of the reconciling ministry exercised by the faithful, especially when assembled for the sacrament celebrated according to the second rite permitted in the *OP*.[299]

Several important citations from the Council of Trent were appended to the following section which presented the celebration of the Eucharist as "the culminating point of reconciliation between God and persons and among themselves."[300] With the help of these references, the *Instrumentum laboris* conceded the Eucharist an indirect role in the case of remitting grave sin, in that the most blessed sacrament confers upon faithful a gift of penance inclusive of the obligation to confess such sins subsequently in

---

[295] Ibid. "In this way," states the *Instrumentum laboris*, "they can be purified, and cooperate in repairing the damaging consequences of sin and in the renewal of the entire world."

[296] Several statements smack of a superficial and immodest criticism of western life, especially the first and second paragraphs on p. 44.

[297] *Instrumentum laboris* 31, pp. 44-45. In particular, the document suggests "more simple ways of life should be encouraged which would help, for example, to make better use of the means of social communication and *show more respect for nature*."

[298] *Instrumentum laboris* 32, pp. 45-46. The document adds four reasons to those already listed in *Lineamenta* 35 concerning the usefulness of such services.

[299] See the comments by A. Nocent, "Réflexions pour un Synode," in *Nouvelle revue théologique*, 105 (1983), pp. 353-354.

[300] *Instrumentum laboris* 33, p. 46 and see the corresponding text in *Lineamenta* 36.

a rite of individual reconciliation.[301] Consequently, if reconciliation is "the redemption that the Father has offered to every human being in the death and resurrection of his Son"[302] and the Eucharist, where the Son is truly present, "that sacrifice and banquet where we receive peace, the sign of the unity of the Church which is to be promoted and continually grow,"[303] a presentation restricted to the *reconciliatory efficacy* of the Eucharist for the individual person is necessarily confined to concepts such as antidote, perfect contrition and desire for sacramental penance. Alternatively, the document may have explored reconciliation more broadly in its Eucharistic dimension, to ascertain a meaning and explain the place of the sacrament of penance in the total mystery of salvation in terms of sacrifice, worship and community.

Underlining the importance of this observation were certain changes visited upon the notes by which the *Instrumentum laboris* introduced its presentation of sacramental penance.[304] Although references to the salvific action of Christ, the Holy Spirit, and the healing aspect of the sacrament are carefully worked into the text, the *Instrumentum laboris* eliminates the final paragraph in the corresponding section from the *Lineamenta* which clearly affirmed the worshipful character of the sacrament.[305] At the same time, the text received new material which explained the judicial aspect of the sacrament as a function of the Father's judgement manifested in the role of the confessor rather than in terms of the saving action of Christ on the Cross.[306] This shift in emphasis tended to strengthen the focus of this part of the document on the role of the ministerial priesthood.

---

[301] *Instrumentum laboris* 33, p. 47. An outline of this theory is provided in section 2.1.1 of this dissertation, pp. 73-74.

[302] Pope John Paul II, Letter, 25 January 1983, p. 209.

[303] *Instrumentum laboris* 33, p. 47.

[304] Ibid. 34, pp. 48-50.

[305] *Lineamenta* 37 had concluded with a citation from *OP* 11 which links liturgy and daily life in terms of proclamation, celebration and continuous renewal.

[306] *Instrumentum laboris* 34, pp. 48-49. The employment of a long citation from the *Didascalia Apostolorum*, extracted from an extinct liturgical landscape, seems strangely out of place, if not a little contradictory, in this context.

With some sense of inevitability, the *Instrumentum laboris* contained a greatly expanded section on the reconciliation of individual penitents.[307] Surprisingly devoid of citations to the *OP*, the section recapitulates a core theme of the synodal topic, beginning "with an exposition of God's initiative toward the sinner and speaks of a gradual and progressive repentance and conversion."[308] Although the *Instrumentum laboris* affirms that confession of sins "constitutes only one of the parts of the whole work (process) of conversion and reconciliation,"[309] the paragraphs which follow emerge as a lengthy argument for the necessity of this act of the individual penitent. Insisting that this confession should represent, on behalf of each faithful, a real and personal rejection of sin and desire to amend their life, the document nevertheless isolates confession from the other elements integral to the sacrament and its liturgical celebration, especially the context of prayer.[310] Limited by assumptions concerning the history of the Church's penitential practice and guided by psychological experiments studied in the human sciences indicating the link between verbal expression and interior thought and the life of a person, the *Instrumentum laboris* stressed the importance of this expression to evoke, examine, evaluate and correct past actions, since the confessor "must know the sin to be remitted to enable him to decide if he should remit it or not."[311] Given this approach and

---

[307] *Instrumentum laboris* 35, pp. 50-54. Of the initial text in *Lineamenta* 38, only the long citation from *Redemptor hominis* 20, a truncated version of the text extracted from the 1972 Pastoral Norms (lacking reference to the excuse of moral or physical impossibility) and a brief mention of the second rite of reconciliation was retained.

[308] Dooley, "The 1983 Synod of Bishops and the 'Crisis of Confession'," p. 12.

[309] *Instrumentum laboris* 35, p. 50. Gómez, "The Sixth Assembly of the Synod of Bishops," records on p. 15 some amendment of *Lineamenta* 38, noting that the working paper places individual confession "in the context of salvation history, after due catechesis and not as the most important element of the sacrament."

[310] O'Riordan, "The Synod of Bishops, 1983," p. 751. The document also makes only a passing reference to the significance and power of God's word in the reconciling process.

[311] *Instrumentum laboris* 35, p. 52. Dooley, "The 1983 Synod of Bishops and the 'Crisis of Confession'," p. 12 suggests this to be the primary reason for confession of sins. The document also asserts that verbal expression assists persons to "make a new and clear proposal towards a goal truly worthy of human dignity." For further explanation of this theory incorporated into the *Instrumentum laboris*, see P.J. Cordes, "Private Confession and the Community Celebration of Penance," in *The Laity Today*, 29 (1983), pp. 126-130. Although Bishop Cordes concludes on p. 130 "that auricular confession is the highest form of the act of repentance which can never be given up or set aside," he also concedes that "private confession [needs] a broader spiritual dimension and a more worthy liturgical framework."

the anxiety shown in the document over both the quantity and quality of the celebration of the sacrament, "the need for a private, individualized confession and the role of the ministerial priesthood [became] underlying themes, directly or indirectly, throughout the Synod proceedings."[312]

The comparatively brief account of general confession and absolution retained in the *Instrumentum laboris* bore only a superficial resemblance to the text originally presented by the *Lineamenta*.[313] Whilst acknowledging that in exceptional circumstances this form of sacramental penance provides great benefit to faithful, "the working paper's language about what those circumstances might be is even more limiting than those of the 1973 Order of Penance."[314] Appealing to the urgent character of these circumstances made known in recent official pronouncements, the *Instrumentum laboris* regards situations involving imminent danger of death as more appropriate for celebrations of a third rite of reconciliation.[315] At the same time, the document concedes the possibility of such a celebration in other particular circumstances (especially mission lands), but with less conviction than the *OP* and *Lineamenta*. On the contrary, the *Instrumentum laboris* seemed to question the integrity of the third rite in facilitating the reconciliation of the faithful, stating that "what is lacking through concrete circumstances, independent of the human will, must be completed by the penitent in order to reap the full benefits of the sacrament for his or her own good and that of the whole community."[316] In arriving at

---

[312] Dooley, "The 1983 Synod of Bishops and the 'Crisis of Confession'," pp. 12-13. *Instrumentum laboris* 35 concludes on p. 54: "The bishops of the Church have the duty to diligently investigate, with their priests and the laity, the theological, liturgical, pastoral and cultural reasons for such a reduction in sacramental practice. Keeping in mind the facts of faith, drawn from Scripture and tradition, the experience of faith in the Church in past centuries, the fruit and the damage of present pastoral practice, they will provide with prudence and timely solicitude for the good of souls."

[313] See *Instrumentum laboris* 36, pp. 55-56, which corresponds to *Lineamenta* 39.

[314] O'Riordan, "The Synod of Bishops, 1983," p. 751.

[315] The *Instrumentum laboris* thus introduces the novelty of an order of suitability or prioritisation regarding the use of general absolution as a licit and valid celebration of the sacrament of penance.

[316] *Instrumentum laboris* 36, p. 55. The document here adds a new (pastorally motivated) reason for the obligation of a subsequent individual confession of grave sin and goes on to claim that although "the Church assists the faithful to fulfil the conditions required by the sacrament of penance for grave sins, [it] cannot dispense from them." Significantly, this statement appears unaware of dispensations from this obligation granted during the 1960s.

this conclusion, the *Instrumentum laboris* withdrew an aspect from an already limited appreciation of communal celebrations, causing it to reflect the official emphasis for diligence among pastors against the dangers of certain abuses.[317]

The *Instrumentum laboris* concludes its presentation on celebrating penance in life and through the sacraments with notes on the controversial areas of the celebration of the sacrament for venial sins and the confession of children before first communion.[318] In the former case the document, asserting an extensive tradition of popular, frequent practice, recommended such celebration as a useful element in the totality of the penitential life.[319] In the latter case, the *Instrumentum laboris* sought to defend and identify as a right a custom which contributed to the formation of children in preparation "for that great encounter with the Eucharistic Christ."[320] Perhaps on account of this enthusiasm, the document also incorporates the need to instruct children in the practice of the sacrament as a ritual of purification prior to Eucharistic communion. Whilst considered a positive means to bring faithful throughout life to a greater appreciation and more frequent use of sacramental penance, the dominance of this understanding could threaten the meaning of the sacrament as a sign of reconciliation which builds up the Christian community.[321]

---

[317] Apparently avoiding the fact that entire conferences of bishops had interpreted the 1972 Pastoral Norms quite broadly, the document highlights on p. 56 indiscriminate use of the third rite by *some priests* who, in recent times, "have often granted general absolution without grave necessity" and faulting *the faithful*, "either not aware of or not always observing the obligation of confessing their grave sins [for not completing] what was lacking in the celebration of the sacrament with general absolution."

[318] *Instrumentum laboris* 37 and 38, pp. 56-58. The latter topic had been the subject of experimentation and discussion in the 1970s, as footnote 180 of the document clearly recalls. Neither topic was addressed in the *Lineamenta*.

[319] *Instrumentum laboris* 37 lists seven reasons on pp. 56-57 in support of this conclusion. Although careful to acknowledge the presence of devotionalism, scrupulosity and a quasi-mechanical habit, the document singles out the poor participation of the faithful as the source of these afflictions and consequently, in the solutions offered, makes no provision for the complexity and depth of the issues and difficulties involved.

[320] *Instrumentum laboris* 38, p. 57. Recognizing the vital importance of appropriate and sound catechesis before admitting children to the sacrament of penance, the document notes on p. 58 that parents, priests and the Christian community have a part in assisting these little ones "to acquire an ever deeper understanding and experience of the Paschal mystery, so that they can gradually conform their lives to Christ and give witness to him."

[321] Puthanangady, "The Sacrament of Penance and Reconciliation," p. 17. As a mere ritual act of purification, "it is not a sign of reconciliation," says Puthanangady on p. 22, "but a rite for propitiating God in order to avoid his wrath and punishment for having violated his laws and decrees."

In terms of sheer quantity, the portion of the *Instrumentum laboris* devoted to the witness of a reconciled life as the third and final aspect elaborating the Church's ministry of reconciliation, attracted most of the new material added to the initial text of the *Lineamenta*.[322] Placed under a title concerning the promotion of reconciliation in the various spheres of personal and social life, this material began by recognizing the existence of many attitudes contradicting the Gospel, and suggested that "the young as well as adults need continuing formation to acquire and deepen the specific convictions of Christian living linked with reconciliation and penance."[323] Embodied with a profound understanding of God's love and mercy made visible in the Cross of Christ, the Synod might then become "a privileged time in which the Church engages in internal dialogue so as to be able to enter into a true dialogue of salvation with the world."[324]

From the perspective of internal order, the *Instrumentum laboris* addresses various tasks for the ministry of reconciliation and penance. Among the principal tasks pertaining to ecclesial communities, the document urged immediate correction in places "where, without sufficient reason and against directives, abusive customs have been introduced in the manner of administering the sacrament of penance."[325] Given this view, and based on the understanding that "the unity between the priest and his own bishop within the local Church is an indispensable condition for the actualisation of an authentic pastoral practice of reconciliation," the *Instrumentum laboris* emphasized the obligation of the parish, as the primary place for the welcome of repentant sinners, "to offer the ministry of reconciliation to the faithful in a proper way."[326] Consequently, the document included a section on formation and continuing education of priests who, together with bishops,

---

[322] Whilst *Instrumentum laboris* 39-40 correspond to *Lineamenta* 40-41, the working paper appends five new sections to the text, the fourth of which absorbs *Lineamenta* 42.

[323] *Instrumentum laboris* 41, pp. 60-61. "The fundamental truth which should be underlined in the various chapters of this catechesis," says the document on pp. 61-62, "is that without conversion to Christ, with a spirit of humility and a contrite heart, one cannot resolve the grave problems of existence or overcome the obstacles which hold back the full manifestation of the dynamism of a reconciled life."

[324] *Instrumentum laboris* 41, p. 63.

[325] Ibid. 42, p. 64. Although not mentioned specifically, the language may imply a reference to some recent initiatives involving general absolution.

[326] This text represents a compilation of several statements in *Instrumentum laboris* 42, pp. 65-67.

required the professional competency to meet and integrate "rapid changes in [the] contemporary age, the progress of theological discipline and the need to respond to new situations and problems."[327]

A world which continues to suffer tension and division challenges those who walk the journey of conversion and reconciliation with God and the Church to extend this grace to all people in their everyday life.[328] Since the love of God who reconciled the world to himself in Christ knows no limit, the *Instrumentum laboris* proposed that each one "seeking Christ in all his truth on the path of penance must do his or her part in re-establishing unity among the divided disciples."[329] For the same reason and in the spirit of universal reconciliation, the document confirmed that the parameters of the Church's witness also included both non-Christians and non-believers. Consequently, aware that any deep and lasting renewal must begin with the conversion of heart brought about through a sincere and fruitful penance, all faithful are called by Christ to open their hearts and collaborate in the work of reconciliation, because he is our peace, and has made the two into one.[330]

5.2.1.3 Document 3: Report of the International Theological Commission

Mindful of the grave importance given the renewal of the Church's ministry of reconciliation, the secretary general of the Synod of Bishops asked the International Theological Commission to "give its ordinary session of 1982 to the study of both the doctrinal and technical aspects of the problems of penance and reconciliation."[331]

---

[327] *Instrumentum laboris* 43, pp. 67-68. This section appears to be a response to the input of the initial consultation process. The document also called on theologians "to contribute their science and their competency in fulfilling the[se] tasks."

[328] *Instrumentum laboris* 44, p. 68. The document here returns to the relatively brief text of *Lineamenta* 42.

[329] *Instrumentum laboris* 44, p. 69. Including the work of ecumenism may also have been encouraged by its prominence in responses generated by the consultation process.

[330] Ibid., pp. 70-71.

[331] International Theological Commission, Report, English trans. published under the title "Penance and Reconciliation *(=ITC Report)*," in *Origins*, 13 (1983-1984), p. 524. All references to the *ITC Report* in this dissertation will be cited from this text. Although not a part of the usual preparatory process for a

Appropriately, the responsible subcommission composed the text on a framework similar to that of the *Lineamenta and Instrumentum laboris*, beginning with an anthropological context of penance, through several theological foundations, to conclude with reflections on certain questions important for the practice of the sacrament.[332]

Notwithstanding the Redemption as primary for the Christian message announcing salvation for humanity and the reconciliation of the world in Christ Jesus, the *ITC Report* proposed that the essence of human freedom lies in the ability of each one to sin.[333] Although a means to explain the human person as "an unsolved problem to which only God can give the full and completely certain answer," the document did not explore this freedom positively in terms of the humanity of Christ, who recapitulated the entire human experience through an exemplary response to the Father's love, and empowers all humankind to assume fully the radical and perpetual freedom made visible in himself as the true revelation of God.[334]

Similarly, the *ITC Report* pursued the tentative approach to a social dimension of sin presented in the *Lineamenta* and *Instrumentum laboris*.[335] Whilst affirming that "in the proper sense of the term only a human person is capable of sin," the document did not

---

synodal assembly, the document was sanctioned by the SCDF and circulated beforehand to the participating delegates. It was only released in English translation in January 1984. A form of exclusive language was used throughout.

[332] The framework thus facilitates some comparison of the text to the documents with which it is associated. A list of the distinguished scholars comprising the subcommission may be found at the conclusion of the report.

[333] *ITC Report* A. I, 3, p. 515. This sums up the assessment of the crisis affecting the understanding and praxis of penance in contemporary Church life, which the document suggests finds its root cause in a crisis of the modern human being, influenced in particular by the ideas of Western civilization, through which people understand guilt and sin no longer as an original element of personal responsibility, but as secondary phenomena derived from nature, culture, society, history, circumstances, the unconscious and the like. In the course of lamenting this way in which "personal conscience has been weakened and the often unconscious influences of the social norms of a largely de-Christianized world have become stronger," the document surprisingly neglects to mention or examine *other* powerful influences on human religious consciousness, especially those of an ideological or political nature.

[334] See *ITC Report* A. I, 4, p. 516. Without prejudice to the line of argumentation adopted in the text, a focus on the human person's response to the Gospel and his or her striving to put on Christ does not seem to deny the presence and power of sin, nor its revelation of something essentially human that must be acknowledged in every person.

[335] Compare *ITC Report* A. II, 1, p. 516 with *Lineamenta* 7 and 25 and *Instrumentum laboris* 8 and 13.

mention the possibility that a group of persons or community might embrace sin outside the shallow and rather anonymous structural perspective employed. Given the necessity of personal conversion, which must emerge and develop in order to generate and maintain reconciliation, the emphasis on individualism marginalized the strength and dynamism of such conversion which persons working together can accomplish.[336] Consequently, the beautiful image of the body and its many aspects derived from the mystery of Christ does not achieve its full extension in the text, leaving the document bereft of any fresh insights concerning the meaning and purpose of auricular confession.[337]

Introducing the theological foundations of penance, the *ITC Report* begins with the Scriptural revelation of God's love and faithfulness, and proceeds to develop the meaning of conversion as a gift from God which demands a response from the human person redeemed in Christ. Conversion represents "a fundamental option of the person directed towards God, as well as a complete renunciation of sin [commencing with] well-intentioned confident faith, contrite confession and prayer for pardon [expressing] itself in a radical revolution of one's entire life."[338] Conversion thereby consists in *a decision for Jesus*, in whom salvation is already present, and at the same time includes a decision for the coming kingdom of God.[339] The conclusion emerges that Christian penance, by which all may follow Jesus' example, is "the gift of a new existence granted by God,

---

[336] This thought, touched upon by *OP* 5, is not effectively examined here, even though the document acknowledges, at A. II, 2, p. 516, the social *presupposition* that "only those who experience love can open themselves in love for God and their neighbours," and the social *consequence* that "because [penance] is a personal act it also has a social dimension," so that "reconciliation with God *must lead* to reconciliation with our brothers and sisters."

[337] The renewal of sacramental penance would seem to require more from anthropology than the insight noted in *ITC Report* A. II, 3, p. 516 that "at the level of psychical and social life [confession] has a liberating and reconciling effect," an idea previously advanced in large part by the Council of Trent.

[338] *ITC Report* B. I, 3, p. 517. This description compares favourably with *Lineamenta* 20 and *Instrumentum laboris* 23. The document notes especially the fulfilment of justice and readiness to forgive one's neighbour as concrete manifestations of this interpretation of the fundamental option.

[339] *ITC Report* B. II, 1, p. 517. This seems to strengthen the case for developing the anthropological context of penance upon the person of Jesus. As the document states in B. II, 2, p. 518, "in Jesus Christ God has entered into the *conditio humana*, 'making the sinless one into sin so that in him we might become the justice of God'. By the very fact that human nature was assumed, ... it has been raised in us also to a dignity beyond comparison."

which also urges ethical and ascetical practice [that] should not only take place in individual acts, but characterize the entire Christian life."[340]

The mystery of God's reconciliation with humanity in Christ remains a living reality in the world through the action of the Holy Spirit. Whilst not confined to the boundaries of the Church, the *ITC Report* affirms the faith community as the sacramental sign and efficacious instrument of this reconciling work.[341] Nevertheless, the document develops from certain New Testament texts a distinction between the general duty to reconciliation and the general ministerial power to forgive or retain sins.[342] Notwithstanding the importance of this qualification for the ecclesial value of the sacrament and its justification as a separate ritual, the subsequent attempt to explain the close relationship between reconciliation and other sacraments goes no further than restating its use as a rite of purification.[343]

Considered one of its more important contributions, the *ITC Report* recorded a list of non-variables and variables derived from the history of dogma and theology. Under the title of non-variables, the document affirms that "the essence of the sacrament [is] that the reconciliation of the sinner with God takes place by the reconciliation with the Church."[344] A decisive element in this understanding is the process of progressive

---

[340] *ITC Report* B. II, 3, p. 518.

[341] Ibid. B. III, 1, p. 518. Accordingly, the word and ministry of reconciliation must be alive in the Church. "When the community forgives, the reconciling love of Jesus Christ addresses itself to the sinful brother or sister. This care ... must be untiring and the readiness to forgive unlimited."

[342] *ITC Report* B. III, 4, p. 518. Although Dallen, "Church Authority and the Sacrament of Penance," notes on p. 206 that the document situates the authorized ministry of bishop and priest within the Church community rather than a personal power, its emphasis on the specific power of absolution tends to relativize the meaning of the Cross and inject a subjective or abstract character into the forgiveness which the sacrament is meant to celebrate. At the same time, and in parallel with *Lineamenta* 37 and *Instrumentum laboris* 34, the document takes a very direct stance on the question of sacramental institution to support the claim that the structure of the sacrament was declared final and binding by the Council of Trent.

[343] *ITC Report* B. III, 5, p. 519. This seems to stem from the persistent yet futile desire to understand sacramental reconciliation as a second baptism, rather than an element of a broad, continuous process which both restores and builds up the Eucharistic community.

[344] Ibid. B. IV, a.1, p. 519. As Dooley, "The 1983 Synod of Bishops and the 'Crisis of Confession'," sums up on p. 13, "both the personal acts of the penitent [anthropological dimension] and the action of the ecclesial community under the direction of the bishops [ecclesial dimension] constitute the sacrament." Given the document's previous assertion that this reconciliation must lead to reconciliation with our brothers and sisters (A. II, 2), an apparent distinction is made between reconciliation with the Church (as an

personalization, by which the *ITC Report* considered the sacrament evolved to irreversible completion in the late medieval Western form canonized by the Council of Trent.[345] Nevertheless, the document's concession that an objective balance of personal and social aspects of penance was still to be achieved seemed to erode the conclusive nature of this thought.

The final paragraphs devoted to theological foundations of penance set out the doctrine of the Council of Trent, beginning with a summary of the main questions raised at that time and the teaching which the Council offered in response.[346] Significantly, the balance of the material in this section – intended as a contemporary application of the Council's teaching – dwells exclusively on the confession of grave sins and its necessity by divine law.[347] Without prejudice to the role of integral confession as an element necessary in manifesting conversion within the ritual celebration, the document proceeds, employing the concept of sacramental confession *in voto*, to examine the case of extraordinary *emergency* situations when, acting with the spiritual possibilities of the moment, the Church allows postponement of private, auricular confession and offers the prayer of absolution immediately for an individual or group of persons.[348]

---

intervention mediated by officials) and reconciliation with one's brothers and sisters (in terms of daily experience). According to this approach, the ritual celebration may, but need not be, a sacrament of a person's life as they encounter God in their fellow men and women, actively and tangibly living the mystery of sin, conversion, forgiveness and reconciliation among them. The problem is exacerbated by the use of a theology which views sacraments as a *gift* granted by God, *administered* by Church officials and *received* by individual faithful.

[345] *ITC Report* B. IV, a.l, p. 519 and see the comments of Dallen, "Church Authority and the Sacrament of Penance," p. 208. Mentioned in *Lineamenta* 21 and repeated by *Instrumentum laboris* 24, the concept of a progressive personalization tended to exclude the witness and tradition of other Christian Churches.

[346] *ITC Report* B. IV, c.1-2, p. 520. Revealing ecumenical sensitivity, the document admits a "noteworthy consensus between the Council of Trent and the basic writings of the Lutheran confession with regard to the spiritual fruits of the confession of sins and of absolution."

[347] In contrast to the comment derived from study of the variables in the historical development that confession be considered in its intrinsic relationship to the other parts of penance. See *ITC Report* B. IV, b.3 and 5, p. 520. Furthermore, although B. IV, c.5-6, on p. 521 uses the term *iure divino* three times, no attempt is made to determine the degree with which the Council might have invested it, nor does the document address the issue of the *exemplary* nature of the method approved by the Council to realize an integral confession.

[348] *ITC Report* B. IV, c.6, p. 521. The specification of emergency situations makes the application of the *in voto* concept perfectly intelligible and allows suitable justification for the obligation of a subsequent individual accusation of grave sin. The document also carefully notes that the Council of Trent did not

The final portion of the *ITC Report* presented some reflections on certain important questions for the practice of the sacrament. The initial sections of this part were concerned with the unity and diversity of non-sacramental forms of penance, which seemed to supply a structural unity to the entire process of conversion and reconciliation.[349] The document's recollection of these various forms confirmed their place within Church tradition and proposed their encouragement and wider exercise in pastoral practice. According to the *ITC Report*, "to the extent that [the wealth and multiplicity of] the forms of penance and the dimensions of reconciliation are practised more clearly and in a more convincing way in the daily life of the Christian, the desire for sacramental private confession is also bound to increase."[350] Having linked the renewal of individual and private confession with the more broadly-based renewal of penitential practice, the *ITC Report* recommended not only better spiritual and theological formation of priests, but also that confession contain more elements of spiritual direction.[351]

The *ITC Report* began its presentation of liturgical rites of penance celebrated with several persons assembled by reflecting on the form known as penitential services. Typically, the document considered such ceremonies helpful to emphasize community aspects of sin and forgiveness and also to awaken and deepen the spirit of penance and

---

pronounce on the nature and extent of such emergency situations, concluding that the concept may be regarded an alternative to the broad interpretation of the 1972 Pastoral Norms in solving difficult pastoral problems.

[349] *ITC Report* C. I, 1-3, p. 521. This approach is consistent for a system in which the sacramental celebration itself contains little scope for a process to be experienced.

[350] Ibid., C. II, 2, p. 522. This comment heralded a dramatic, albeit momentary, shift in the document's focus to the confession of grave sins which "*above all* must be expressed in the most individual and comprehensive way possible before the Church and its official representatives ... because the sinner must, inasmuch as possible, give concrete expression to the truth of his or her guilt and the nature of the sins, and also because such an individual-personal confession of guilt strengthens and deepens true contrition." As unambiguous illustrations of the primacy of the individual over community, these statements significantly restricted the document's subsequent consideration of penitential services and the rite of general absolution.

[351] *ITC Report* C. II, 2, p. 522 and see *Instrumentum laboris* 43 and 35. A particular beneficiary of these recommendations was the so-called confession of devotion. The question for making confession of sin in a context of spiritual direction was also mooted among theologians. See for example Hellwig, "Theological Trends: Sin and Sacramental Reconciliation, II," p. 310 and Malone, "General Absolution and Pastoral Practice," pp. 57-58.

reconciliation. Nevertheless, whilst it notes that penitential services "must not be placed on the same level as the sacrament of penance, much less replace it," the document's subsequent explanation of the nature and effect attributed to them in no way clarified the problems associated with their role in the penitential discipline of the Church.[352]

Consistent with its previous comments, the *ITC Report* then carefully recalled that a rite of sacramental penance with general confession and absolution may be applied in extraordinary situations of emergency, at the same time advising caution using this rite for the difficult and sometimes dramatic pastoral circumstances confronting the contemporary Church.[353] In its place, the text proposed the possibility of celebrating forgiveness of grave sin with an act of perfect contrition, which "provides a pastorally better framework for dealing with situations where priests are lacking than general absolution without individual confession."[354] Although the document notes that perfect contrition "is probably a sufficient disposition for receiving the Eucharist," the reflection studiously ignores the importance of sacramental grace as a fundamental right of the faithful, for which the authorization of general absolution is intended to bring about.[355]

---

[352] *ITC Report* C. II, 3, p. 522. The document states, for example, "with regard to daily sins they can become a true occasion of pardon, provided there is a real spirit of conversion and sufficient contrition. In this way [they] may acquire an efficacious significance for salvation, even if they are not a sacramental form of penance."

[353] Ibid. C. II, 4, p. 522. Significantly, it was in respect of these difficult cases that a proper liturgical rite of general absolution was drawn up and supported with officially sanctioned pastoral norms. It would appear that the *ITC Report* adopts an even more restrictive position than, for example, the SCDF reply issued 20 January 1978 and reflected in *Lineamenta* 39 and *Instrumentum laboris* 36.

[354] Fahey, "Reconciliation: Retrospect and Prospect," p. 192 and *ITC Report* C. II, 4, p. 522. Once again, the motivation for this proposal was that "the obligation to the later personal confession can be made psychologically more understandable to most of the faithful." In addition, "the ecclesial dimension of such a perfect act of contrition can be expressed by penitential celebrations." Malone, "General Absolution and Pastoral Practice," p. 49 and again on p. 58 considers this proposal a major achievement on the part for the Commission.

[355] *CIC 17*, c. 682 states that "Laypersons have the right to receive from the clergy, according to the norms of ecclesiastical discipline, spiritual goods and the most important assistance necessary to salvation." The Latin text reads: "Laici ius habent recipiendi a clero, ad normam ecclesiasticæ disciplinæ, spiritualia bona et potissimum adiumenta ad salutem necessaria." This was given further clarification and extension in *LG 37*, which specifically mentions the word of God and the sacraments. See Tanner, p. 879. Although the hierarchy of values employed in the *ITC Report* undermines this right somewhat, the concept of sacramentality had achieved a broader meaning in theological discussion, which made the difference between sacramental and non-sacramental grace less radical. According to this approach, sacramental activity was only one of the possible means whereby grace is conferred and promised to human persons infallibly on the part of God. See the summary in B. Hearne, "A 'Not Yet' Theology of Penance," in *African Ecclesial Review*, 26 (1984), p. 152.

Similarly, the *ITC Report* did not examine the contemporary crisis of the sacrament of penance in terms of ecclesiology, preferring to maintain the interpretative pattern which linked this problem with a crisis in the sense and understanding of sin.[356] Beginning with Scripture, the document notes that since "every sin stands in a relationship with God, ... the sense and understanding of sin can only be developed with the conjunction of preaching about God and his message of salvation."[357] Arguing intelligibly for the retention of the traditional distinction of sin, the text set out, from both subjective and objective aspects, the theological and doctrinal understanding of grave sin.[358] The reflection concluded with the opinion that a single grave sin "expressing or revising the fundamental option is not likely or normal in the life of a sincere Christian."[359]

The final question for the *ITC Report* concerned the relationship between penance and the Eucharist. The reflection provided in the text was restricted to the apparent contradiction which holds in tension the meaning of the Eucharist as the sacrament of unity and as the grace which brings the gift of penance and forgiveness of sins.[360] Whilst it affirms that "the Eucharist is no alternative to penance in the Church," the document does not incorporate the understanding that the most blessed sacrament, as the

---

[356] *ITC Report* C. III, 1, p. 522. The document also attributes a role to ineffective pastoral efforts of the Church, including sermons, catechesis and personal talks.

[357] Ibid. p. 523. Nevertheless, the document might also have integrated the idea that human beings experience sin primarily in the variety of their relationships with one another.

[358] Ibid. C. III, 2-3, p. 523. Using the familiar negative approach to human freedom the document carefully analyses the concept of fundamental option. Although a person is capable of expressing or changing their option in a single act done with full awareness and complete freedom in relation to matters imposing a grave obligation, the text noted "it is not necessary that this fundamental option in its entirety enter into each individual act, so that each sin does not have to be, *eo ipso* a revision of an (explicit or implicit) fundamental option."

[359] Dallen, "Church Authority and the Sacrament of Penance," p. 207; *ITC Report* C. III, 4, p. 523 and compare the more limited view expressed by *Lineamenta* 28 and *Instrumentum laboris* 16. This seems to strengthen the positive understanding of the fundamental option as the life of penance and conversion proper to each member of the faithful.

[360] *ITC Report* C. IV, 1.a-b, pp. 523-524. In doing so, the document addressed an aspect mentioned in *Lineamenta* 36 and discussed more fully in *Instrumentum laboris* 33.

sacramental *representatio* of the once and for all sacrifice of Jesus, is the primary sacrament of reconciliation.[361]

The renewal of sacramental penance requires that people experience the reality of sin, conversion, forgiveness and reconciliation in the world and in their daily lives, otherwise they have nothing to celebrate in the sacrament. When the faithful recognize their personal dignity and live out of a communion with God and with one another, the Church can be by its confession, liturgy and service the sacrament of reconciliation in the world, witnessing in the Holy Spirit to, and rendering present, the message of reconciliation which God has given through Jesus Christ.[362]

5.2.2 THE ASSEMBLY OF BISHOPS

As presider of the Eucharistic liturgy which inaugurated the sixth general assembly of the Synod of Bishops, Pope John Paul II reminded his listeners the call of Christ Jesus to conversion and reconciliation is a perennial testimony that the human will can receive the saving current of grace, which transforms a person's most profound aspirations. In this is found the first light of the good news and the prospect of victory of good over evil, of light over sin, that Christ will reconfirm until the end.[363] Urging the Synod participants to concentrate on this fundamental calling of the Gospel, and mindful of the interconnection between this spiritual victory and the theme of the Synod, the Pope prophetically exclaimed, "How many fields in the existence of humanity in the contemporary world does this theme reach!"[364] Consequently, the Pope concluded with the invitation that delegates listen to the Spirit of Christ so that by their presence and

---

[361] Indeed, not only is the *memoria* the basis by which the Eucharist celebrates sacramentally the forgiveness of venial sins, but of grave sins also.

[362] These comments are based on the conclusion to the *ITC Report*, p. 524.

[363] Pope John Paul II, Homily, 29 September 1983, in *Insegnamenti di Giovanni Paolo II*, VI, part 2 (1983), p. 675. English trans. published under the title "Reconciliation and Penance in the Church's Mission," in *Origins*, 13 (1983-1984), p. 307.

[364] Ibid., p. 308. The Pope introduced his remark with a short reflection on the alternative first reading proclaimed at the Eucharist (Rev 12:7-12), celebrating the feast of Saints Michael, Gabriel and Raphael, Archangels.

deliberation they might bear witness to the Church's continual readiness for reconciliation and carry out their ministry for the benefit of men and women in the modern world.[365]

5.2.2.1 A Mosaic of Situations, Experiences, Problems and Proposals

In accordance with standard procedure, the introductory formalities completed, the *Relator* of the Synod gave a summary of the *Instrumentum laboris* and indicated some major aspects for the attention of delegates which had emerged from the consultation process prior to the Assembly.[366] The several days following were devoted to the prepared statements of the delegates – called interventions – presented as either a brief speech or submitted in writing.[367] Predictably, these interventions reflected a rich diversity of subject matter and opinion more or less relevant to delegates of various continents, races and cultures, including suggestions by which important issues and challenges might be appropriately addressed.

The binding element of this intricate, provocative picture was the understanding that *reconciliation is God's gift to humankind* actualised in Jesus Christ. Faithful to this supreme revelation of God's loving initiative, the Synod comprehensively reiterated the mission of the Church to proclaim the elemental need of each person for God and the grace of divine mercy, making reconciliation within the community of faith a necessary, exemplary part of the harmony and peace God wills for the whole creation. Aroused to a vision of God's plan for humanity and its capacity for the divine, men and women might attain a complementary realization of the seriousness and universal impact of sin. With

---

[365] Ibid. Underlying this conclusion was Pope John Paul's affirmation for the particular responsibility accorded the bishops "for the mystery of the reconciliation of humanity with God [and for] the sacrament in which this reconciliation is completed."

[366] Cardinal C.M. Martini of Milan acted as *Relator*. An abstract of his report is recorded in *L'Osservatore Romano*, weekly ed. in English, 10 October 1983, pp. 4-5.

[367] According to Mukasa, "The Synod of Bishops," p. 23, "a total of 176 [interventions] were made orally in the Synod hall, and another 54 were presented to the Secretariat in writing. A complete text in Italian trans. may be found in G. Caprile, *Il Sinodo dei Vescovi: sesta assemblea generale*. La Civiltà cattolica, [n.d.], pp. 113-321 (oral) and pp. 322-396 (written). Abstracts of the interventions are recorded in *L'Osservatore Romano*, weekly ed. in English. 10 October 1983, pp. 5-6; 17 October 1983, pp. 4-7; 24 October 1983, pp. 4-8, 10 and 12; 31 October 1983, pp. 4-9 and 12 (oral) and pp. 13-17 (written).

pastoral acumen, the Synod insisted that only a radical and ongoing conversion, generated and nourished by divine grace and mediated by the Church, can overcome the alienation people experience from themselves, society and the world that at the same time restores and deepens their relationship of communion with God.[368]

The varied texture of the mosaic that the Synod formed under the inspiration of this binding element arose in part from the existential situation or context within which a delegate lived and ministered. The perspective of reconciliation and penance presented by participants from places ravaged by war or extreme poverty or affected by political, socio-economic or religious factors, tended to exhibit different emphases from those familiar with relatively peaceful, tolerant and egalitarian societies.[369] Similarly, delegates from areas where the Church represented a minority among populations affiliated with other Christian denominations or major world religions offered some reflections distinctive from those where Catholic faithful were reckoned a significant majority.[370] In addition, Synod members reporting from missionary or younger local communities addressed the topic from a viewpoint at variance to participants whose local Churches enjoyed an established history and adequate pool of resources.[371]

---

[368] In this context, the meaning of the Church as necessary for salvation rests on its signifying value of God's abundant mercy for all to be saved. See the intervention of Bishop P.J. Cullinane of Palmerston North, New Zealand, 3 October 1983, published under the title "Signs, Counter-signs and Human Understanding," in *Origins*, 13 (1983-1984), p. 340.

[369] Compare for example the interventions of Archbishop A.R. Damas of San Salvador; His Beatitude Maximos V Hakim, Patriarch of Antioch of the Catholic Greek Melchites and Most Rev. P.G. Dubois, Apostolic Vicar of Instanbul (war) or Cardinal A. Lorscheider of Fortaleza, Brazil; Bishop R.G. Flores, Auxiliary of Guadalajara, Mexico and Archbishop H. D'Souza of Cuttack-Bhubaneswar, India (poverty) or Bishop J.G. Calderón of Cartago, Colombia and Bishop B.N. Dalieh of Cape Palmas, representing the Conference of Bishops of The Gambia, Liberia and Sierra Leone (socio-economic); Archbishop A. Perraudin of Kabgayi, Rwanda and Bishop J. Thumma of Vijayawada, India (religious) and Archbishop P. Tzadua of Addis Ababa and Cardinal P.E. Arns of Sao Paolo (political factors) with Archbishop A. Exner of Winnipeg; Bishop P.J. Cullinane of Palmerston North, and Archbishop T.F. Little of Melbourne.

[370] Compare the interventions of Archbishop A. Varthalitis of Corfu, Greece; Archbishop Y.S. Issayi of Tehran of the Chaldeans and Archbishop A. Fernandes of Delhi, India with Cardinal F. Macharski of Krakow, Poland; Cardinal J. Sin of Manila and Archbishop D.J. Ryan of Dublin.

[371] Compare the interventions of Bishop J.B. Adelakun of Oyo, Nigeria; Bishop T.T. Thsishiku, Auxiliary of Kinshasa and Rev. R.M. Gay, Superior General of the Missionaries of Africa with Cardinal J.L. Bernadin of Chicago; Archbishop M. Magrassi of Bari and Cardinal J.-M. Lustiger of Paris.

A healthy tension caused by contrary approaches to some theoretical questions added further depth and richness to the mosaic of reconciliation and penance. A fundamental aspect of this perspective concerned the topic of ecclesiology. Whilst a significant number of delegates focussed their interventions on the "crisis of the sacrament," perhaps intimating a Church assured of its authority in search of past certainties, others pursued the synodal theme exploring the Church as sign and instrument of universal reconciliation, intimating a Church committed to listening, humility and a willingness to learn.[372] Directly connected to this question was a simmering dispute centred on the meaning of sin and its various manifestations and levels. The concept of social or structural sin, for example, emerged in the interventions from a cross-section of delegates as a reality which affected millions of people but at the same time proved difficult to define, express and remedy.[373] A similar broad spectrum of participants also offered their comments and suggestions on such questions as the division existing among the Christian Churches and the urgent need for progress in ecumenical relations,[374] improvement of catechetical materials and method concerning the sacrament and the various forms of penance,[375] development of new liturgical rites,[376]

---

[372] R. Shaw, "The Synod in Search of a Subject," in *America*, 149 (1983), p. 325 and O'Riordan, "The Synod of Bishops, 1983," pp. 752-753. The latter author proposes this aspect as a question of method; that is, in speaking of reconciliation, what first comes to mind; the sacrament of penance, or God in Christ reconciling the world to himself? Delegates emphasizing the crisis of the sacrament included Bishop S. Naidoo, Auxiliary of Cape Town; Bishop A. Vaughan, Auxiliary of New York; Bishop L. Averkamp, Auxiliary of Munster; Bishop R Stecher of Innsbruck and Bishop M.L. Romero of Ciudad Guayana, Venezuela, whilst those exploring the Church as sign and instrument of universal reconciliation included Cardinal J.C. Aramburu of Buenos Aires; Cardinal S. Kim of Seoul; Archbishop C.A. Vallejo of Seville; Bishop A.B. Sinaga of Sibolga, Indonesia and Cardinal G.B. Hume of Westminster.

[373] See for example the interventions of Archbishop M.F. Da Costa of Huambo, Angola; Cardinal A.L. Trujillo of Medellín; Archbishop H. D'Souza of Cuttack-Bhubaneswar and Cardinal E. De Araújo Sales of San Sebastian do Rio de Janeiro. It was to the great credit of Archbishop D. Worlock of Liverpool that the insights of the delegates from Latin America, Asia and Africa were translated into terms applicable to the industrialized West.

[374] Archbishop J.R. Roach of St Paul and Minneapolis; Cardinal J. Willebrands, President of the Secretariat for Christian Unity; Bishop J. Rosario of Chittagong, Bangledesh and Bishop M.E.A. Mgulunde of Iringa, Tanzania.

[375] Archbishop L. Paskai, Coadjutor of Kalocsa, Hungary; Archbishop N.J.L. Rodríguez of Santo Domingo and Cardinal S. Oddi, Prefect of the Sacred Congregation for the Clergy.

[376] Bishop A.K. Obiefuna of Awka, Nigeria; Bishop J.B. Müller of Groningen, Holland and Cardinal J.L. Bernadin of Chicago.

the relationship between the sacrament and the Eucharist,[377] and recognition that ministers of the sacrament receive more comprehensive and professional training.[378]

The texture and subtlety of the mosaic built up by the delegates may be illustrated from a practical perspective with the question of general absolution. Mindful of a link between sacramental renewal and credibility of the Church's message and activity of reconciliation both within the faith community and in society, participants approached this question expressing their presuppositions, opinions, knowledge, experience and intentions concerning this controversial rite.

Revealing a jaundiced view of activities in the Western Church, certain delegates from Central and Eastern European lands communicated a critical attitude towards general absolution, supporting their arguments with the recognition of a very influential role attributed to the confessor in the spiritual life of the faithful.[379] Although opposed to the more frequent exercise of general absolution or a broader interpretation of the norms by which it was governed, other participants, without recourse to undue negativity, insisted on the value of the private, individual rite of reconciliation in attesting and bestowing the grace of a privileged and personal encounter with the risen Christ.[380] This opinion was bolstered by the perception of a dwindling sense of personal responsibility manifested in the contemporary age, which they stressed the Church must somehow counteract.[381]

---

[377] Rev. V. Dammertz, Abbot Primate of the Benedictine Confederation; Cardinal T. O'Fiaich, of Armagh and Archbishop J.R. Roach of St Paul and Minneapolis.

[378] His Beatitude G.G. Beltritti, Latin Patriarch of Jerusalem; Bishop I.M. De Orbegozo y Goicoechea of Chiclayo, Peru; Archbishop J. de J. Pimiento Rodríguez of Manziales, Colombia and Bishop E. Wamala of Kiynda-Mityana, Uganda.

[379] This observation of P. Hebblethwaite, "The Demand for General Absolution," in *The Tablet*, 237 (1983), p. 1016 is illustrated by the interventions of Cardinal J. Glemp of Gniezno and Warsaw; Archbishop M.I. Lubachivsky, Major Archbishop of Lviv of the Ukrainians and, to a slightly lesser extent, Archbishop F. Franic of Split-Makarska. See the interesting comments of Hater, "Sin and Reconciliation: Changing Attitudes in the Catholic Church," p. 20. Other delegates who adopted a similarly hostile stance but from differing perspectives, included Bishop R.A.S. Carreras, Auxiliary of Ponce, Puerto Rico; Cardinal J.-M. Lustiger of Paris and Cardinal E. De Araújo Sales of San Sebastian do Rio de Janeiro.

[380] Bishop P.J. Cordes, Vice-President of the Pontifical Council for the Laity; Bishop A.T. Sanon of Bobo-Dioulasso, Upper Volta and Archbishop M.F. Da Costa of Huambo.

[381] Cardinal J.L. Ricketts of Lima; Cardinal J. Höffner of Cologne and Bishop C.A. Nicolini, Apostolic Administrator of Salto, Uruguay.

Nevertheless, several statements critical of the rites with individual confession tended to sharpen the impact of interventions submitted by a wide representation of delegates more or less supportive of the theory and practice of general absolution.[382] Reflecting knowledge of the experience and needs of the faithful entrusted to their care, these participants proposed the third rite of reconciliation as a suitable and effective solution to vast and persisting pastoral problems, from difficulties grounded in culture,[383] through insufficient numbers of ministers,[384] to an emphasis on the spiritual welfare of all the members of Christ's body, from the practical[385] to the most marginalized.[386] This pastorally based case for the third rite was reinforced at a theoretical level by delegates able to perceive an inherent value in this form of sacramental reconciliation. Relevant dimensions of this value included the rite's character of communal public worship.[387] its connection with the re-emergence in Western society of a sense of communal solidarity,[388] and its facilitating a preparation and instruction to bring the experience of God's gift of superabundant mercy within the reach of every faithful.[389] Despite an intervention stating the official theology on the subject,[390] delegates signalled their intention to maintain the debate, even to the extent of exercising a communal form with

---

[382] Cardinal A. Lorscheider of Fortaleza; Bishop N.K. Tekry of Gagnoa, Ivory Coast; Archbishop A. Decourtray of Lyon; Bishop G. Aubry of Saint-Denis, La Réunion and Rev. F. Barraque, confessor in the Sanctuary of Lourdes.

[383] Rev F. Timmermans, Superior General of the Congregation of the Holy Spirit; Archbishop G.B. Wako of Khartoum and Bishop D.C. Hoyos of Pereira, Colombia.

[384] Archbishop R. Vidal of Cebu, Philippines; Bishop L.M. Pasinya, Auxiliary of Kisangani, Democratic Republic of Congo and Rev. R.M. Gay, Superior General of the Missionaries of Africa.

[385] Bishop F.M. Fernando of Chilaw, Sri Lanka and Bishop M. Gervais, Auxiliary of London, Canada.

[386] Bishop O. Wüst of Basel and Bishop P. Verschuren of Helsinki.

[387] Archbishop S.E. Carter of Kingston, Jamaica; Bishop B. Blanchet of Gaspé and Archbishop R.N. Abuy of Malabo, Equatorial Guinea.

[388] Bishop B. Wallace of Rockhampton, Australia.

[389] Rev. G. Ferrari, Superior General of the Xaverian Missionaries; Archbishop A. Mabutas y Lloren of Davao, Philippines and Bishop M. Maître of Bambari, Central African Republic.

[390] Cardinal J. Ratzinger, Prefect of the SCDF.

general absolution "on special occasions and during the liturgical seasons which best lend themselves to conversion."[391]

5.2.2.2 An Uneven and Fragmentary Theology

In view of the kaleidoscopic impression of reconciliation and penance which emerged from the concerns, questions and proposals highlighted by the interventions, the Synod could not present an overall comprehensive theological perspective into which carefully worked out details might be inserted. Notwithstanding this state of affairs, the *Relator* identified some major issues for discussion among the language groups (*circuli minores*) during the next stage of the assembly.[392] Approximately thirty such issues were grouped according to three levels of concern for the future of the sacrament of penance: theological investigation, which the *Relator* stipulated as a condition for the relevant catechetical updating; forms of celebration, with the emphasis on realizing new possibilities opened up by the new *OP*; image of the Church, in terms of a renewal of penitential practice, as the sign of reconciliation in the world.[393]

Discussion pertaining to the *image of the Church* revealed two major emphases: internal unity and ecumenical dialogue as the basis for an effective and credible sign before the world, and the Church's prophetic ministry to promote and accomplish the

---

[391] Bishop M.A. Gervais of London, Canada. The full text of his intervention is published under the title "Complementarity of the Three Forms," in *National Bulletin on Liturgy*, 17 (1984), pp. 55-58.

[392] Dooley, "The 1983 Synod of Bishops and the 'Crisis of Confession'," p. 15. A summary of Cardinal Martini's report may be found in *L'Osservatore Romano*, weekly ed. in English, 31 October 1983, p. 13. A comprehensive account of the group reports in Italian trans. is given by Caprile, *Il Sinodo dei Vescovi: sesta assemblea generale*, pp. 401-456. The author introduces this material with a helpful chart showing the composition of each group by language and geographical region. Summaries of the reports are recorded in *L'Osservatore Romano*, weekly ed. in English, 7 November 1983, pp. 4-6. Citations from these reports in the subsequent comments will be indicated by the language spoken and an alphabetic designator where appropriate.

[393] By way of example the *Relator* mentioned, for the first level, an examination of the essential structure of the sacrament, the distinction between mortal and venial sin, and the relationship between the temporal good of human persons and their ultimate hope of salvation; for the second level, the question of general absolution and the more comprehensive problems proposed by the ordinary form in both private and communal contexts; for the third level, steps to a more just coexistence of peoples, especially through help to the marginalized.

transformation of society by conversion to the Gospel of Christ.[394] Vatican II had defined the Church in Christ as the sacrament of unity of all humanity.[395] In searching for ways to address the nagging problem how this may be realized, Synod delegates proposed removal of all forms of unnecessary discrimination, resolution of issues surrounding pastoral care of persons in irregular situations, and engagement with other Christian Churches and world religions in projects connected with the welfare, dignity and rights of nations and peoples.[396] Thereby experiencing reconciliation with love and humility, the Church could offer a witness of the truth of its penitential life and invest this same witness with a character worthy of belief and imitation.[397] Given this commitment and activity, the Church might exercise a prophetic ministry which presented without ideological contamination a bold and radical alternative to the many situations of injustice it exposed, denounced and challenged with the message of forgiveness, reconciliation and peace.[398]

Questions and opinions about the topic of sin appeared to dominate Synodal debate at the level of *theological investigation*. Reports affirmed a personal dimension to sin and linked this understanding to the Church's prophetic ministry by recognizing that sin is objectively expressed in a social milieu.[399] Consistent in their efforts to determine the meaning and effect of sin within the context of God's merciful love and the response of humankind exemplified in the paschal mystery of Christ, the *circuli minores* reported the necessity for continued theological research to clarify the distinction between mortal and venial sin, the notion of a fundamental option, ambiguity surrounding the question of social or structural sin, and awareness of the subjective factors at work in people's

---

[394] Mukasa, "The Synod of Bishops," p. 28.

[395] *LG* 1, in Tanner, p. 849.

[396] English A (discrimination); English B, Spanish-Portuguese B, Italian, French A, French C and German (irregular situations); English B and English C (projects).

[397] Spanish-Portuguese B and English A.

[398] English B, Spanish-Portuguese B, Spanish-Portuguese C, French A and French B.

[399] Latin, German, Spanish-Portuguese B and Italian.

assimilation to God as the supreme value.[400] An impression which emerged from this discussion phase suggested that mortal sin, or the human person's total refusal of God, was preceded by a progressive development so that, like conversion, it did not represent the fruit of an instant change.[401] Assisted by deeper reflection on the fundamental option, resolution of the question regarding the breadth and frequency of mortal sin gained paramount importance in view of the contemporary discipline regulating general absolution.

Given the many references to this *form of celebration* in the interventions of Synod delegates the concept, exercise and possible development of the third rite became the subject of intense scrutiny by the *circuli minores.* Significantly, the reports indicated a stabilization of views, with the majority of groups adopting a rather conservative stance through their acceptance of the modified norms incorporated into the new *Codex iuris canonici.*[402] Nevertheless, some groups embraced a more or less positive attitude towards an expanded practice of general absolution, affirming the value of the rite in itself and suggesting that the existing provisions were not exhaustive but left room for further theological consideration.[403] In contrast, the Latin language group observed that general absolution was a purely extraordinary form and, through promotion of the 1972 Pastoral Norms and new Code, indicated that the Synod had the task of eliminating all the abuses established through its indiscriminate use.

Doctrinal and pastoral objections had been submitted to the Synod in relation to any tempering of the conditions then necessary for a valid and licit celebration of general absolution. Although the SCDF admitted, through the intervention given by its prefect,

---

[400] English B, Spanish-Portuguese B, French A and German (distinction and fundamental option); English C and Spanish-Portuguese C (social sin); English A, Latin and French C (subjective factors). See also the comments of Mukasa, "The Synod of Bishops," p. 27; Gómez, "The Sixth Assembly of the Synod of Bishops," pp. 11-12 and Dooley, "The 1983 Synod of Bishops and the 'Crisis of Confession'," p. 16.

[401] Spanish-Portuguese C, French A and Latin.

[402] Naidoo, "Impressions of the 1983 Synod of Bishops," p. 10. The groups which followed this approach were represented exclusively by the Romance languages.

[403] This attitude was manifested by the English language groups, together with French C and German. At the same time, each group carefully promoted the integrity and worth of individual forms of sacramental reconciliation, maintaining the view of a complementarity between the various liturgical rites. See Mukasa, "The Synod of Bishops," p. 27 and the political interpretation of this situation by O'Riordan, "The Synod of Bishops, 1983," p. 755.

that the modern discipline of general absolution added to "the causes which dispense from integral auricular confession ... a prolonged time during which one is condemned to being deprived of sacramental grace," it also noted that "increasing disaffection of the faithful regarding auricular confession had made the question [of the divine law requirement for integral confession of all mortal sins] more urgent."[404] In addressing this question, and wishing to avoid fostering still further dissatisfaction with individual confession, the SCDF considered the scholarly hypothesis that the expression *iure divino* as used by the Council of Trent in this case might refer to a discipline which the Church could modify if required by new circumstances. The conclusion that such an interpretation was unacceptable resulted in the (progressively) restrictive approach incorporated into the 1972 Pastoral Norms and later official documents.[405]

Directly associated with this position was the question of the duty to confess mortal sins privately in due time following a celebration of general absolution.[406] The response of the SCDF depended on recognition of a logical succession of actions and relations in which the personal input of the penitent, drawn to the grace of God through the mediation of the Church, necessarily precedes the final divine action of absolution. When general absolution is conferred according to this theoretical framework, the absolution, although anticipated in relation to the oral confession of sins, conforms to the essence of the acts themselves "because the judgement of the Church no less than the absolution are a response to the confession and presuppose it," thereby justifying the maintenance of the obligation for a subsequent auricular confession.[407]

A second consequence of the position of the SCDF with respect to the expression *iure divino* was confirmation of the intrinsic necessity of personal confession as an

---

[404] Cardinal Ratzinger, "Les normes pastorales du sacrement de pénitence," p. 182.

[405] Ibid., pp. 183-184.

[406] Among the delegates who raised this question were Archbishop S. Pimenta of Bombay (now Mumbai); Archbishop G.B. Wako of Khartoum; Bishop F. Lodonu of Keta-Ho, Ghana; Bishop P. Verschuren of Helsinki; Archbishop R. Vidal of Cebu and, in a joint submission, the four delegates elected to represent the National Conference of Catholic Bishops (USA).

[407] Cardinal Ratzinger, "Les normes pastorales du sacrement de pénitence," pp. 184-185.

element of the sacrament.[408] Three reasons were presented to support this understanding: the manner by which sacraments are conferred, the judicial and medicinal character of absolution, and the structure of the economy of salvation, all of which, according to the SCDF, are infused with a deeply personal nature.[409] The argument was grounded in the idea that sacraments come about by what the SCDF described as the "personal dialogue of salvation." Consequently, the sacrament of penance must be conferred to a determined person, so that the absolution brings to the fault confessed the personal response required of its nature. Having brought the fault into the light, a person regains communion with others and becomes a truly social being. In this way the sacrament "expresses the ultimate progress of the history of salvation, which creates the communion of people with God, and makes equally possible the communion of humanity within the unique body of the Saviour."[410]

Despite its special weight and contribution to the ongoing debate concerning general absolution, this intervention lacked a comprehensive character and seemed unclear regarding certain theoretical principles.[411] The statement did not, for example, consider the value of a communitarian setting for the sacrament or the essential category of worship, thereby omitting the importance of celebration subsequently emphasized in the reports of the *circuli minores*.[412] The historical references employed were also severely limited, neglecting to draw any significance or lessons from the richness and

---

[408] Delegates who broached this issue included Bishop F.M. Fernando of Chilaw; Bishop J. Wanke, Apostolic Administrator of Erfurt-Meiningen; Bishop S.F. Hamao of Yokohama; Bishop N.K. Tekry of Gagnoa and Bishop M. Maître of Bambari.

[409] Cardinal Ratzinger, "Les normes pastorales du sacrement de pénitence," pp. 186-187.

[410] Ibid., p. 186. In his conclusion, the prefect admitted that this Christian personalism was faced with serious difficulties, to which the 1972 Pastoral Norms were but a partial response. Cardinal Ratzinger warned, however, that the pastoral imagination required to find better forms of adaptation to the celebration of the sacrament did not rest simply with general absolution, through which the Church might "fall into the trap of depersonalisation and collectivism which is devastating society today."

[411] See the summary of a press conference given by Cardinals J.L. Bernadin and J.R. Roach of USA reported in the margin notes in *Origins*, 13 (1983-1984), pp. 331-332 and the comments of Gómez, "The Sixth Assembly of the Synod of Bishops," p. 15.

[412] English A, English C, Spanish-Portuguese B, Spanish-Portuguese C, French C and Italian. The intervention appeared to draw a distinction between celebration and reception of a sacrament, using the latter to justify individual, auricular confession as an essential element of the sacrament and maintaining the notion that a sacrament was something to be given and received.

variety of the Church's penitential experience beyond the Council of Trent. Similarly, no room was made for incorporating cultural perspectives or the insights from recent pastoral experiments into the analysis of the critical issues under consideration.[413] Anecdotal evidence of the responsible exercise of general absolution informed the Synod that this form greatly assisted the spiritual welfare of many faithful, who must not be deprived of the grace of the sacrament.[414]

Among the other topics discussed in the *circuli minores*, the often impoverished ritual practice of individual reconciliation drew the attention of participants to the matter of the proper formation of confessors. Based on the premise that reconciliation is at the heart of priestly ministry, delegates agreed the personal participation in the sacrament of penance of both ordained ministers and those preparing for ministry to be of decisive significance for an overall renewal in the practice and celebration of reconciliation. Given total formation at theological, spiritual and pastoral levels, confessors might "reach the concrete life of each person and help him or her conform to Christ through the guidance and power of the Holy Spirit."[415]

At the conclusion of this stage of Synod procedures, delegates were permitted to submit brief interventions to make "comments, corrections or additions to the reports of the discussion groups which had just been presented."[416] Their content reveals a disparate character which only served to deepen the complexity of the Synodal theme.[417] Nevertheless, the issue of general absolution and related subjects occupied the statements

---

[413] See the comments of Dallen, "Church Authority and the Sacrament of Penance," p. 210; Mukasa, "The Synod of Bishops," p. 26 and O'Riordan, "The Synod of Bishops, 1983," p. 754.

[414] English A, English C, French B, French C, Spanish-Portuguese A and German.

[415] Latin. Nearly every other language group specifically mentioned this issue. In this context, the element of preaching was imperative, not only for the effectiveness of all penitential liturgies, especially those celebrated in assembly, but also as a link to the Church's prophetic ministry and its encounter in depth with the culture of the modern world.

[416] Mukasa, "The Synod of Bishops," p. 28.

[417] Caprile, *Il Sinodo dei Vescovi: sesta assemblea generale*, pp. 457-479 and see *L'Osservatore Romano*, weekly ed. in English, 7 November 1983, pp. 6-7 for summaries of a selection of the interventions. This comment even applies to some of the individual statements themselves, such as those submitted by Bishop A. Vaughan of New York; Archbishop A. Fernandes of Delhi and Archbishop D.J. Ryan of Dublin.

of several speakers, giving this part of the Synod's work an important thread of continuity.[418] After these interventions, the delegates voted in the affirmative to proceed with drawing up both the *propositiones* and the final message of the Synod.

5.2.2.3 A Convergence of Thought amid Signs of Hope

Guided by a working pattern from the *Relator*, delegates embarked on a process of discernment to formulate *propositiones* for submission, along with all materials presented during the Synod, to Pope John Paul II for the preparation of a final document.[419] Delegates reconvened in small groups and their efforts, conducted *in camera*, yielded 63 *propositiones* for the Pope's consideration. At the same time, the text of the Synod's message to the Church and the world proceeded to its completion.

Grounded in the divine Word which calls all people to reconciliation with the Father through repentance and conversion of heart, the message of the Synod affirmed that "the Church, as sacrament of reconciliation to the world, has to be an effective sign of God's mercy."[420] Placing the sacrament of reconciliation – understood as an unique experience of God's forgiveness and healing love that frees faithful for God's service – within the broader context of reconciliation in the world, the Synod urged all the baptized to discover together the way forward to visible Christian unity by abandoning themselves to the truth of the Gospel and to collaborate with other religions and persons of good will

---

[418] See the comments of Cardinal J. Höffner of Cologne; Cardinal A.L. Trujillo, of Medellín; Archbishop M.F. Da Costa of Huambo and Rev J. Pfab, Superior General of the Congregation of the Most Holy Redeemer. Significantly, Cardinal G.B. Hume of Westminster asked the Synod whether the Council of Trent had spoken the last doctrinal word about the sacrament. In doing so, he went on to state that the pope had both special authority and understanding of pastoral needs, thereby implying an avenue for further development.

[419] A summary of the working pattern may be found in *L'Osservatore Romano*, weekly ed. in English, 7 November 1983, p. 8. The *Relator* divided the general theme captured by its title, "The Mission of the Reconciled and Reconciling Church in the Contemporary World Through the Renewal of the Practice of Reconciliation and Penance," into three parts as a possible framework for the *propositiones*.

[420] Synod of Bishops, Message, 27 October 1983, in Caprile, *Il Sinodo dei Vescovi: sesta assemblea generale*, p. 803. The Latin text reads: "Tamquam reconciliationis sacramentum pro mundo ipso debet esse Ecclesia validum et efficax misericordiæ Dei signum." English trans. published under the title "The Statement of the 1983 Synod of Bishops," in *Origins*, 13 (1983-1984), p. 371. The responsibility for drafting this statement was entrusted to five bishops elected by the Synod. The comments which immediately follow represent an adaptation of subsequent elements of this text.

for the benefit of humanity. The statement culminated in an exhortation to the powerful to summon up the necessary will to bring about a more just and peaceful society.

Regarded as a confidential transaction between the Synod and the Pope, the text of the *propositiones* was published only in the form of a short official summary.[421] Seventeen *propositiones* dealt with the Church's mission of reconciliation, four with an evaluation of the contemporary situation, and the remainder with renewal of the practice of reconciliation and penance.[422] Recognizing the breadth of discussion in the Synod hall, the *propositiones* "aimed at giving a balanced theologico-pastoral teaching on sin and repentance for the guidance of the Church in these times."[423] Accordingly, the summary indicated that the path of practical renewal should begin from a study of relevant doctrinal themes, so that catechesis adapted to a better understanding of freedom, the search for truth, and the sense of God and reality of sin might be provided.

Alongside this emerged *propositiones* committed to the variety of forms of celebrating penance in conformity with the liturgical renewal generated by Vatican II. "An openness to the appropriate pastoral use of general absolution was indicated; but this was done without calling into question the new Code of Canon Law on the subject."[424] In a significant parallel with the message of the Synod, the delegates recalled in these *propositiones* the irreplaceable importance of the sacrament of penance as part of the wider reconciling action of the Church.[425] Various references to the awareness of and witnessing to the Church's reconciling mission brought the list of *propositiones* to its

---

[421] Synod of Bishops, *Propositiones*, 29 October 1983. The English text of the summary was published under the title "Report on the 63 Propositions Given the Pope," in *Origins*, 13 (1983-1984), pp. 371-373. Caprile, *Il Sinodo dei Vescovi: sesta assemblea generale*, provides on pp. 593-595 a list of the *propositiones* by subject heading.

[422] Synod of Bishops, *Propositiones*, p. 372. A comparison of the English, French and Italian language summaries reveals inconsistencies in both the total number of *propositiones* and the number allocated to each section.

[423] O'Riordan, "The Synod of Bishops, 1983," p. 756.

[424] Ibid., p. 756. The author continues, "The logical conclusion from this way of dealing with communal absolution would be for the Roman authorities to give a more positive recognition to approval of it by bishops and episcopal conferences when these judge it to be pastorally necessary."

[425] Synod of Bishops, *Propositiones*, p. 373 and see Dooley, "The 1983 Synod of Bishops and the 'Crisis of Confession'," p. 16.

conclusion. With special notice given tasks of the laity besides the role of the priest, the summary emphasized that all witness must truly be a sign of God's mercy. Underlying such witness was a hopeful image of the Church oriented toward the future, serving the proclamation of divine mercy and incarnating a visible sign of reconciliation and peace.[426]

In his closing address to the Synod, Pope John Paul II recapitulated some of the key issues and concerns which had engaged the delegates in the course of their work. With a mixture of anxiety and the hope of all who cry out in favour of reconciliation, the Pope echoed the appeal contained in the Synod's message for "those responsible in the nations to resolutely address themselves in the directions which lead toward a guaranteed and stable peace."[427] At the same time, the Pope linked this search for peace with conversion – that fundamental dimension of the entire Christian life – a renewed emphasis for which the Synod had shown a special solicitude.[428]

According to Pope John Paul, fostering a spirit of conversion and promoting world peace formed the elements of a contemporary penitential catechesis which provided the necessary basis to celebrate the sacrament of reconciliation. Returning to a familiar theme, the Pope reiterated the profoundly personal character of the sacrament which also embraces the social dimension of sin and penance.[429] Mindful of the sacrament's central place in the economy of salvation and its particular link with the paschal mystery, the Pope promised to adequately deepen the relevant concepts in a document that would gather all the richness of the elements concerning doctrine and concrete application of the sacrament which emerged during the Synod. Affirming the Synod itself as a truly

---

[426] Synod of Bishops, *Propositiones*, p. 373.

[427] Pope John Paul II, Address, 29 October 1983, in *AAS*, 76 (1984), p. 285. The Latin text reads in full: "et nationem rectores incitare ut mentem sine cunctatione ad ea dirigant, quæ pacem certam ac stabilem afferant." English trans. published under the title "Closing Address of Pope John Paul II to Synod," in *Origins*, 13 (1983-1984), p. 378. See also O'Riordan, "The Synod of Bishops, 1983," p. 757.

[428] Pope John Paul II, Address, 29 October 1983, p. 285. As the essential context for both catechesis and evangelization, the Pope also spoke of conversion and reconciliation in terms of the Synod's promotion of ecumenism and for dialogue with the world.

[429] Pope John Paul II had contemporaneously alluded to this personal character in an address given 23 September 1983, in *Insegnamenti di Giovanni Paolo II*, VI, part 2 (1983), p. 616 on the occasion of an *ad limina* visit by some Canadian bishops from the Atlantic seaboard, describing the call to conversion and individual confession as "a challenge of grace to embrace in faith the requirements of God's word."

great good whose counsel carries important ecclesial weight, the Pope strengthened the hope of the delegates and the entire Church "that the documents which appear after the Synod [would] reflect the common thought of the Synodal assembly and of the Pope who presides over it *ex officio*."[430] Given the personal conviction of Pope John Paul, the understanding and attitude revealed by the SCDF, and the provisions contained in the new Code of Canon Law, the postsynodal practice of communal celebrations with general confession and absolution would ultimately rest on the papal document's accommodation to their continued exercise and development as a vital and effective form of the sacrament.

CONCLUSION

Amongst the goals and understandings shared by delegates at the 1983 Synod of Bishops, "the desire to promote the reconciling mission of the Church in all its aspects, to foster a spirit of reconciliation in the awareness and life of the people of God, and to encourage all peoples to strive for peace and justice" appeared consistently in the interventions and discussions which comprised the bulk of their work and reflection.[431] Despite the commendable character of this desire, and without detracting from either its importance or the sincerity with which it was motivated and made known, the apparent quest of the Synod for relevance through the attempted forging of a link between the individual and socio-political order seemed representative of an approach that tended to prefer questions and problems of an outward-looking and general nature which appealed to delegates yet at the same time remained beyond serious expectations for tangible or worthwhile solutions. On the contrary, anyone who looked to the Synod for resolution of issues for which delegates possessed the proper competence – matters of doctrine, canon law and pastoral practice as they concerned the strengthening and renewal of the sacrament of reconciliation – was more or less thwarted by the Synod's reflection of the

---

[430] Pope John Paul II, Address, 29 October 1983, p. 288. The Latin text reads: "ut documenta, quæpost Synodum eduntur, referant communem mentem coetus ipsius synodalis ac Summi Pontificis, qui ex proprio officio ei præsidet." See also Dooley, "The 1983 Synod of Bishops and the 'Crisis of Confession'," p. 17.

[431] Dooley, "The 1983 Synod of Bishops and the 'Crisis of Confession'," p. 19.

confused, disparate state of contemporary debate and experience of the sacrament and its resultant inability to focus on a single, unified and well-defined subject for examination.[432] The 1983 Synod of Bishops effectively became, therefore, the place where certain attitudes, interpretations, policies and intentions which had developed in the preceding decade were laid bare to bring forth unsettled and, at times, contentious fruit, exemplified in the question of general absolution.

The process of revision that formed the 1983 Code of Canon Law and the events and documents by which it was illustrated and informed bore witness to a persistent, deepening controversy in which the understanding and initiatives of certain diocesan bishops and conferences of bishops, convinced of a somewhat broader interpretation of general absolution available to them following promulgation of the new *OP*, were engaged by an alternative approach which sought to progressively restrict application of the norms with which this mode of reconciliation was supported. Whereas these bishops attempted to exert their autonomy under the title of moderator of penitential discipline accorded them by Vatican II in relation to general absolution, various magisterial interventions during the decade reviewed in this chapter determined that the third rite of reconciliation possessed an altogether extraordinary character that placed its explication and overall regulation firmly under papal mandate and the special direction of the Church's central doctrinal authority. Notwithstanding crucial and still maturing issues such as the sacramental nature of the Church and the credibility of its structures, the understanding of mortal sin and its relationship to the concept of the fundamental option, and the integration of neglected theological values and modern liturgical principles into the theory and practice of sacramental reconciliation, the final form of the canons examined were prompted largely by official concern "to preclude possible abuses in the celebration of general absolution and to halt further decline in individual confessions."[433] This essentially pragmatic project was definitively realized with the input of Pope John Paul II who, ambivalent to the meaning and expression of the communal dimension of the sacrament and sensitive to the right of each individual and of Christ Jesus himself to

---

[432] Shaw, "The Synod in Search of a Subject," pp. 326 and 328.

[433] Green, "Reflections on the Revised Code," p. 365.

that personal encounter constituted by the key moment of conversion and forgiveness, effectively denied any extension in the use of general absolution as an appropriate response to difficult issues of a pastoral nature whilst simultaneously placing the role of the diocesan bishop under a broader control mechanism. Consequently, the acceptance of these norms into the new Code of Canon Law understood as a concession attracting strict interpretation threatened to prematurely petrify an aspect of sacramental discipline with the inherent potential for both theoretical richness and greater fruitfulness in pastoral application.

The documents issued in the preparatory phase of the 1983 Synod of Bishops included as a matter of deep concern for the entire Church the contemporary use of the third rite and the nature of its relationship to forms of reconciliation with individual confession and absolution. Although Synod delegates who responded to this concern exhibited a diverse range of experiences and opinions, the synodal assembly also provided the Church's central doctrinal authority with a suitable forum to explain its stance and particularly the academic basis for the official approach to general absolution made known during the preceding years. Despite a tendency to oppose differing points of view rather than perceive their complementarity, efforts to maintain tradition and continuity whilst at the same time promoting exercise of sacramental reconciliation that worked for the good of all the faithful resulted in a consensus among Synod delegates which more or less consciously adopted the canons of the new Code as the acceptable discipline for general absolution which, along with thorough, ongoing pastoral reflection, ministerial training and catechesis, might ground a prudent and faithful application of this rite. Exemplified perhaps nowhere more clearly than in the immediate reaction of the French episcopate,[434] the conclusions of the Synod indicated that, whilst further travel along the path of practical renewal depended on continuing study of the relevant doctrinal themes, local Churches embrace at this time the principles and regulations set out in the 1983 Code, whatever the certain inconveniences might be in applying them for the spiritual welfare of God's people.

[434] Werckmeister, "L'absolution collective: évolution de la pratique en France," pp. 308-309.

CHAPTER 6: TOWARD THE FUTURE UNCERTAIN: THE 1983 CODE OF CANON LAW

On 15 August 1983, whilst on pilgrimage to Lourdes, Pope John Paul II frankly admitted during an address to priests in the Basilica of the Rosary that he was "puzzled by the large number of faithful who abandon this sacrament [of reconciliation] while only few turn to it or even return to it in a fruitful way."[1] Although at the same time convinced of a positive, collegial response from the assembly of delegates for the impending Synod of Bishops to this "crisis of the sacrament," Pope John Paul also offered this reflection within the parameters of a teaching programme which sought to promote the sacrament of reconciliation as a core element in the renewal of the Christian life which inspired and directed the work of the Second Vatican Council.

Not without significance in the context and development of this renewal was the contemporaneous promulgation of a new *Code of Canon Law* which, in line with the legislative tradition of the Church, strove to translate in a complementary and harmonious fashion by means of canonical language the conciliar teaching and mandate. Given the social and visible structure of the Church, the orderly and creative purpose of the Code to render more easy the organic development of faith, grace and the charisms in the life of individual faithful and the ecclesial society to which they belong required norms for the adequate organization of divinely entrusted functions, especially sacred power and the celebration of the sacraments.[2] Consequently, canons specifying the nature and effect of the mystery of reconciliation in its generic sacramental expression and the officially accepted modes by which this mystery becomes sacramentally actualised for penitent faithful through the ministry of the Church, present the supreme legislator's formulation of the opinion then in possession so that, fully understood and carefully observed, they

---

[1] Pope John Paul II, Address, 15 August 1983, in *Insegnamenti di Giovanni Paolo II*, VI, part 2 (1983), p. 216. English trans. in *L'Osservatore Romano*, weekly ed. in English, 22-29 August 1983, p. 5. This perplexing situation moved Pope John Paul to conclude his remarks on p. 217 with a prayer that all priests give the sacrament "great importance, much time, theological and spiritual competence, and daily fidelity in the Holy Spirit, because it is the sacrament in which [faithful] are reconciled to God, the sacrament which prepares the celebration of the Eucharist, which prepares us to truly live communion in the Church, the Body of Christ." English trans. in ibid., p. 6.

[2] See Pope John Paul II, Apostolic Constitution *Sacræ disciplinæ leges*, 25 January 1983, in *AAS*, 75, II (1983), pp. xi-xiii. These comments represent an adaptation of the English trans. published under the title "Promulgation of the New Code," in *The Pope Speaks*, 28 (1983), pp. 167-168.

might assist the Church to carry out its mission of salvation in the modern world.[3] The commentary provided in this chapter follows an orderly pattern which for each canon firstly identifies and outlines doctrinal foundations and canonical elements, before suggesting ways to develop these legal texts towards greater harmony with established theological values.

6.1 CANON 959: THE DESCRIPTION OF THE SACRAMENT

We know that God, rich in mercy, does not close his heart to any of his children. He waits for them, looks for them, goes to meet them, and calls them to gather about his table in the joy of the feast of forgiveness and reconciliation. This initiative on God's part, made concrete and manifest in the redemptive act of Christ which conquered evil and the power of sin and brought salvation to all, the Church promotes in part by rites which, although not exhausting all possible ideas of conversion and reconciliation, provide each faithful and the whole community of believers with effective means through which this redemptive power may be truly experienced in a sacramental way.[4] As a

---

[3] The relevant canons are numbered 959-963 of *Codex iuris canonici, auctoritate Ioannis Pauli PP. II promulgatus* (=*CIC 83*), fontium annotatione et indice analytico-alphabetico auctus, Libreria editrice Vaticana, 1989 and, in English trans., *The Code of Canon Law*, new rev. trans. prepared by The Canon Law Society of Great Britain and Ireland, in association with the Canon Law Society of Australia and New Zealand and The Canadian Canon Law Society, London, Harper Collins, 1997. Originally published on 25 January 1983, the new Code came into force upon the completion of the *vacatio legis* from the beginning of the first day of Advent, 27 November 1983. All references to the canons in this dissertation will be cited from these editions of the Code. An alternative English trans. may be found in *Code of Canon Law*, Latin-English ed., trans. prepared under the auspices of The Canon Law Society of America, Washington, DC, The Canon Law Society of America, 1983, pp. 354-357, and a French trans. in *Code de droit canonique*, texte officiel et traduction française par la Société internationale de droit canonique et de législations religieuses comparées avec le concours des Faculté de droit canonique de l'Université Saint-Paul d'Ottawa, Faculté de droit canonique de l'Institut catholique de Paris, Éditions Centurion, Cerf, Tardy, 1984, pp. 171-172.

[4] See Pope John Paul II, Postsynodal Apostolic Exhortation *Reconciliatio et pœnitentia*, 2 December 1984, in *AAS*, 77 (1985), nos. 10, 28 and 31 on pp. 205, 251 and 258 respectively for the ideas from which these comments are composed. An English trans. of this document, published under the title "Apostolic Exhortation on Reconciliation and Penance" may by found in *Origins*, 14 (1984-1985), pp. 432, 434-458 and a French trans. in *La Documentation catholique*, 82 (1985), pp. 1-31. Pope John Paul based his explanation on the Lukan parable of the prodigal son, to which he refers occasionally throughout the apostolic exhortation. Seeing this parable as a central reference point for the teachings directed to the Church in the modern world – especially the problem of the human person's conversion to God – the Pope recalled and in turn beautifully elaborated this theme somewhat in a homily given on a visit to the parish of Sant'Ireneo a Centocelle on the fourth Sunday of Lent, 9 March 1986. See *Insegnamenti di Giovanni*

clear, concise formula expressing what celebration of these rites intends to actualise for penitents, the introductory canon states that

> In the sacrament of penance the faithful who confess their sins to a lawful minister, are sorry for their sins and have a purpose of amendment, receive from God, through the absolution given by that same minister, forgiveness of sins they have committed after baptism, and at the same time they are reconciled with the Church, which by sinning they wounded.[5]

Cast in the form of a synthetic theological summary, the canon thus offers some account of the Church's teaching concerning the elements and effects of the sacrament, but considers its nature only by implication.

6.1.1 DOCTRINAL FOUNDATIONS

Painted with strokes sufficiently broad to capture the theology of reconciliation embodied in its various ritual forms, the canon begins with a phrase designed to affirm the complementary nature of the relationship between the personal and ecclesial dimensions of the sacrament. Among the "convictions of faith" which he believes pertinent to the sacrament, Pope John Paul II mentions the personal, intimate act of the penitent, an individual having strayed from the Father and now returned to him, and the minister who by virtue of his function appears as witness and representative of the Church's intervention in this experience of conversion and reconciliation.[6] Accordingly, and without prejudice to its partial specification of the personal value reflected in the sacrament, the initial phrase primarily indicates that the sacrament embraces the

---

Paolo II, IX, part 1 (1986), pp. 653-658. English text in *L'Osservatore Romano*, weekly ed. in English, 17 March 1986, p. 5.

[5] "In sacramento pænitentiæ fideles peccata legitimo ministro confitentes, de iisdem contriti atque propositum sese emendandi habentes, per absolutionem ab eodem ministro impertitam, veniam peccatorum quæ post baptismum commiserint a Deo obtinent, simulque reconciliantur cum Ecclesia, quam peccando vulneraverunt." Although the Code does not provide any sources for the text of this canon, some relevant materials may be found among the *fontes* for c. 870 of *CIC 17*.

[6] *Reconciliatio et pœnitentia* 31, IV, p. 264. The section has been neatly summarized by W.H. Woestman, *Sacraments: Initiation, Penance, Anointing of the Sick*, Ottawa, Faculty of Canon Law, Saint Paul University, 1992, p. 212, which this text expands slightly, and also by W.H. Stetson, "Titulus IV: De sacramento pœnitentiæ," in A. Marzoa, J. Miras and R. Rodríguez-Ocaña (eds), *Comentario exegético al Código de derecho canónico*, vol. III, second ed., Pamplona, Ediciones Universidad de Navarra, 1997, p. 756.

understanding such experiences affect the relationship of Christ's faithful with both God the faith community, for whilst "everything takes place between the individual alone and God ... the whole Church had been offended and wounded by his or her sin."[7]

Intended as a means to elaborate the content of the personal act of the penitent in conjunction with its precedent, the second phrase – *de iisdem contriti atque propositum sese emendandi habentes* – joins to the confession of sins the element of contrition, comprising both repentance and a purpose of amendment.[8] Grounded in his conviction of faith justifying their place within the complex of elements constituting the sacramental sign, Pope John Paul affirmed contrition as the essential act on the part of the penitent, from which the importance of the confession of sins may in turn be understood more deeply. Fomented in the rectitude and clarity of the penitent's conscience, contrition represents the beginning and heart of that evangelical *metanoia* which engenders in faithful a rediscovery of their true, liberated identity drawing them nearer the holiness of God. In this light the liturgical act of confession effects the solemn yet humble and sober sign of their self-revelation as sinners in the sight of God and the Church, which at the same time enables the priest to exercise his role as judge and healer.[9] In giving fuller definition to the personal value, this phrase expresses the sacrament's capacity to represent a salvific encounter wherein faithful, following Jesus in his paschal mystery, entrust themselves through the mediation of the Church to the Father of mercies who

---

[7] *Reconciliatio et pœnitentia*, 31, IV, p. 264. The Latin text reads: "hoc totum inter hominem solum accidit ac Deum ... tota Ecclesia peccato offensa est ac vulnerata." English trans. in *Origins*, 14 (1984-1985), p. 452.

[8] See T. Rincón, "Title IV – The Sacrament of Penance," in E. Caparros, M. Thériault and J. Thorn (eds), *Code of Canon Law Annotated*, Latin-English edition of the Code of Canon Law and English-language translation of the 5th Spanish-language edition of the commentary prepared under the responsibility of the Instituto Martín de Azpilcueta, Montréal, Wilson & Lafleur, 1993, p. 608 and J. McAreavey, "The Sacrament of Penance," in *The Canon Law Letter & Spirit: A Practical Guide to the Code of Canon Law*, prepared by The Canon Law Society of Great Britain and Ireland in association with The Canadian Canon Law Society, editorial board: G. Sheehy, et al., consultant ed. F.G. Morrisey, Collegeville, MN, The Liturgical Press, 1995, p. 524. It may be noted here that c. 959 does not include mention of an act of penance or satisfaction by the penitent, for which one must refer to c. 981.

[9] *Reconciliatio et pœnitentia* 31, III, pp. 260-262, alluding to the text of *OP* 6a and b, and see the summaries in Woestman, *Sacraments*, p. 212 and Stetson, "Titulus IV: De sacramento pœnitentiæ," p. 756, together with the comments of P. Gervais, "L'Exhortation apostolique «Reconciliatio et pœnitentia»," in *Nouvelle revue théologique*, 108 (1986), pp. 211-212.

forgives, thereby moving from the area of pure individuality to experience the social character of their being.[10]

Effectively reflecting by a sort of parallelism the complementary nature of the relationship already established in the canon between those assembled to celebrate the sacrament, the third phrase – *per absolutionem ab eodem ministro impertitam* – specifies that the absolution imparted by the minister represents the Church's official and solemn response to the acts submitted before him by the penitent. Since in Jesus Christ God has reconciled the world to himself, Pope John Paul states as a conviction of faith that the words and gestures comprising absolution: the sacramental formula, the imposition of the hand and the sign of the Cross made over the penitent, actualise for faithful a contact with the power and mercy of the Blessed Trinity which at that moment for properly disposed penitents removes sin and restores innocence.[11] Through its more emphatic elucidation of the ecclesial value, this phrase conveys the assurance traditionally associated with the sacrament that the absolution imparted by the priest is the effective sign of God's intervention and of "the 'resurrection' from 'spiritual death' which is renewed each time that the sacrament of penance is administered."[12]

Presented as one side of a theological diptych, the fourth phrase of the canon – *veniam peccatorum quæ post baptismum commiserint a Deo obtinent* – introduces the first of two related effects brought about by the sacrament in the lives of penitent faithful. Grounded in an understanding of the "vertical" dimension of forgiveness, that relationship between the human person and God which the eyes of faith believe always prevails over the reality of division between people and their need for reconciliation,[13] Pope John Paul states his conviction that "the most precious result of the forgiveness

---

[10] See *Reconciliatio et pœnitentia* 31, III, p. 262 and the Pope's allocution at the Sunday Angelus on 16 March 1986 in *Insegnamenti di Giovanni Paolo II*, IX, part 1 (1986), pp. 717-718. English text in *L'Osservatore Romano*, weekly ed. in English, 24 March 1986, p. 11.

[11] See *Reconciliatio et pœnitentia* 31, III, pp. 262-263.

[12] Ibid., p. 263. The Latin text reads: "«resurrectionis» ex «morte spirituali», quæ toties repetitur, quoties sacramentum peragitur pœnitentiæ." English trans. in *Origins*, 14 (1984-1985), p. 452. According to Rincón, "Title IV – The Sacrament of Penance," p. 609, the phrase is a more clear indication of the instrumental dimension of the action of the minister.

[13] *Reconciliatio et pœnitentia* 7, p. 200 and see Pope John Paul's subsequent homily in Cochin, India, on 7 February 1986, in *Insegnamenti di Giovanni Paolo II*, IX, part 1 (1986), p. 366.

obtained in the sacrament of penance consists in reconciliation with God, which takes place in the inmost heart of the son who was lost and found again, which every penitent is."[14] Consequently, this phrase communicates the teaching that the sacrament provided by the Lord Jesus for postbaptismal sinners as a means of grace and salvation is completely filled with the merciful love of God who is always willing to forgive.

The correlative effect signified in sacramental penance for penitent faithful appears in the fifth and final phrase of the introductory canon. Instructed by the "horizontal" dimension of forgiveness, that reconciliation between people which is solely the fruit of the redemptive act of Christ,[15] Pope John Paul declares reconciliation with the Church, which postbaptismal sinners have in some way attacked and wounded, one among several other reconciliations following reconciliation with God that repair the breaches caused by sin.[16] Productive of gratitude in its finality of a penitent's rebirth as a reconciled individual and a reconciled world, the presentation is appropriately completed with this phrase crafted specifically to express the teaching and intention of Vatican II Council regarding the social dimension and communal aspect of the sacrament.[17]

6.1.2 CANONICAL ELEMENTS

In accordance with the affirmation in the revised *OP*, c. 959 requires, given the serious nature of the purpose and the pastoral responsibilities with which it is associated,

---

[14] *Reconciliatio et pœnitentia* 31, V, p. 265. The Latin text reads: "fructum pretiosissimum veniæ, in sacramento pœnitentiæ acceptæ, constare in ipsa reconciliatione cum Deo, quæ in cordis penetralibus filii prodigi ac reperti eveniat, qui unusquisque est pœnitens." English trans. in *Origins*, 14 (1984-1985), p. 452. Here Pope John Paul somewhat elaborates on the content and emphasis of *OP* 5.

[15] *Reconciliatio et pœnitentia* 7, p. 200 and see also the Pope's homily at Cochin, p. 366 and his homily at the parish of Sant'Ireneo a Centocelle, pp. 655-656.

[16] *Reconciliatio et pœnitentia* 31, V, p. 265, alluding to *OP* 4, and see Gervais, "L'Exhortation apostolique «Reconciliatio et pœnitentia»," p. 214. Other reconciliations mentioned by Pope John Paul include a penitent's reconciliation with him or herself and with all creation. They are briefly explained by L. Chiappetta, *Il Codice di diritto canonico*, vol. 2, Napoli, Edizioni Dehoniane, 1988, p. 96.

[17] *Reconciliatio et pœnitentia* 31, V, p. 265, and see F.R. McManus, "Title IV: The Sacrament of Penance [cc. 959-997]," in J.A. Coriden, T.J. Green and D.E. Heintschel (eds), *The Code of Canon Law: A Text and Commentary (=CLSA Commentary)*, commissioned by The Canon Law Society of America, New York, Mahwah, N.J., Paulist Press, 1985, p. 676 and Rincón, "Title IV – The Sacrament of Penance," p. 609.

that the faithful celebrate the sacrament of their reconciliation with God and the Church with a lawful minister.[18] Since the function and literary form of the introductory canon permit only a simple allusion to this imperative, its meaning is given further elaboration elsewhere in Title IV and in some related canons specified in the remainder of this section.

At a most fundamental level, a minister who presides at a celebration of the sacrament of reconciliation must possess, in addition to the power of order, a faculty to exercise that power in a licit and valid manner for the benefit of the penitent faithful assembled.[19] Mindful that the faculty is related to sacramental power rather than power of governance, its existence and careful employment help competent authority to plan, promote and moderate effective pastoral ministry of the sacrament, including appropriate responses to situations which might disturb good order in the Church.[20] In this light, determination of the faculty is based on the relationship of the minister to the particular members of the faithful who seek to celebrate the sacrament of reconciliation with him.[21]

Notwithstanding its careful specification of the lawful minister, *CIC 83* also embraces the pastoral tradition of the Church with an appropriate provision for Christ's faithful in danger of death. In these circumstances, though they might lack the faculty,

---

[18] See *OP* 9b, which notes that a competent minister is a priest (*sacerdos*) having the faculty to celebrate the sacrament regulated by certain provisions of canon law. This requirement is an application of the general principle communicated by c. 844 §1. It is perhaps appropriate to mention also in this context c. 991, which ensures the freedom of Christ's faithful to approach a lawfully approved confessor of their own choice.

[19] See c. 966 §§1 and 2; Woestman, *Sacraments*, p. 232 and McManus, *CLSA Commentary*, p. 683. The faculty may be given by law itself or by virtue of the law, by virtue of an office, or by a concession from competent authority. In accord with c. 144 §2, the Church may make good the lack of faculty in cases of factual or legal common error and also in positive and probable doubt about law or about fact. See Rincón, "Title IV – The Sacrament of Penance," p. 615; Woestman, *Sacraments*, pp. 241-243 and J.M. Huels, *The Pastoral Companion: A Canon Law Handbook for Catholic Ministry*, second, rev. ed., Quincy, IL, Franciscan Press, 1995, pp. 133-134.

[20] This thought is based on the comments of McAreavey, "The Sacrament of Penance," pp. 528-529.

[21] McManus, *CLSA Commentary*, p. 683. The balance of the law concerned with the granting of the faculty may be found in cc. 967-973, which has been organized as a convenient table by Woestman, *Sacraments*, pp. 243-245 and Huels, *The Pastoral Companion*, pp. 130-132. Through the agency of these canons, the Code embraces a general pattern whereby a *sacerdos* given the faculty for the benefit of faithful within his jurisdiction is enabled by a further grant of the ecclesiastical law to exercise that faculty for all Christ's faithful everywhere, unless denied in a certain case by a competent authority, or lost or revoked in accordance with the provisions of cc. 974-975.

any presbyter or bishop may, by a grant of the ecclesiastical law, validly and licitly minister the sacrament of reconciliation even if another with the faculty is present.[22] Although assuring penitents complete freedom in the choice of minister and enabling that minister with an unrestricted faculty, c. 976 binds penitents with an obligation in certain cases, having recovered (or the circumstances indicating danger of death no longer prevailing), to have recourse to the competent authority or to one having the requisite faculty, and abide by his instructions.[23]

Finally, in accordance with the intention to express conciliar teaching on the limits of permissible sharing in sacraments, *CIC 83* also extends recognition of the lawful minister when it permits faithful, in situations arising from necessity, or commended by genuine spiritual advantage, to celebrate the sacrament of reconciliation with non-Catholic ministers in whose Churches this sacrament is valid.[24] In reciprocal fashion, the Code affirms Catholic presbyters and bishops as lawful ministers, should they preside at a celebration of the sacrament when spontaneously asked, for members of Eastern Churches not in full communion with the Catholic Church, as well as members of other Churches as determined by the Holy See, who are properly disposed.[25] Additionally, the Code also acknowledges these Catholic ministers as lawful when they preside at a

---

[22] See c. 976. "The phrase 'any priest'," says McAreavey, "The Sacrament of Penance," p. 533, "would include a priest under censure (c. 1335), a priest who has been laicised in accordance with c. 290 3°, or one who is in any way in an irregular situation in relation to the Church."

[23] See c. 1357 §§2-3. Rincón, "Title IV – The Sacrament of Penance," notes on p. 620 that this obligation pertains to penitents who have had remitted an imposed or declared censure or one reserved to the Holy See.

[24] See c. 844 §2; Second Vatican Ecumenical Council, Decree on Ecumenism *Unitatis redintegratio* 14-15 and *OE* 26-29, in Tanner, pp. 916-917 and 906-907 respectively and Secretariat for the Promotion of Christian Unity, Directory *Ad totam Ecclesiam*, 14 May 1967, in *AAS*, 59 (1967), nos 39-44, pp. 587-588. English trans. in *CLD*, 6 (1963-1967), pp. 728-729. The canon further requires avoidance of indifferentism or danger of error and the physical or moral impossibility of faithful to approach a Catholic minister. The content of c. 844 §2 has been subsequently incorporated, together with some further explanation and an exhortation concerning respect for the Eastern discipline, in line with its status as a general executory decree as described by c. 31 §1, in Pontifical Council for the Promotion of Christian Unity, *Directoire pour l'application des principes et des normes sur l'oecuménisme*, 25 March 1993, in *AAS*, 85 (1993), nos. 122-124, pp. 1086-1087. English trans. in *Directory for the Application of Principles and Norms on Ecumenism*, 25 March 1993, Vatican City, Libreria editrice Vaticana; Ottawa, Canadian Conference of Catholic Bishops, pp. 66-67.

[25] See c. 844 §3, *OE* 27 in Tanner, p. 907 and the *Directory on Ecumenism* 125, p. 67. A concise and helpful explanation of this norm is provided by McManus, *CLSA Commentary*, p. 610.

celebration of the sacrament of reconciliation in situations involving danger of death or some other grave and pressing need with other Christians not in full communion with the Catholic Church.[26] In all cases addressed by c. 844, some prior consultation with a competent authority of the non-Catholic Church or faith community concerned is required before issuance of any general norms by a diocesan bishop or conference of bishops.[27]

6.1.3 TOWARDS A CANON IN HARMONY WITH ESTABLISHED THEOLOGICAL VALUES

In the masterpiece known as the Letter to the Romans, the apostle Paul writes:

> There is no comparison between the free gift and the offence. If death came to many through the offence of one man, how much greater an effect the grace of God has had, coming to so many and so plentifully as a free gift through the one man Jesus Christ. When law came on the scene, it was to multiply the offences. But however much sin increased, grace was always greater, so that as sin's reign brought death, so grace was to rule through saving justice that leads to eternal life through Jesus Christ our Lord.[28]

Justification is a totally free and unmerited gift of God by which humankind is both declared and made righteous in God's sight. Extended to them in the Holy Spirit and received by faith in Jesus Christ, this gift provides Christians, having through an active and cooperative response placed their ultimate trust in nothing other than God's promise

---

[26] See c. 844 §4, which extends this sacramental sharing to those who cannot approach a minister of their own community and who spontaneously ask, having demonstrated Catholic faith in respect of the sacrament and are properly disposed. This norm is restated in the *Directory on Ecumenism* 130-131, pp. 68-69. The Directory also notes at no. 132 on p. 69 that Catholics who find themselves in similar circumstances "may ask for these sacraments only from a minister in whose Church these sacraments are valid or from one who is known to be validly ordained according to the Catholic teaching on ordination."

[27] See c. 844 §5 and the *Directory on Ecumenism* 130, pp. 68-69, which adds that where such general norms do not exist, Catholic ministers must judge individual cases according to the norms of the Directory.

[28] Rom 5:15, 20-21. The text conveys the understanding of a universal justification which, although possessing an eschatological character, actualises its potential in the present as persons respond to the Gospel and are reborn in Christ.

and saving work in Christ, with the sole basis for eternal life and hope of final salvation.[29] Illuminated by the doctrinal insights communicated by this inspired text, the sacrament of reconciliation, as an act of worship emanating from the infinite power of the paschal mystery, may be properly understood only in the context of this superabundant, liberating love and mercy of God, and therefore, above all, as a celebration of justification and new life in Christ.[30]

Among his thoughts concerning the pastoral ministry of penance and reconciliation, Pope John Paul II includes some comments on the nature and purpose of the sacrament.[31] Instructed by the paradigm of the prodigal son, the Pope clearly acknowledges the necessity of conversion, fraternal reconciliation and the forgiveness of God experienced and actualised in the lives of postbaptismal sinners prior to their signification in the liturgy with the assistance of the definitive intervention of the Church.[32] This keen perception provides renewed vigour to the meaning of the sacrament, understanding its ability to discern, inform and effectively symbolize a sacramentality inherent to human life that radically incarnates the absolute gratuity of

---

[29] K. McDonnell, "Lutherans and Catholics on Justification," in *America*, 149 (1983), pp. 347-348. A member of the U.S. Lutheran / Catholic Dialogue at the time, he considers a number of issues concerning the theology of justification in discussions contemporary with the promulgation of the Code.

[30] Implicit in his reflections in *Reconciliatio et pœnitentia* 5-7 on pp. 196-200, Pope John Paul speaks more directly on this subject in his allocution at the Sunday Angelus on 16 March 1986, p. 718. Alluding once again to the parable of the prodigal son, the Pope states that by the Cross of Christ, in which the love of God is definitively manifested, persons are changed, from the prodigal son that they were, into the righteousness of God. They are freed from sin; justified: they are brought back to the righteousness of God through love. In terms of the sacrament of reconciliation – enacted, like all sacraments, in anamnesis of Jesus – the penitent does not approach the ministry of the Church in order that God will forgive sin, but rather because in Christ God *has already* forgiven sin. See Fink, *Alternative Futures for Worship 4: Reconciliation*, p. 57 and Mattam, "The Sacrament of Reconciliation," p. 313.

[31] At times these comments appear to lack consistency. See for example the thoughts of Dallen, "Reconciliatio et pœnitentia: The Postsynodal Apostolic Exhortation," pp. 111-112, 114. The comments which follow, therefore, attempt to portray the Pope's teaching in a broad perspective.

[32] *Reconciliatio et pœnitentia* 26 and 29, pp. 243 and 254. In the latter reference, Pope John Paul connects to this experience the action of the Holy Spirit, to which he again refers in his encyclical letter *Dominum* et *Vivificantem*, 18 May 1986, in *AAS*, 78 (1986), no. 28, p. 839, and emphasises in a subsequent address at Baranquilla, Colombia on 6 July 1986 in *Insegnamenti di Giovanni Paolo II*, IX, part 2 (1986), pp. 202-204. English trans. in *L'Osservatore Romano*, weekly ed. in English, 8 September 1986, p. 8. See also L.E. Mick, *Understanding the Sacraments Today*, Collegeville, MN, The Liturgical Press, 1987, pp. 79 and 81 and Mattam, "The Sacrament of Reconciliation," p. 316, who states that "without a spirit of mutual pardon, this celebration would be empty, because as yet God's love would not be symbolized in human attitudes, words and gestures."

God's mercy and love. Given perfect expression in the person and work of Christ, the ongoing experience and celebration of forgiveness and the liberation with which it is accompanied mediated among the human family testifies to the presence of a Spirit-led activity that transforms and draws each person more deeply into the kingdom of God.[33] Brought into the presence of the community of faith assembled for worship, the product of this real change – tried on, tasted and enjoyed – becomes an offering whereby penitents participate in a festive encounter with the risen Lord Jesus which inundates them with the riches of a divine grace that invites them to praise and thanksgiving, calls them to deeper faith, and releases new energies for more authentic Christian living.[34] If this is so, then a sacrament which celebrates such an extraordinary gift must be interpreted and communicated more fittingly than its quite narrow presentation in this canon as little more than a means for penitents to regain what was lost by postbaptismal sin.[35]

The theology and reality of justification also makes a significant impact in discussion concerning the nature of the sacrament of reconciliation. Although the adjective *iudicialis* was excluded from this introductory canon during the drafting phase of *CIC 83*, commentators insisted such omission indicated that the complete sacrament –

---

[33] This thought is based on the explanation by Hater, "Sin and Reconciliation: Changing Attitudes in the Catholic Church," pp. 21-25. Favazza, *The Order of Penitents*, presents some similar ideas on pp. 258-259.

[34] Schaller, "The Order of Penitents: Theological and Pastoral Directions," p. 211; Osborne, *Reconciliation and Justification*, p. 253 and Pope John Paul II, allocution at the Sunday Angelus, 16 March 1986, p. 718, provide the basis for this comment.

[35] At times Pope John Paul in *Reconciliatio et pœnitentia* seems to approach this meaning (in terms of an external means to personal sanctification), especially at 30 and 31, I and III on pp. 256-257, 258 and 263, although this is tempered when compared to the overall content of his teaching offered in this document and elsewhere, including an address at a general audience, 11 April 1984, in *Insegnamenti di Giovanni Paolo II*, VII, part 1 (1984), pp. 981-982 and a letter to all priests for Holy Thursday, 16 March 1986, in *Insegnamenti di Giovanni Paolo II*, IX, part 1 (1986), p. 733. English texts in *The Pope Speaks*, 29 (1984), pp. 321-322 and *L'Osservatore Romano*, weekly ed. in English, 24 March 1986, p. 2 respectively. This matter is briefly discussed by Dallen, "Reconciliatio et pœnitentia: The Postsynodal Apostolic Exhortation," pp. 109 and 111. See also Osborne, *Reconciliation and Justification*, p. 253 and B. Horne, "What Has Been Lost? Penance and Reconciliation Reconsidered," in Dudley and Rowell (eds), *Confession and Absolution*, who notes on p. 144 that "the deep and complex mystery of pardon and reconciliation so poignantly initiated in human relations still awaits adequate articulation in the liturgy [and law] of the Church."

rather than one (or more) of its elements – is a kind of judicial action.[36] Reflecting on this traditional idea, Pope John Paul reaffirms the sacrament as "a tribunal of mercy rather than of strict and rigorous justice, which is comparable to human tribunals only by analogy."[37] Understood in the context of justification, however, this judicial character makes the sacrament function as a powerful sign of God's saving justice which, instructive but at the same time transcendent of any human parallel, is the Christ-given example for men and women to copy in their ecclesial and secular relationships.

This meaning of the judicial aspect gains further credibility from the complementary and evocative medicinal character of the sacrament. Through a careful link to the public ministry of Christ, Pope John Paul credits the spiritual healing he promotes in the sacramental celebration to a special sensitivity which belongs to people in the contemporary world, who see in sin the element of error but even more the element of weakness and human frailty.[38] Although sadly omitting any reference to the favoured synodal image of the good Samaritan, it is nevertheless clear that the sacrament represents the judgement which has searched beyond appearances into the truth of the heart and issues from the healing and comfort of one who knows the suffering and tears of all humankind.

Significantly, this conjunction of judicial and medicinal aspects opens the possibility that a more extensive understanding of the ecclesial value might be incorporated into the introductory canon. Within his reflection on the ministry of the priest in sacramental reconciliation, Pope John Paul remarks that the one who makes

---

[36] See for example *Reconciliatio et pœnitentia* 31, II, p. 258; Rincón, "Title IV – The Sacrament of Penance," p. 609; Chiapetta, *Il Codice di diritto canonico*, vol. 2, p. 95; Stetson, "Titulus IV: De sacramento pœnitentiæ," p. 757 and McAreavey, "The Sacrament of Penance," p. 524. Both McAreavey and Woestman, *Sacraments*, p. 212, note the explicit reference to the judicial aspect in c. 978 §1, where the minister is described as a judge.

[37] *Reconciliatio et pœnitentia* 31, II, p. 258. The Latin text reads: "tribunal ... misericordiæ magis quam strictæ severæque iustitiæ, quod cum iudiciis humanis nisi analogice conferri non potest." The subsequent attempt of the document to relate the actions of the penitent and minister to the process of secular law unfortunately appears as a source of confusion and seems somewhat unnecessary. Another interpretation is provided by H. Allard, "*Reconciliatio et pœnitentia*: A Comment," in *The Clergy Review*, 70 (1985), who explains the judgement in terms of the spiritual discernment employed in *OP* 6 and 10.

[38] *Reconciliatio et pœnitentia* 31, II, p. 259. This papal teaching officially sanctions an aspect of the sacrament until then significantly understated in documents issued by the Church's central authority. See for example the brief references in *OP* 6c and 7.

present the merciful Christ intervenes on behalf of the Church not only to impart a forgiveness which God alone can grant, but also to sensitively guide penitents into a deeper commitment for life in Christ by learning their weaknesses and assessing their desire and efforts for renewal with discretion, encouragement and kindness.[39] This apparently developing appreciation of the priest's role in the sacrament suggests a specification which better represents its presiding character and tempers the present exclusive emphasis on the act of absolution.

A logical extension of this interpretative trajectory accommodates the dynamic of sin, conversion and forgiveness unique to the lived experience of every faithful in a manner which exhibits deep respect for its communal and process dimensions. Given its prominence in the teaching of Vatican II Council and in observations subsequently exchanged by fathers at the 1983 Synod of Bishops, Pope John Paul acknowledges from both conceptual and practical perspectives the inherent place of process to understand more fully the meaning of penance and reconciliation.[40] Whilst some attitudes and actions illuminating possible stages of such a process in the broad sense have been readily identified, the sacrament is at the service of the faithful and so, in order to be authentic and efficacious, must connect with the particular journey of conversion and renewal motivated in each one by God. Without prejudice, therefore, to that special moment of worship which celebrates some significant event of reconciliation or growth in holiness, the description of the sacrament must also give adequate attention to what precedes and follows from the ritual enactment.[41]

The source of extensive and controversial theological discussion and pastoral innovation for several decades, the communal dimension of penance and reconciliation attracted considerable attention at the 1983 Synod of Bishops. Although not a dominant

---

[39] *Reconciliatio et pœnitentia* 29, pp. 253-254, elaborating the content of *OP* 10. Pope John Paul thereby conveys something of the deep respect with which he views this demanding but beautiful and consoling ministry. See also his letter to all priests for Holy Thursday, 16 March 1986, pp. 733-734 and the commentary of Gervais, "L'Exhortation apostolique «Reconciliatio et pœnitentia»," p. 209.

[40] *Reconciliatio et pœnitentia* 4, 12 and 13 on pp. 191, 208 and 209-210, and see the comments of Mick, *Understanding the Sacraments Today*, pp. 80-81.

[41] These thoughts are based on the comments of Schaller, "The Order of Penitents: Theological and Pastoral Directions," p. 221; Mick, *Understanding the Sacraments Today*, p. 81 and Favazza, *The Order of Penitents*, p. 259.

theme in his postsynodal document, Pope John Paul admitted that, in the sphere of the Church's pastoral activity, penitents, either individually or as groups, walk the path leading back to the Father *in the communion of all the brethren.*[42] Whether this framework of support consists of the prayerful intercession of others, the guidance of a spiritual companion or sponsor, the witness of charity and conversion, or some unspecified activity, alone or in combination, the inclusion of this insight impels continued theological investigation and pastoral initiative so that all might come to perceive more deeply how God communicates his gift of reconciliation through the community of faith and the human family.[43] Given its potential for development, the communal aspect acknowledged in the understanding that the sacrament also celebrates the return of the faithful to peace with the Church would profit from a supplementary recognition of the community's diverse and essential participation in the ministry of reconciliation.

The line of interpretation pursued in this section advances a further step with progress in the maturity of meaning given the Eucharistic value of reconciliation. Using the language of biblical imagery, Pope John Paul proposes the Eucharistic banquet of worship in community assembly as the event which celebrates the fullness and completion of the reconciliation experienced by repentant sinners and provides the most intense expression of the restored or deeper unity they enjoy with those once wounded by their sin.[44] A logical and intelligible basis for this perception emerges in the praise and

---

[42] *Reconciliatio et pœnitentia* 12 and 23, pp. 208 and 235, developing the principle contained in *OP* 8. The overall impression conveyed by the apostolic exhortation is a more or less deliberate effort to promote the primacy of an individualistic and at times isolationist understanding of conversion and reconciliation. In such a context, these references to a communal dimension attain a special significance.

[43] See the interesting discussion in Hater, "Sin and Reconciliation: Changing Attitudes in the Catholic Church," pp. 26-30 and the relevant comments in a pastoral letter issued by the bishops of Uganda dated 29 June 1986, in *L'Osservatore Romano*, weekly ed. in English, 1 September 1986, p. 5. Not without relevance in this context is the element of satisfaction, purportedly excluded from the text of c. 959 because the effective fulfilment of the commitments accepted does not enter into the sacramental framework, and treated in a rather inconsistent and unconvincing manner in *Reconciliatio et pœnitentia* 31, II and III on pp. 259 and 263-264, which may help to show, according to Mick, *Understanding the Sacraments Today*, p. 81, that the conversion to which all Christ's faithful are called is precisely a conversion to a fuller life in the community of the Church and a deeper commitment to its life and mission.

[44] *Reconciliatio et pœnitentia* 5 and 10, pp. 196 and 205, dependent on the concluding statement in *OP* 6d. Pope John Paul also alluded to this teaching at the conclusion of his homily in Cochin, India, p. 367.

thanksgiving inherent to the Eucharist, which reflexively permeates the sacrament of reconciliation and qualifies its climax, since in that celebration the actions of penitent and presiding minister are joined to that of Jesus entrusting himself to the Father in the paschal mystery.[45] Given that the sacrament of reconciliation can celebrate both radical and incremental experiences in the journey of conversion, its description in the introductory canon may suitably incorporate the meaning of its priority to the Eucharist as a liturgy that disposes faithful for full participation in the Body of Christ and looks to that celebration as the seal or renewal of the spiritual vitality they share with their brothers and sisters.

One of the criticisms levelled at the text initially proposed for the introductory canon during the process for the revision of the Code was its failure to embody and communicate effectively the theology of reconciliation reflected in the *OP* and other postconciliar documents.[46] Together with the materials already presented in this section, which combined may transcend the somewhat monotone appearance of this canon, another palette available to advance the work of composition is the parallel text incorporated into the 1990 *Code of Canons of the Eastern Churches*.[47] This canon states

> In the sacrament of penance Christian faithful, who, when they have committed sins after baptism, having been drawn from the heart by the Holy Spirit are converted to God and moved by sorrow for sins undertake the intention of a new life, through the ministry of the priest, after having themselves made confession and acceptance of a suitable penance, obtain forgiveness from God and at the same time with the Church, which by sinning they wounded, are reconciled; this sacrament thereby brings the greatest possible fostering to the Christian life and disposes for receiving the Divine Eucharist.[48]

---

[45] See Fink, "Reconciliation, Liturgies of," in *NDSW*, p. 1046.

[46] This criticism was renewed in the commentaries of E. O'Hara, "Penance and Canon Law," in Kennedy (ed.), *Reconciliation: The Continuing Agenda*, pp. 242-243; Green, "Reflections on the Revised Code," p. 361; Dallen, *The Reconciling Community*, p. 224 and, in more muted fashion, McManus, *CLSA Commentary*, p. 676.

[47] *Codex canonum Ecclesiarum Orientalium, auctoritate Ioannis Pauli PP. II promulgatus* (=*CCEO*), fontium annotatione auctus, Libreria editrice Vaticana, 1995, c. 718.

[48] "In sacramento pænitentiæ christifideles, qui, peccatis post baptismum commissis, ad Deum a Spiritu Sancto ducti corde convertuntur et dolore de peccatis moti propositum novæ vitæ ineunt, per ministerium sacerdotis, facta ipsi confessione et dignæ satisfactionis acceptatione, veniam a Deo obtinent simulque cum Ecclesia, quam peccando vulneraverunt, reconciliantur; quo modo hoc sacramentum quam maxime ad vitam christianam fovendam confert et ad Divinam Eucharistiam suscipiendam disponit." A comprehensive list of sources is provided for this canon. Like its counterpart in the Latin Code, this text

With due regard for the venerable traditions and special discipline which it safeguards and promotes, and assuming that the theological values are considered sufficiently worthy for appropriation by all Catholic faithful, this canon reflects some important nuances for a legal text intended to describe the nature and purpose of the sacrament of reconciliation.

Although it labours under a similar lack of appreciation for the full impact of justification, the canon exudes a dynamic feeling, absent from the Latin text, which, by stretching the parameters of the grace celebrated in the sacrament to connect with the prior initiative of God, the Spirit-led albeit free response of the sinner, and the derivative benefits inclining faithful towards the fullness of life in Christ, embraces some acknowledgement of that essential value revealing the aspect of process or journey in the meaning of reconciliation. Similarly, and without prejudice to its own limited recognition of the communal aspect, the canon, by designating the activity of the priest in terms of his entire ministry rather than a single element, and including mention of a suitable penance, appears to capture in a richer and more challenging way the value which conveys the ecclesial intervention essential in guiding penitents to peace and reconciliation. Finally, inclusion of an aspect communicating the Eucharistic value, whilst favouring the exercise of sacramental penance as customary preparation for full sharing in the Lord's Supper, nevertheless strengthens thinking on this sacrament as one element of the total process by which faithful can experience and celebrate God's gift of reconciliation to the world.

6.2 CANON 960: THE MODES OF RECONCILIATION

The Church carries on the proclamation of reconciliation and does not cease to invite all those who are converted and who believe in Christ to enjoy the fruits of this reconciliation desired by God. Within the context of this universal, inclusive ministry there developed from the revelation of Christ the Lord an awareness in the ecclesial community of the sacrament which signifies the experience of reconciliation for

---

only emerged after a period of drafting, consultation and revision. The process may be followed in *Nuntia*, the periodical published by the Pontifical Commission established to prepare the Eastern Code, nos 6 (1978), pp. 56 and 61; 10 (1980), p. 28; 15 (1982), p. 35; 24-25 (1987), p. 132 and 28 (1989), p. 93.

postbaptismal sinners, the understanding and practice of which evolved throughout the course of time. Contemporary teaching accepts as a necessary element of this special sign, grounded in the contrition and conversion wherein sinners rediscover their true identity before God, integral confession, which is submitted by each one who desires to celebrate liturgically reconciliation with God and their brothers and sisters, ordinarily within a sacramental form inclusive of individual confession and absolution.[49] Incorporated into *CIC 83* in order to safeguard and confirm the primary place of the forms regarded as the ordinary rites of reconciliation, the canon initiating the chapter concerned with the celebration of the sacrament states

> Individual and integral confession and absolution constitute the sole ordinary means by which a member of the faithful who is conscious of grave sin is reconciled with God and with the Church. Physical or moral impossibility alone excuses from such confession, in which case reconciliation may be attained by other means also.[50]

Although fundamentally cast in the form of a legal statement, this canon concludes with a theological phrase which respectfully acknowledges the variety of traditions persisting in the doctrine and life of the Church.

6.2.1 DOCTRINAL FOUNDATIONS

Sincere repentance always looks beyond sin to the merciful One who forgives in the promise of redemption. Consequently, whilst exhibiting the terse legal style typical to the greater part of this canon, the initial phrase is significantly informed by the deeply personal character of the encounter established through a sinner's self-revelation and the ecclesial response within the celebration. Notwithstanding his admission that *all three rites* provided in the *OP*, following the suggestions of Vatican II, *keep intact the essential elements* of the sacrament and thereby enable its adaptation to particular pastoral

---

[49] See *Reconciliatio et pœnitentia* 10, 30, 31 and 32 on pp. 205-206, 256, 261 and 267 respectively for the ideas from which these comments are composed.

[50] "Individualis et integra confessio atque absolutio unicum constituunt modum ordinarium, quo fidelis peccati gravis sibi conscius cum Deo et Ecclesia reconciliatur; solummodo impossibilitas physica vel moralis ab huiusmodi confessione excusat, quo in casu aliis quoque modis reconciliatio haberi potest." The Code includes *SC* 72, norm I of the Pastoral Norms promulgated 16 June 1972, and *OP* 31 as sources for this canon.

circumstances, Pope John Paul II states with a certain firmness that, outside recognized exceptional situations and mindful that the true spiritual good of faithful is secured, either the first or second sacramental form (rite of individual penitents or rite of several penitents with individual confession and absolution) represents the normal way to celebrate reconciliation, not only by reason of obedience to the contemporary penitential discipline but also out of fidelity to the will of the Lord Jesus Christ as interpreted and transmitted in the doctrine of the Church.[51] Accordingly, the theological basis of this phrase emerges in the desire to convey the official interpretation of the Tridentine perspective on integrity that every serious sin must always be stated, with its determining circumstances, in an individual confession.[52]

Given the three motives sanctioned by the Church prompting Christ's faithful to celebrate the rites of the sacrament, the second phrase – *quo fidelis peccati gravis sibi conscius cum Deo et Ecclesia reconciliatur* – nevertheless makes clear that only those conscious of grave sin are obliged to approach them. Whilst participants at the 1983 Synod of Bishops offered differing (and at times challenging) views on the question of sin, Pope John Paul carefully distinguished that personal act whose object is grave matter and which is also committed with full knowledge and deliberate consent as the sin by which individuals destroy charity and reveal their radical rejection of God and alienation from the community.[53] Consequently, although not underestimating those acts whereby

---

[51] *Reconciliatio et pœnitentia* 32 and 33, pp. 267 and 270, corresponding to *OP* 31, and mentioned by commentators including McManus, *CLSA Commentary*, p. 677; Rincón, "Title IV – The Sacrament of Penance," p. 610; Stetson, "Titulus IV: De sacramento pœnitentiæ," p. 760; Huels, *The Pastoral Companion*, pp. 125-126 and E. García, "General Absolution in the New Codex," in *Boletín eclesiástico de Filipinas*, 68 (1992), p. 464.

[52] See *Reconciliatio et pœnitentia* 33, p. 270, which alludes to the obligation expressed in *OP* 7a and elaborated in c. 988 §1. Pope John Paul had mentioned this understanding in his address to a general audience, 11 April 1984, p. 321. Although he touches on the divine law foundation for this method by which penitents can effect the integrity required in the celebration of reconciliation, Pope John Paul does not explicitly employ the term *iure divino* here or anywhere else in his postsynodal apostolic exhortation.

[53] *Reconciliatio et pœnitentia* 17, pp. 221-222 and see Gervais, "L'Exhortation apostolique «Reconciliatio et pœnitentia»," p. 204. Pope John Paul notes that the rejection of God might also be described as a deviation from the path that leads to God or interruption of the journey towards him. Conversely *OP* 7, using a purely relational metaphor, had explained grave sin as a withdrawal from communion with God in love. Significantly, Pope John Paul's desire to retain traditional concepts of sin made him wary of any understanding which might reduce the scope and frequency of grave sin, such as the theory of fundamental option.

men and women go astray without abandoning the road which leads to God, this phrase preserves the theological position that the sacramental celebration signifies as *reconciled* only faithful converted from and forgiven grave postbaptismal sin.[54]

Since diverse pastoral situations emerge which can render exercising the first or second sacramental form a moral or physical impossibility, the final phrase confirms the existence of alternative modes by which repentant sinners may celebrate their reconciliation with God and the Church. Besides the mode of general confession and absolution, which he considers extraordinary in character and regulates with a special canonical discipline, Pope John Paul also mentions, in the context of preparation for Eucharistic communion, that faithful unable to satisfy the custom of the Church for a prior integral confession of grave sin, should first make an act of perfect contrition.[55] Without prejudice, therefore, to the preferential status of ritual forms which include individual, auricular confession, this phrase embodies the teaching that affirms the capacity of the Church to assist faithful in whatever situation the power of God's merciful love brings them to reconciliation and peace, for "sacrifice to God is a broken spirit, a broken, contrite heart you never scorn."[56]

---

[54] Although in *Reconciliatio et pœnitentia* 32 on pp. 268-269 Pope John Paul appeals to traditional practice and recommends faithful make use of the sacrament for venial sins alone, he notes from *OP* 7b that such a celebration is essentially an occasion for them to conform more closely to Christ and seek greater docility to the voice of the Spirit. See also the Pope's address to a general audience, 11 April 1984, pp. 321-322.

[55] *Reconciliatio et pœnitentia* 27, pp. 249-250 and see also c. 916, which notes that such an act includes the resolve to celebrate the sacrament of reconciliation according to the ordinary mode as soon as possible. Significantly, *OP* 37 adds that with the act of perfect contrition and the desire for the sacrament it contains, faithful are enabled to receive God's grace. Commentators who concur with the identification of these alternative modes include Woestman, *Sacraments*, p. 213; McAreavey, "The Sacrament of Penance," p. 525; Huels, *The Pastoral Companion*, p. 126 and García, "General Absolution in the New Codex," p. 464. Of course, the sacrament of anointing the sick also provides a specific liturgical context for faithful to celebrate their experience of forgiveness and reconciliation, which the rite mentions in the general introduction (no. 6) and the following texts for anointing outside Mass (and their parallels): preliminary instruction (no. 117), litany (no. 121) and prayer after anointing (no. 125B).

[56] Ps 51:17.

6.2.2 CANONICAL ELEMENTS

Instructed by the tradition of interpretation guided by the Church's teaching authority subsequent to the Council of Trent, the individual and integral confession and absolution described and proposed by that Council as an effective mode of sacramental reconciliation, theologically justifiable and worthy of its continued place and exercise in the life and worship of the faithful, became established in the Latin Church as the definitive ritual expression of its penitential discipline. Apparently introduced into the legal vocabulary of the Church through the agency of the 1972 Pastoral Norms,[57] the term *ordinarius* has been retained in the text of c. 960 primarily to preserve this status of these sacramental actions and thereby indicate the Church's understanding that the discipline proposed reflects its prudent judgement and decision for the contemporary age.[58] Nevertheless, this term also seems to qualify the pastoral circumstances which might dictate the propriety for celebrating either the first or second form of the sacrament. When these senses of this term are combined, the conclusion arises that in effect the canon classifies the liturgical rites of reconciliation into two categories: one mentioned explicitly, ordinary; the other implicitly, extraordinary.[59] At the same time, the internal logic of the canon demands that no hint of a pejorative character should be attributed to or presumed of the latter category.

Failure to acknowledge any value of communal reconciliation services in the Code in part ensured that c. 960 reflected little substance of the more recent developments associated with the sacrament, some of which had matured sufficiently for incorporation into official Church documents and teaching, that represented the fruit of a broad, sustained theological discussion and innovative pastoral practice. The resultant impression that the proper celebration of the sacrament and its theology had been largely

---

[57] See Borobio, "The Tridentine Model of Confession in its Historical Context," footnote 54 on p. 37.

[58] Schaller, "The Order of Penitents: Theological and Pastoral Directions," pp. 218-219 and Örsy, "General Absolution: New Law, Old Traditions, Some Questions," p. 684.

[59] See Örsy, ibid., p. 678, who adds the nuance that such categories need not be applied to faithful not conscious of grave sin. Huels, *Disputed Questions in the Liturgy Today*, p. 85, seems to agree with this opinion, although he cautions that the canon itself does not make this distinction.

untouched by change was reinforced with the canon's explicit limitation of the causes which excuse faithful from individual and integral confession and absolution. Given the two alternative modes to the ordinary form of the sacrament previously identified, but without concession to their suggested pastoral advantages, the reference to moral or physical impossibility, other than the specific situations mentioned in c. 961, recognizes only certain incapacities pertaining to an individual penitent or a group of penitents, their relationship with the only available minister, or circumstances of time and place.[60] Since *CIC 83* here moves a step beyond its predecessor *CIC 17* by making room for this element, ministers of the sacrament, keeping in mind that in all cases any part(s) omitted at the time of celebration must be subsequently submitted to them when and if whatever gave rise to such an omission no longer exists, should carefully discern when and how excusing causes may emerge and impact upon penitents in order to respond in a helpful and sensitive manner.[61]

6.2.3 TOWARDS A CANON IN HARMONY WITH ESTABLISHED THEOLOGICAL VALUES

In his exposition on the 22nd chapter of the Gospel according to Luke, St Ambrose of Milan writes:

> Peter was sorry and wept, because as a man he erred. I learn not that he spoke, I learn that he wept: I read his tears, I read not [his] apology: but what cannot be defended, can be washed away. Let tears wash away a fault, that to reveal with the voice is shameful. Tears bring about both pardon and shame. Tears speak a fault without fear: tears reveal a crime without discomfort of shame. Tears do not

---

[60] Examples are provided by Rincón, "Title IV – The Sacrament of Penance," p. 610; McManus, *CLSA Commentary*, p. 677; McAreavey, "The Sacrament of Penance," p. 525; Chiappetta, *Il Codice di diritto canonico*, vol. 2, p. 99; Stetson, "Titulus IV: De sacramento pænitentiæ," p. 761 and P.H.N. Kim, *La penitenza: il sacramento della conversione e riconciliazione*, Romæ, Pontificia Universitas Urbaniana, Facultas Theologiæ, 1991, p. 154. It may be noted here that the comments of Rincón seem unnecessarily restrictive in suggesting that "the physical and moral impossibility to which the canon refers should be considered [only] within the context of individual confession," since one of the modes approved as an alternative in certain cases of such impossibility is the rite of general absolution regulated by the subsequent canons.

[61] This thought is based on the comments of Gilbert, "The Reconciliation Service: A Reflection on Pastoral Experience as a Theological Source," p. 63 and Rincón, "Title IV – The Sacrament of Penance," p. 610.

> demand pardon, and so they obtain [it]. I have learned why Peter is silent, it was not to offend more by asking so quickly for pardon.[62]

This eloquent reflection of the fourth-century bishop and doctor of the Church on the drama of Peter's denial of Jesus and their reconciliation following the resurrection reveals how the first disciple accepted, in the gift of tears, the pardon of God and the personal call of his Lord. In this example resides a powerful illustration of a lived experience which all can comprehend, distinctively human and thus by nature somehow unique, that portrays with a simple dignity the radical new intimacy between humankind and the Blessed Trinity forged in the consummating love of the paschal mystery. God unchanging, always new, speaks to the heart of each person and draws them to himself in the diversity and richness of their pastoral context; the sacramental encounter which celebrates that transforming process wherein faithful accept once again or more fully the divine gift of reconciliation must recognize these experiences in ways which allow their unique character to be suitably expressed and attain complete meaning and impact in the life of both individual and community.

In affirming a legal distinction among the modes officially approved for the liturgical celebration of reconciliation, Pope John Paul II discloses several presumptions on which this interpretation has been built. Arguably one of the more controversial effectively mythifies the doctrinal position stated at the Council of Trent by pretending that the current discipline of the sacrament embodies the elements of a teaching and praxis unchanged since apostolic times.[63] Perhaps equally contentious is the presumption which accords Counter-Reformation perspectives on ecclesiology a surreal superiority by positing a false dichotomy between personal and communal aspects of sin and

---

[62] St Ambrose, *Expositio evangelii secundum Lucam*, X, 88, in *PL* 15, 1825. The Latin text reads: "Petrus doluit et flevit; quia erravit ut homo. Non invenio quid dixerit, invenio quod fleverit: lacrymas eius lego, satisfactionem non lego: sed quod defendi non potest, ablui potest. Lavent lacrymæ delictum, quod voce pudor est confiteri. Et veniæ fletus consulunt, et verecundiæ. Lacrymæ sine horrore culpam loquuntur: lacrymæ crimen sine offensione verecundiæ confitentur: lacrymæ veniam non postulant, et merentur. Inveni cur tacuerit Petrus, ne tam cito veniæ petitio plus offenderet."

[63] *Reconciliatio et pœnitentia* 30, 31 and 33, pp. 256-257, 261 and 269-270 respectively and see the comments of Dallen, "Reconciliatio et pœnitentia: The Postsynodal Apostolic Exhortation," p. 108 and Örsy, "General Absolution: New Law, Old Traditions, Some Questions," pp. 684-685. The Pope also seems to draw on this presumption during the introductory remarks of his discourse to the plenary session of the Congregation for the Sacraments, 17 April 1986, in *Communicationes*, 18 (1986), pp. 39-40. English trans. in *L'Osservatore Romano*, weekly ed. in English, 5 May 1986, p. 12.

reconciliation.[64] Another credits certain elements of contemporary penitential doctrine and ritual with a solemn and essentially irreformable status by eliminating pastoral experience as a source for theological reflection and development.[65] Like a phoenix rising from the ashes, the conclusion emerges that only the obedience of a uniformity in thought and practice, carefully delineated, encouraged and monitored by competent authority, can arrest the present crisis affecting the sacrament of reconciliation and renew its vitality in the life of every faithful.

This tendency to rekindle enthusiasm for a rite widely practised only in the recent past without taking into account the change towards a real growth in spiritual maturity, perception and attitude discernable in the Body of Christ rests on a further presumption which believes that Church leaders keep sway over the public and private lives of the faithful by defining membership and self-identity in terms of conformity to the rules, standards and opinions provided.[66] Nevertheless, significant trends which surfaced at the 1983 Synod of Bishops – communal reconciliation, interpersonal forgiveness and inclusion of the marginalized – might suggest to a listening Church that the Holy Spirit is moving men and women towards assuming in adult fashion their discipleship of Jesus

---

[64] *Reconciliatio et pœnitentia* 16 (sin) and 31 (reconciliation), pp. 216-217 and 264. The Pope recalled these ideas respectively in an address to a general audience, 5 November 1986, in *Insegnamenti di Giovanni Paolo II*, IX, part 2 (1986), pp. 1343, 1344-1345 and his address to the plenary session of the Congregation for the Sacraments, p. 12. An English trans. of the former may be found in *L'Osservatore Romano*, weekly ed. in English, 10 November 1986, pp. 1 and 20. The several ramifications of this presumption are discussed in Dallen, "Reconciliatio et pœnitentia: The Postsynodal Apostolic Exhortation," pp. 100-101, 109-110, 113 and 115 and include an apparent reluctance to admit the reality of structural sin and the consequent need for structural reform, the non-essential character of the communal elements in the reconciliation liturgy, a shallow understanding of the Church's sacramental nature and a retreat from the realization that sacraments are acts of community worship which orient community life and form personal spirituality.

[65] *Reconciliatio et pœnitentia* 18, 25 and 33 on pp. 228, 237-238 and 270-271 respectively, reiterated in Pope John Paul's address to the plenary session of the Congregation for the Sacraments, p. 12, and see Gilbert, "The Reconciliation Service: A Reflection on Pastoral Experience as a Theological Source," pp. 62-63, 64 and Dallen, "Reconciliatio et pœnitentia: The Postsynodal Apostolic Exhortation," pp. 104-105, who notes that in the document "pluralism in doctrinal and pastoral views and options [is] practically identified with division and sin."

[66] This thought is based on the reflection of Allard, "*Reconciliatio et pœnitentia*: A Comment," p. 200 and see *Reconciliatio et pœnitentia* 17, 26 and 34 on pp. 223, 247 and 272-273.

and understanding integral confession as a symbolic expression of the fullness and sincerity with which they live this vocation.[67]

Despite a deep longing for all serious postbaptismal sinners to regain the joy of being saved like the prodigal son returning to his father, Pope John Paul confines his definition for the ordinary mode of this expression within parameters apparently incredible to many Christian faithful in the modern world. Although mindful of some elements which assist participants actualise the personal and ecclesial values of reconciliation so that the sacramental celebration – whether first or second form – might correspond more closely to the concrete situation of each penitent,[68] the concept of integrity grounding the text of c. 960 requires a practical format capable of engaging the process whereby every faithful discovers, and then begins to comprehend and experience in the community with whom they journey, the unique beauty of the person and calling they have received from God.[69] If this pilgrimage to wholeness of life and true human identity is most effectively realised in a community framework, then the suggestion emerges for the recognition of alternative *ordinary* modes of reconciliation – both individual and communal – by which the heart-centred, personal encounter of conversion and forgiveness between the repentant sinner and the God who is mercy and love might be integrally manifested in a sacramental environment.[70]

---

[67] See Hater, "Sin and Reconciliation: Changing Attitudes in the Catholic Church," pp. 18-19 and Allard, "*Reconciliatio et pœnitentia*: A Comment," p. 200, who adds that a crisis "can also refer to a process of positive discernment and, understood in this way, believers are expressing their discontent with the way in which this sacrament is normally administered." The comments of Örsy, "General Absolution: New Law, Old Traditions, Some Questions," p. 688 and J.B. Ambe, *Meaningful Celebration of the Sacrament of Reconciliation* in *Africa*, Eldoret, Kenya, Amecea Gaba Publications, 1992, p. 51 are also supportive of this observation.

[68] See *Reconciliatio et pœnitentia* 32, p. 267. Pope John Paul refers specifically to the dialogue between penitent and confessor, the texts of Scripture and the choice of the forms of satisfaction.

[69] Osborne, *Reconciliation and Justification*, pp. 240-241 restricts the expression of integrity to a full admission of the extent and gravity of one's sinfulness and manifesting sorrow for all grave sins, but this seems to ignore certain important aspects of the reconciliation experience which integrity must embrace.

[70] This thought attempts to free the theoretical explanation and practical expression of integrity from the simplistic identification between personal and individual. Although in *Reconciliatio et pœnitentia* 33, p. 271 Pope John Paul continues to explore the area of rights in justifying individual and integral confession as a guarantee of the personal encounter between the faithful and Christ, Dallen raises a valid question in *The Reconciling Community*, p. 398, when he asks whether the sole ordinary mode currently authorized is necessarily more personal than a wholehearted participation in a communal celebration.

Assuming that the term *ordinary*, when used to qualify the *mode* of the sacrament, indicates one approved by competent authority, any words and/or actions whereby penitents can adequately symbolize, with the help of the presiding minister and according to the situation, the reality of their relationship with God, the Church and the whole created order, may be included in this category. Consequently, when there exists a supply of ministers sufficient to celebrate properly the reconciliation of penitents with either the first or second rite, these ordinary *circumstances* currently require the exercise of individual and auricular confession and individual absolution.[71] Conversely, since they offer an integral alternative in cases where this celebration is not possible, other forms: general confession and absolution, the act of perfect contrition and those only vaguely defined or even still to emerge, should have been accommodated by c. 960 as ordinary modes of reconciliation.[72]

The proposal that some alternative mode of reconciliation, such as the rite of general confession and absolution, might become an approved form in ordinary circumstances continued to represent the most radical response advanced at a time when the use of the sacrament had fallen to critically low levels in many local faith communities. Although unattractive to the Church's central teaching authority for doctrinal and pastoral reasons,[73] scholars expressed a mixed reaction to either a partial or

---

[71] According to the knowledge accumulated thus far, this would seem to include not only the allocation of suitable time by ministers which ensures an unhurried celebration with each penitent, but also an availability within the overall ministerial function allowing penitents the opportunity to exercise the sacrament on a regular and frequent basis. In addition, the adjective sufficient infers both numerical quantity and choice of minister.

[72] The case for general absolution as an ordinary mode is argued with some passion by Osborne, *Reconciliation and Justification*, pp. 227-230. Whilst a little pedantic, the argument provides a logical basis for the need to clearly distinguish modes and circumstances when using words such as ordinary and extraordinary or exceptional to avoid the impression that certain forms of reconciliation possess less dignity or effectiveness even when exercised in the cases for which they were intended. Accordingly, the ecclesial and personal values safeguarded by proper celebration of a first or second rite of the sacrament are deepened and at the same time provided with a broader context for their expression and appropriation.

[73] In *Reconciliatio et pœnitentia* 33, p. 270, Pope John Paul, writing on the subject of general absolution, states that "it must not be forgotten that this form cannot become an ordinary one, and it cannot and must not be used ... except 'in cases of grave necessity'." The Latin text reads: "tamen non inde oblivisci licet *hanc non fieri posse formam ordinariam* neque posse nec debere adhiberi ... nisi «in gravis necessitatis casibus»." English trans. in *Origins*, 14 (1984-1985), p. 454. The similar opinion of Cardinal J. Ratzinger is reported within the section "The Church in the World" in *The Tablet*, 239 (1985), p. 251, based on the Cardinal's definition of general absolution as "the anticipation of sacramental absolution before confession of sins, which is given to a group of people who, because of urgent necessity, do not

more extensive exercise of the third rite in the sacramental life of the Church.[74] At the same time, therefore, "a process approach to penance [with] stages between the evangelization that makes a person aware of sin and the reconciliation that makes them healthy members of Christ's body" inspired by the *Rite for the Christian Initiation of Adults*, began to blossom in some places.[75] Notwithstanding the variety of these alternative modes and rituals, the motivation for their proponents appeared as a combination of the conviction that the Counter-Reformation form seemed neither appropriate nor effective in every situation or for every faithful and the rich heritage of Vatican II Council embodied in a deeper understanding of the penitential life and the communal dimension inherent to all sacramental worship.

A controversial element which significantly informed this collage of experimentation and assessment was the concept of social or communal sin. In response to the relevant proposals and other associated materials submitted to him by the 1983 Synod of Bishops, Pope John Paul II generally insists that sin is always a personal act

---

have the opportunity for confession, but have the intention of confession and have need of absolution." De Bhaldraithe offers the interesting observation in "Another Look at General Absolution," p. 51, that this cautious approach may have been influenced to some extent by the Church's policy towards the schismatic movement of Archbishop M. Lefebvre.

[74] See for example the positive opinions advanced by Gilbert, "The Reconciliation Service: A Reflection on Pastoral Experience as a Theological Source," p. 64; D. Fernández, *The Father's Forgiveness: Rethinking the Sacrament of Reconciliation*, trans. by P. Olmedo, Collegeville, MN, The Liturgical Press, 1991, pp. 40-41, 78-83; J. Arnold, *The Quality of Mercy: A Fresh Look at the Sacrament of Reconciliation*, Middlegreen, Slough, England; Kildare, Ireland, St Paul's, 1993, p. 101 and (to some degree) Huels, *Disputed Questions in the Liturgy Today*, p. 85 compared with the more negative views of Mannion, "Penance and Reconciliation: A Systemic Analysis," pp. 117-118 and Malone, "General Absolution and Pastoral Practice," p. 58.

[75] Dudley, "The Sacrament of Penance in Catholic Teaching and Practice," p. 86. This form of the sacrament was proposed by the then Archbishop of Chicago, Cardinal J.L. Bernadin, in a written submission to the 1983 Synod of Bishops, dated 5 October 1983, and published under the title "New Rite of Penance Suggested," in *Origins*, 13 (1983-1984), pp. 324-326. Besides giving expression to the process value of reconciliation, the Archbishop's model neatly combined the individual confession of sin with appropriate penitential exercises, community support in the form of prayer and spiritual counsel, leading to a sacramental celebration using the rite of general confession and absolution, in itself efficacious whilst affirming the preceding process. Although it may be criticized as a type of liturgical archæology (see Dudley, ibid., p. 88), the idea spawned some study and development, especially the doctoral thesis of J.A. Favazza entitled *The Order of Penitents: Historical Roots and Pastoral Future*, quoted periodically in this dissertation, which sets out on p. 273 the fruit of his work in the form of a helpful chart. Significantly, Favazza suggests the incorporation of the reconciliation rite into a Eucharistic celebration, such as the evening Mass of the Lord's Supper on Holy Thursday, as the climax of the process and a proper reflection of the Eucharistic value. The chart is reproduced in Dudley, ibid., p. 87.

reflective of human freedom. In the course of a rather tedious discussion on this issue, however, the Pope also applies the term social to "every sin against justice in interpersonal relationships, committed either by the individual against the community or by the *community against the individual.*"[76] Given the reserved language of its context, and mindful that a rational concept of social sin inherently challenges community members to recognize and accept responsibility,[77] this application provokes deep reflection on the third rite of reconciliation as a possible sacramental mode to celebrate the conversion and forgiveness experienced by a community having (say) mirrored secular society in a way unbecoming the Body of Christ.[78]

A further and related aspect which demands due consideration is the exercise of the sacrament for celebrating the forgiveness of venial sin. Regarded as neither empirical therapy nor a symbol of reconciliation,[79] one among a number of alternative modes in this context,[80] this graced meeting between penitents and the risen Lord Jesus appears beyond the parameters within which the categories regulated by c. 960 are meant to apply. Whilst c. 988 §2 accommodates the submission of venial sins alongside integral confession, this activity can only be justified in terms of the Church's primary obligation to authenticate conversion and assist faithful through the spiritual riches proper to their

---

[76] *Reconciliatio et pœnitentia* 16, p. 215. The Latin text reads in full: "Item *sociale* est quodvis peccatum patratum contra iustitiam in rationibus intercendentibus tum inter personas, tum inter personam et societatem, tum inter societatem et personam." English trans. in *Origins*, 14 (1984-1985), p. 441.

[77] See the explanation in M. Sievernich, " 'Social Sin' and its Acknowledgement," trans. by J.G. Cumming, in *Concilium*, no. 190 (1987), pp. 58-59.

[78] G.M. Manuel, "Group Process and the Catholic Rites of Reconciliation," in *Journal of Religion and Health*, 30 (1991), p. 123. The author adds that "there is room in the rite for spontaneous sharing, imparting information and advice, and the symbolic expression of group cohesiveness. While these communal rites do not require the public personal confession of sins, they do promote the disclosure of personal experiences of faith and struggle as they pertain to community life and the need for reconciliation." See also Sievernich, " 'Social Sin' and its Acknowledgement," pp. 59-60. Such adaptations may help to overcome the negative assessment about the structure of communal services in the *OP* given by Favazza, *The Order of Penitents*, p. 265 and Mannion, "Penance and Reconciliation: A Systemic Analysis," pp. 117-118.

[79] Örsy, "The Sacrament of Penance: Problem Areas and Disputed Questions," p. 35; Woods, "Reconciliation and Priesthood," p. 1036 and Mannion, "Penance and Reconciliation: A Systemic Analysis," pp. 111-113.

[80] Mannion, ibid., pp. 111-112, citing *OP* 4 and *Reconciliatio et pœnitentia* 28 and 32.

renewal and growth.[81] Given the rather controverted nature of the questions with which it is surrounded, it would seem prudent not to complicate the text by adding some reference to this aspect in the canon.[82]

The persistent scholarly exploration of alternative modes whereby penitent faithful might celebrate with the ecclesial community their lived experience of conversion and forgiveness in an effective, inclusive and credible liturgical framework tended to erode, in the view of some authors, the argument from divine law that each penitent must state, in a private, auricular confession, every grave sin remembered after an examination of conscience, along with any determining factors, as the exclusive expression of integral confession in ordinary pastoral circumstances. As if the mere recognition or existence of other modes were not sufficient to herald its disintegration, scholars also perceived, whilst unequivocally affirming the Counter-Reformation method as an authentic proof of complete and sincere conversion aroused and permeated by the gift of *metanoia*, a certain lack of conclusive evidence in support of this understanding.[83] Citing the biblical witness to the ministry of Jesus, and mindful of the limitations which affected the endeavour of the Council of Trent and the subsequent implementation and interpretation of its decrees, the level and force which may be ascribed to the doctrinal authority of that Council either in whole or in part, and both Trent's relationship to, and the autonomous impact of, modern development and ideas concerning the sacrament of reconciliation, some authors suggested that the status of this method should be reckoned

---

[81] Nevertheless, in response to certain problems, several delegates at the 1983 Synod of Bishops sought the development of new forms which might eventually replace what erstwhile had been known as devotional confession. Although in listing the benefits of confessing venial sins during his address to a general audience on 11 April 1984 Pope John Paul on p. 322 identifies the "frequent and happy link" of spiritual direction to the sacrament, he is also careful to affirm the former in *Reconciliatio et pœnitentia* 32, pp. 267-268 as a distinct, albeit parallel ministry, the continuing need for which the current rituals of reconciliation serve to highlight. See the comment of D.L. Fleming in "Reconciliation and Spiritual Direction," in *NDSW*, p. 1038.

[82] A similar conclusion was expressed during the final emendations to the parallel canons in the *CCEO*. See *Nuntia*, no. 28 (1989), p. 94.

[83] See Örsy, "The Sacrament of Penance: Problem Areas and Disputed Questions," p. 35; Allard, "*Reconciliatio et pœnitentia*: A Comment," pp. 202-203; N. Humphreys, "Thoughts on Penance," in *The Furrow*, 36 (1985), pp. 744-746; de Bhaldraithe, "Another Look at General Absolution," p. 49 and Fernández, *The Father's Forgiveness: Rethinking the Sacrament of Reconciliation*, pp. 10-12.

as ecclesiastical law.[84] The eventual resolution of this issue can perhaps emerge by respecting the openness Trent itself adopted and, rather than making its example into an obstacle, develop the expression of integrity in terms of a truly universal human right, modifying the principle of *unicus modus ordinarius* to allow for a variety of coexistent, complementary modes of reconciliation – provided they maintained the essential elements of the sacrament's expressive structure – so that there can be an intervention by the Church in the broadest possible range of pastoral situations.[85]

In conclusion, a minor yet perceptible advance for drafting a canon designed to convey and safeguard the contemporary penitential discipline of the Church may be observed in the slightly different hues reflected in the corresponding text incorporated into the *Code of Canons of the Eastern Churches*, which states that

> Individualis et integra confessio atque absolutio *solum* constituunt modum ordinarium, quo *christi*fidelis peccati gravis sibi conscius cum Deo et Ecclesia reconciliatur; *sola* impossibilitas physica vel moralis ab huiusmodi confessione excusat, quo in casu aliis quoque modis reconciliatio haberi potest.[86]

Given its status as a minor modification in the terminological refinement visited upon the entire schema by the study group «*De coordinatione*», the substitution of the adjective *unicus* (more diachronic, concerning an entire historical continuum) with the word *solus* (more synchronic, concerning a situation at one point in time) gives the law a degree of

---

[84] "As such," says Örsy, "General Absolution: New Law, Old Traditions, Some Questions," p. 684, "it must be honoured and obeyed; as such, it can be modified if necessary or advisable." See also de Bhaldraithe, "Another Look at General Absolution," p. 49 and Fernández, *The Father's Forgiveness: Rethinking the Sacrament of Reconciliation*, pp. 11-12. Of course, other authors supported the traditional view maintained by the Church's central teaching authority, such as Martín de Agar, "La celebración del sacramento de la penitencia: aspectos canónicos," p. 10; Chiapetta, *Il Codice di diritto canonico*, vol. 2, pp. 97-98; García, "General Absolution in the New Codex," p. 464; M. Zalba, "Normas de la Iglesia sobre el valor y la licitud de la absolución general con manifestación genérica de los pecados mortales," in *Gregorianum*, 71 (1990), pp. 236-237 and K. McNamara, "Penance: Sacrament of Reconciliation," in *The Furrow*, 36 (1985), pp. 15-17.

[85] See Borobio, "The Tridentine Model of Confession in its Historical Context," pp. 31-34.

[86] *CCEO* c. 720 §1. The variants from *CIC 83* are noted in italicised print. The English trans. reads: "Individual and integral confession and absolution constitute the sole ordinary mode, by which a member of Christ's faithful conscious of grave sin is reconciled with God and the Church; only physical or moral impossibility excuses from confession of this mode, in which case reconciliation may be effected also by other modes." *CCEO* gives only norm I of the 1972 Pastoral Norms as a source for this paragraph. A shorter text initially proposed, which may be found in *Nuntia*, no. 6 (1978), p. 61, was later conformed, according to the notes in *Nuntia*, no. 15 (1982), p. 36, to that intended for inclusion in the new Code for the Latin Church.

circumspection somewhat lacking in the text of the Latin Code, yet arguably necessary in a difficult and evolving pastoral climate.[87] Although it keeps the policy of categorization employed in *CIC 83* c. 960, this thought may be strengthened by the interaction created between the two modes of reconciliation treated in the complete text of *CCEO* c. 720, alleviating any doubt that the rite of general confession and absolution is a positive, albeit limited, alternative to private, auricular confession of grave sin.

6.3 CANON 961: THE CONDITIONS FOR GENERAL ABSOLUTION AND THE JUDGEMENT OF THE DIOCESAN BISHOP

In order to gain freedom from sin, Christians have within themselves the presence of Christ and the mystery of Christ, which is the mystery of God's loving kindness. Called by name to reflect this presence in their daily conduct, Christian faithful engage iniquity and sin with repentance and conversion, and in the deep truth of conscience come to know the path opened by divine mercy to a reconciled life. Through catechesis and the sacraments, the Church embraces the requirements and spiritual needs of people in all ages – in forms and ways both old and new – to promote and explain the great message of peace and to represent in a symbolic manner the reality and effects of this peace adapted to the pastoral situation which in part defines each member of Christ's body.[88] At once communicating the serious nature of its purpose and content, and respecting the delicate balance between the discipline approved for the entire Church applicable in ordinary circumstances and the particular cases determined by local conditions, c. 961 provides that

> §1. General absolution, without prior individual confession, cannot be given to a number of penitents together, unless
>
> 1° danger of death threatens and there is not time for the priest or priests to hear the confessions of the individual penitents;

---

[87] See *Nuntia*, no. 21 (1985), p. 79. According to this approach, *unicus* promotes the impression that the ordinary mode of reconciliation is capable of expression forever in only one way; *solus* presents the current understanding but without excluding a possibility of change in the future.

[88] See *Reconciliatio et pœnitentia* 20-22 and 24, pp. 231 and 233 for the ideas which assisted in the composition of these introductory comments.

> 2° there exists a grave necessity, that is, given the number of penitents, there are not enough confessors available properly to hear the individuals' confessions within an appropriate time, so that without fault of their own the penitents are deprived of the sacramental grace or of holy communion for a lengthy period of time. A sufficient necessity is not, however, considered to exist when confessors cannot be available merely because of a great gathering of penitents, such as can occur on some major feastday or pilgrimage.
>
> §2. It is for the diocesan bishop to judge whether the conditions required in §1 n.2 are present; mindful of the criteria agreed with the other members of the bishops' conference, he can determine the cases of such necessity.[89]

As a complex policy statement which permits the exercise of certain actions in the expectation of faithful compliance, this canon contains several major canonical elements within a literary structure incorporating some matters also of theological significance.[90]

6.3.1 DOCTRINAL FOUNDATIONS

Sacred Scripture reveals through the continuous recollection of God's kindly action in the midst of his people a God who is above all merciful and forgiving.[91] Since

---

[89] "§1. Absolutio pluribus insimul pænitentibus sine prævia individuali confessione, generali modo impertiri non potest, nisi:

1° immineat periculum mortis et tempus non suppetat sacerdoti vel sacerdotibus ad audiendas singulorum pænitentium confessiones;

2° adsit gravis necessitas, videlicet quando, attento pænitentium numero, confessariorum copia præsto non est ad rite audiendas singulorum confessiones intra congruum tempus, ita ut pænitentes, sine propria culpa, gratia sacramentali aut sacra communione diu carere cogantur; necessitas vero non censetur sufficiens, cum confessarii præsto esse non possunt, ratione solius magni concursus pænitentium, qualis haberi potest in magna aliqua festivitate aut peregrinatione.

§2. Iudicium ferre an dentur condiciones ad normam §1, n.2. requisitæ, pertinet ad Episcopum dioecesanum, qui, attentis criteriis cum ceteris membris Episcoporum conferentiæ concordatis, casus talis necessitatis determinare potest."

The Code includes a detailed list of sources for this canon. In relation to §1, 1° mention is made of certain faculties and instructions motivated by the Second World War, together with norm II of the 1972 Pastoral Norms and *OP* 31. Further wartime documents are listed for §1, 2°, in conjunction with norm III of the Pastoral Norms, *OP* 31 and a selection of some subsequent explanatory statements generated by the Church's central teaching authority. The sources for §2 comprise norm V of the Pastoral Norms and *OP* 32.

[90] A response from the Pontifical Council for the Interpretation of Legislative Texts dated 8 November 1996, in *Communicationes*, 28 (1996), pp. 177-181, summarizes a number of these canonical aspects, incorporating into the outline certain sources along with several citations to Pope John Paul's postsynodal apostolic exhortation *Reconciliatio et pœnitentia.*

[91] *Reconciliatio et pœnitentia* 29, p. 252.

the sacrament of reconciliation is, for those aware of grave postbaptismal sin, the proper and approved liturgical environment to celebrate such divine activity in the lives of Christian faithful, this ecclesial sign must be within reach of all who desire a share in its power and grace. Consequently, the phrase which introduces the canon reflects an affirmative doctrinal stance to the question whether or not absolution can be imparted to a number of penitents at the same time without a prior confession, wherein each individual must state every serious sin with its determining circumstances in private to a lawful minister.[92] Whilst the law employs general absolution in a negative context, its primary characteristic – to address several persons together – provides theoretical and practical justification for the exceptional circumstances identified and defined in the remainder of the first paragraph.[93]

Although Pope John Paul II effectively understates important theological and pastoral aspects in order to emphasize the conditions required for a licit exercise of general absolution in the text of c. 961 §1,[94] he nevertheless acknowledges in unequivocal terms the indispensable role of grace in the reconciliation and growth in holiness to which God calls the entire family of humankind, including that grace efficacious for Christ's members celebrating the sacraments of faith.[95] Notwithstanding the power and desire of God to reveal his grace working diversely and without limitation in the world, somehow collaterally indicating the dignity and value possessed by other modes of reconciliation, the unobtrusive mention of sacramental grace and Holy Communion permits the text to express in a rather subtle way the Church's thinking that enabling everyone to participate in these spiritual riches in an explicit liturgical activity

---

[92] Ibid. 33, pp. 269-270, and see Örsy, "The Sacrament of Penance: Problem Areas and Disputed Questions," p. 36; McManus, *CLSA Commentary*, p. 679; McAreavey, "The Sacrament of Penance," p. 525 and Huels, *Disputed Questions in the Liturgy Today*, p. 67, who states that general absolution "is an authentic form of sacramental penance intended to be used as the law permits for the good of the faithful."

[93] P.E. Fink, "Absolution, General," in *NDSW*, p. 12 and see Örsy, "The Sacrament of Penance: Problem Areas and Disputed Questions," who notes on p. 36 that without this understanding no absolution could ever be given to a person in mortal danger or affected by a grave necessity.

[94] See Fernández, *The Father's Forgiveness: Rethinking the Sacrament of Reconciliation*, p. 74 and Green, "Reflections on the Revised Code," p. 367.

[95] *Reconciliatio et pœnitentia* 4, 11, 27 and 31, I, pp. 191 and 193, 207, 248 and 258 respectively, recalling *OP* 5 and 7.

exemplifies sound pastoral practice and safeguards an ecclesial right proper to Christian faithful.[96]

Despite the uneasy coexistence between a progressive circumscription of episcopal autonomy in the evolution of the text which became c. 961 §2 and the fundamentally pastoral orientation of the Code,[97] Pope John Paul confirms the diocesan bishop, as a vicar and legate of Christ Jesus who exercises his pastoral office primarily to benefit the portion of God's people entrusted to him, as the only one competent in his own territory to assess whether the conditions described in c. 961 §1, 2° actually exist for the legitimate use of general absolution.[98] Accordingly, the paragraph wisely reserves the final decision in such an important matter to one acquainted with the concrete local circumstances, working with, but not strictly bound to, any criteria agreed upon by the bishops' conference of which he is a member.[99]

6.3.2 CANONICAL ELEMENTS

In faithful continuity with the long-established policy of special care and concern consistently extended to them throughout the entire Church, and simultaneously expressing an harmonious pattern with other existing and interrelated norms contained in the Code, c. 961 §1, 1° provides that Christian faithful in danger of death, when the conditions specified are judged present, may celebrate with a lawful minister the rite of

---

[96] Some parts of this comment are inspired by the notes of McManus, *CLSA Commentary*, p. 679 and Huels, *Disputed Questions in the Liturgy Today*, pp. 79 (where he refers to cc. 213 and 843 §1) and 80.

[97] See McManus, *CLSA Commentary*, pp. 678-679; Green, "Reflections on the Revised Code," pp. 367 and 369 and Örsy, "The Sacrament of Penance: Problem Areas and Disputed Questions," p. 36.

[98] *Reconciliatio et pœnitentia* 33, p. 270, recalling *OP* 39. This competency follows from the doctrine concerning the office of diocesan bishop explained in *LG* 27 and expressed in general fashion by cc. 381 §1, 383 §1, 387 and 838 §4. See also Woestman, *Sacraments*, p. 219 and Huels, *Disputed Questions in the Liturgy Today*, p. 82.

[99] *Reconciliatio et pœnitentia* 33, p. 270 and see Örsy, "General Absolution: New Law, Old Traditions, Some Questions," p. 685 and Huels, *Disputed Questions in the Liturgy Today*, p. 82. In this way, Pope John Paul suggests that the conditions laid down will guarantee recourse to the third rite capable of producing the spiritual fruits for which it is meant.

reconciliation for several penitents with general confession and absolution.[100] Whilst susceptible to shades of meaning, the first condition which the minister must discern is the imminence of the danger impacting itself upon the life and safety of the faithful.[101] At the same time, he must also decide if the minister(s) available can foster in penitents the spiritual benefit from a celebration incorporating individual and auricular confession conducted properly in accordance with the meaning and ceremony set out in the *OP*, albeit suitably adapted to the concrete circumstances.[102] Once established, this physical impossibility may be addressed with the mode of reconciliation officially approved in law.[103]

Given their recent emergence in the canonical and pastoral tradition of the Church, all other cases where the third rite of the sacrament may be lawfully celebrated are subject to a cautious and detailed treatment in c. 961 §1, 2° under a general situation entitled *grave necessity*. Similarly comprising two conditions that must be present together, the exceptional nature of the circumstances it regulates instructs the competent authority to interpret this law strictly.[104] Consequently, the conditions it determines and anxiously confines within certain limits cannot be changed, nor others substituted, or

---

[100] *Communicationes*, 28 (1996), pp. 178-179. As explained in section 6.1.2 of this dissertation, c. 976 gives any priest the permission to assist penitents affected by this situation, and see the obligation imposed by c. 986 §2 and the provision of c. 1335, which suspends a prohibition concerning the celebration of sacraments incurred through censure.

[101] From one perspective, Örsy suggests in "General Absolution: New Law, Old Traditions, Some Questions," p. 678 that the threat should be understood broadly: "an actual danger must be there, but no individual life need be in immediate jeopardy." On the other hand, Woestman, *Sacraments*, is non-committal, stating simply on p. 216 that "prudence and pastoral concern dictate that absolution be given as soon as the priest judges it necessary." Arguing from the basis of the Church's supreme law, García, "General Absolution in the New Codex," seems to favour on pp. 571-572 a return to the more immediate war-inspired presumption "when there is a positive and probable possibility that death may occur soon."

[102] See *OP* 40a.

[103] Ordinarily, this would require observing the norms of *OP* 60-63, although in nos. 64-65 the Rite provides for a truncated form in certain cases.

[104] *Communicationes*, 28 (1996), p. 179; Rincón, "Title IV – The Sacrament of Penance," p. 611; Woestman, *Sacraments*, p. 217 and Huels, *Disputed Questions in the Liturgy Today*, p. 77, who notes that "in light of clarifications from the Holy See, the discipline on general absolution is properly viewed as exceptional law and thus subject to [the] strict interpretation [as specified by c. 18]."

measured according to personal criteria.[105] In this context, the nomenclature of the grave necessity defined in this paragraph will be explained in the text which follows.

An essential component employed to explain the situation at issue is expressed by the term *confessariorum copia*. According to the syntax of the sentence in which it has been placed, one aspect illuminating the meaning of this phrase appears in its relationship to the number of penitents, the time available for celebrating individual rites of reconciliation, and the length of time penitents would suffer deprivation of sacramental grace or the Eucharist.[106] As if to instruct competent authority that application of this component is not gauged merely by certain principles of mathematics, however, the text appended to the definition as an example presented in negative form indicates that other factors – such as the local geography, the scarcity of human and material resources, and ensuring each penitent's freedom of choice concerning anonymity and confessor – must also be taken into account.[107]

The first of the two time-oriented components used in the definition of grave necessity is communicated by the adverbial phrase *rite ... intra congruum tempus*. Situated at its head, the word *rite* enables this text to instruct competent authority about the illicit nature of an action whereby non-optional parts in the ceremonies for the sacramental reconciliation of individual penitents are shortened or even omitted in order to save time or avoid the effort required to conduct an enriching and effective liturgy of general confession and absolution when all the conditions of the law are judged to exist.[108] The remainder of the phrase, which may refer either to the total time expended

---

[105] McAreavey, "The Sacrament of Penance," p. 526. This comment recalls the interpretation made known by Pope Paul VI during his address to the bishops of New York State on 20 April 1978, to which *Communicationes*, 28 (1996), p. 179; Zalba, "Normas sobre el valor y la licitud de la absolución general," p. 253; Chiapetta, *Il Codice diritto canonico*, vol. 2, p. 100 and Stetson, "Titulus IV: De sacramento pænitentia," p. 767 also refer.

[106] Green, "Reflections on the Revised Code," p. 370; McManus, *CLSA Commentary*, p. 679 and McAreavey, "The Sacrament of Penance," pp. 525-526.

[107] Remote or small, insular communities, for example, may exert pressure on ministers to accommodate other pastoral work and liturgical ceremonies. Cases of officially sanctioned surveillance or political intimidation of Christian faithful could also have a significant impact on a judgement regarding the availability of ministers to celebrate sacramental rites with individual confession and absolution.

[108] Huels, *Disputed Questions in the Liturgy Today*, p. 78, who states that *rite* "not only means correctly or properly but also, more literally, means 'according to religious ceremonies', 'with due religious

in celebrating the individual reconciliation of the penitents present or the time foreseen to generate a calm and unhurried sacramental experience for each penitent independently, serves to ensure the integrity of the celebration and embody the principle of subsidiarity proper to the authority who best understands the local circumstances.

The second of the components referring to time – briefly expressed by the adverb *diu* – modifies the deprivation of sacramental grace or the Eucharist which penitents unable to signify their reconciliation to God and their brothers and sisters with either the first or second sacramental form might innocently suffer if they were denied the opportunity to participate in a celebration of general absolution. Deliberately left unencumbered of any elaboration or qualification,[109] this term likewise invites a relative interpretation by competent authority, in accordance with the wisdom of experience and knowledge belonging to the entire local faith community.[110]

Notwithstanding a somewhat unconvincing connection to the situation it is meant to enlighten, the example designed to illustrate a case which does not qualify for a judgement in favour of general absolution emerges as a key part of the deliberate effort by the legislator, given the recent appeals for a more broadly based discipline, to confirm and strengthen the policy favoured by the Church's central teaching authority that sought to restrict pastoral options for the legitimate application of the third ritual form of reconciliation.[111] Consequently, the text serves both to emphasize for competent authority the truly exceptional nature of the circumstances which precipitate this

---

observances'." See also sections 4.2.1 and 4.2.2 of this dissertation for comments on the expectations which the *OP* places upon the presiding minister and penitents.

[109] See the comments in section 5.1.2.6 of this dissertation and also Zalba, "Normas sobre el valor y la licitud de la absolución general," p. 243. Huels, *Disputed Questions in the Liturgy Today*, p. 79, states "it is not possible, without arbitrariness, to establish an absolute standard that applies to all persons and situations."

[110] McManus, *CLSA Commentary*, p. 679; McAreavey, "The Sacrament of Penance," p. 526; Huels, *Disputed Questions in the Liturgy Today*, p. 79; O'Hara, "Penance and Canon Law," footnote 12 on p. 252; Green, "Reflections on the Revised Code," p. 371 and see the discussion in Zalba, "Normas sobre el valor y la licitud de la absolución general," pp. 243-245.

[111] Given its original circumstances (see section 3.4.2 of this dissertation), the example at that time perhaps understandably judged the issue without benefit of a fuller, modern appreciation of the relationships existing between the various components comprising the approved definition of grave necessity. See Dallen, *The Reconciling Community*, p. 404 and Green, "Reflections on the Revised Code," p. 367.

sacramental mode and to underline the stipulation that all the required conditions be present simultaneously before judging the exercise of general absolution appropriate for the spiritual benefit of Christ's faithful.[112]

The restrictive approach towards this form of the sacrament may also be identified in the canonical elements belonging to c. 961 §2, the first of which is the set of criteria intended to help diocesan bishops in the prior determination of possible cases of grave necessity applicable in their own territory.[113] With its proximate and underlying motivation the deep concern over the exceeding of existing norms to the detriment of private, auricular confession consistently shown in diverse contexts by competent sectors of the Church's teaching authority and recalled by certain delegates to the 1983 Synod of Bishops, the composition of this guide finds justification in the perceived need to foster some sense of regional harmony in decision making with respect to general absolution, always mindful, however, of local factors which might impinge upon the pastoral ministry.[114] Consequently, whilst commentators admit that the diocesan bishop owns the last word, the text also elevates the position and influence exercised by the conference of bishops in this matter.[115]

As a permanent institution in the life and mission of the Church, the conference of bishops is charged with exercising together certain pastoral offices for the Christian faithful of a country or territory by forms and means of apostolate suited to the circumstances of time and place, in order to promote that greater good which the Church offers to all people.[116] In effect, therefore, c. 961 §2 serves to accommodate a specific application of this duty otherwise described in general terms. Accordingly, conferences

---

[112] See the comments of Huels, *Disputed Questions in the Liturgy Today*, pp. 80-81.

[113] *Communicationes*, 28 (1996), p. 179 and see Green, "Reflections on the Revised Code," p. 369, where the author compares this text against the role of the diocesan bishop in formulating norms about the grave necessity that warrants sacramental sharing with Christians not in full communion with the Catholic Church specified by c. 844 §5.

[114] See McManus, *CLSA Commentary*, p. 679; Fernández, *The Father's Forgiveness: Rethinking the Sacrament of Reconciliation*, p. 74; Örsy, "General Absolution: New Law, Old Traditions, Some Questions," p. 679 and McAreavey, "The Sacrament of Penance," p. 526.

[115] See for example Huels, *Disputed Questions in the Liturgy Today*, p. 82 and García, "General Absolution in the New Codex," p. 578.

[116] See c. 447, which reflects the first paragraph of *CD* 38.

of bishops must constantly strive to direct their Churches in conformity with norms they have first clearly and firmly decided so that any scandal caused by a wide divergence of pastoral practice might be avoided.[117]

6.3.3 TOWARDS A CANON IN HARMONY WITH ESTABLISHED THEOLOGICAL VALUES

Among the provisions in an early medieval canonical collection lies an intriguing though obscure regulation stating:

> And since we are hindered by diverse necessity, to fully observe the canonical statutes with relation to reconciling penitents: it is not on this account to be altogether abandoned. Let each presbyter take care immediately after learning the confession of penitents, that they be severally reconciled with the given prayer. Indeed let communion and reconciliation be offered to the dying without delay.[118]

Extant documentary sources provide compelling evidence that several local Church councils convened on continental Europe in the historical period contemporary with the genesis of this text solemnly addressed in part the disturbing state of penitential discipline provoked by the quite disorderly interaction between the rarely practised ancient public reconciliation and the novel system of repeatable, tariffed penance spread by missionaries of Irish and British extraction.[119] Given this context, and mindful that the interpretation

---

[117] Pope John Paul II, Discourse to the plenary session of the Congregation for the Sacraments, 17 April 1986, p. 12. Numerous conferences of bishops have composed criteria in some form as a response to the provisions of c. 961 §2. Those published until about 1989 have been tabulated by J.T. Martín de Agar in *Legislazione delle conferenze episcopali complementare al C.I.C.*, Milano, A. Giuffrè editore, 1990, in the language of origin under the respective country or territory. The same author also summarizes and discusses these criteria on a thematic basis in an article entitled "Note sul diritto particolare delle conferenze episcopali," in *Ius Ecclesiæ*, 2 (1990), pp. 616-619. The criteria established for Ireland and the Philippines may also be found in *CLD*, 11 (1983-1985), pp. 238-242; the latter are further reprinted in García, "General Absolution in the New Codex," pp. 575-576. The guidelines for Canada may be found in the first appendix to this dissertation.

[118] "The So-Called Constitutions of St Boniface," no. xxxi, in *Mansi* XII, 386. The Latin text reads: "Et quia varia necessitate præpedimur, canonum statuta de reconciliandis poenitentibus pleniter observare: propterea omnino non dimittatur. Curet unusquisque presbyter statim post acceptam confessionem poenitentium, singulos data oratione reconciliari. Morientibus vero sine cunctamine communio & reconciliatio præbeatur." McNeil and Gamer, *Medieval Handbooks of Penance*, p. 398, note that the document can be ascribed with some probability to a Bavarian synod of the period 800-840, though in its complete form may be dated no earlier than 813.

[119] See the discussion in Watkins, *A History of Penance* II, pp. 701-712, who provides several examples, as do McNeil and Gamer, *Medieval Handbooks of Penance*, pp. 399-403. Responses varied

of such texts remains a perilous activity, this passage suggests an effort by ecclesiastical authority to combine certain elements of both systems so that, by maintaining a strand of continuity through deep reverence for the invaluable benefits available from the familiar discipline, the local community might look forward to celebrate the God of mercy and forgiveness at work in them with a mode that appeared relevant and credible to their various circumstances and needs at the present and in the future.[120]

With the eyes of Christian faithful turned expectantly towards him, Pope John Paul II cared to reiterate with a positive, confident attitude his own consistent pastoral strategy for a general and enduring renewal in the practice of sacramental reconciliation.[121] As his principal collaborators in this enterprise, "it remains the obligation of pastors," the Pope stated, "to facilitate for the faithful the practice of integral and individual confession of sins."[122] Besides the primary intention of this strategy that, striving to overcome such negative influences as an apathetic formality and routine in celebration, the greatest possible number of faithful might participate in the

---

from the sober and egalitarian recommendations enacted at the Council of Reims (813) to the eloquent and rather inflammatory conclusions drawn by the Council of Paris (829).

[120] In particular, the modification seems to retain the value of appropriate penitential works, but borne at another time and probably in different forms. It also appears penitents were required to make known their sinfulness – although the function of presider transferred to presbyters – and reconciliation was still celebrated together as in the ancient system. At the same time, the special consideration shown for those in danger of death was carefully reinforced.

[121] Summarized in *Reconciliatio et pœnitentia* 12, pp. 207-208, and elaborated throughout the document, elements inherent to this strategy include prayer, proclaiming and expounding Sacred Scripture, thematic catechesis in its multiple forms, the example of lives modelled on Christ and devout, proper celebration of the sacraments, including the diligent, regular, patient and fervent exercise by priests of the sacred ministry of penance.

[122] *Reconciliatio et pœnitentia* 33, p. 271. According to Pope John Paul, this obligation was balanced by the corresponding right of the faithful to such confession. The solemn nature of the obligation is emphasised by the Pope's characterisation of the right as inviolable and inalienable. The Latin text reads in full: "Pastores officio astringuntur usum confessionis integræ et singularis peccatorum faciliorem reddendi fidelibus, quæ iis non est solum obligatio, verum etiam ius, quod violari et auferri non potest, præterquam quod est animæ necessitas." English trans. in *Origins*, 14 (1984-1985), p. 454. This idea is also contained in a letter from the then Archbishop Pio Laghi, Apostolic Pro-Nuncio to the United States of America, to Bishop J.W. Malone, then president of the National Conference of Catholic Bishops, dated 19 September 1984. The text of this letter may be found in *CLD*, 11 (1983-1985), pp. 243-244. For an example of a pastor who responded to the Pope's call, see the pastoral letter of Archbishop (later Cardinal) R. Mahony of Los Angeles, dated 2 February 1986, in *L'Osservatore Romano*, weekly ed. in English, 8 September 1986, especially p. 11.

practice of the sacrament,[123] there appears a deeper, generic hope that development of pastoral conditions more conducive to individual forms of celebration would collaterally ease the pressure for penitential services with general confession and absolution. Although Pope John Paul studiously avoids the strident style of commentary favoured by some authors,[124] the combination of this plan with the restrictive approach which gathered momentum during the preparation of the canons regulating the third rite led him to consider this form as a last resort for faithful to celebrate God's gift of reconciliation in the sacramental life of their community.[125]

This trajectory in thinking on general absolution had a significant repercussion for the interpretation of grave necessity. Working more or less exclusively from an isolated, hypothetical event in which the lawful sacramental ministers available at a certain time and place are numerically overwhelmed by the assembly of penitents, some authors advance the idea that unless the factor of urgency is either presumed or established, any exercise of the third form of reconciliation in such circumstances must be regarded as illicit.[126] The solution offered to those penitents who have responded to the Church's call and gathered as a community in faith for worship – that the reality of reconciliation and/or communion with God and their brothers and sisters they know and desire to experience liturgically need not be shown in an ecclesial setting at that time or even on the same day – questions both the meaning and purpose of the faithful assembled and the supreme value of such assembly communicating together as a sign of their unity and

---

[123] *Reconciliatio et pœnitentia* 28, 31, VI and 32 on pp. 252, 266 and 269 respectively.

[124] See for example García, "General Absolution in the New Codex," p. 466 and again on p. 572 and, to a lesser extent, Rincón, "Title IV – The Sacrament of Penance," pp. 611-612.

[125] Evident from both the content and literary tone of *Reconciliatio et pœnitentia* 33, pp. 269-271, and restated in the discourse to the plenary session of the Congregation for the Sacraments on 17 April 1986, p. 12, since the Pope noted that in spite of precise canonical directives, cases of abuse continued to arise in many particular Churches.

[126] Rincón, "Title IV – The Sacrament of Penance," pp. 611-612; Woestman, *Sacraments*, pp. 217-218; García, "General Absolution in the New Codex," pp. 573-575 and Martín de Agar, "La celebración del sacramento de la penitencia: aspectos canónicos," pp. 10-11, citing Cardinal J. Ratzinger and the response of the SCDF dated 20 January 1978. The scenario envisaged in their examples assumes a general pastoral situation in which the provisions of c. 986 §1 can be fulfilled. Although it might be argued that urgency is inherent to the meaning of *gravis*, the adjective *urgens* was used specifically to qualify the necessity mentioned in the 1944 Instruction *Ut dubia*. It does not appear either in the 1972 Pastoral Norms, the 1974 *OP* or c. 961 §1, 2° of *CIC 83*.

witness to Christ.[127] Neglecting these elements at the expense of reinforcing a certain procedure and its theoretical background appears to give ritual priority over people, contradict the principle of subsidiarity and the relevance of local conditions acknowledged elsewhere in the Code, and illustrate only minor acquaintance and appreciation of the Eucharistic and communal values of reconciliation.[128]

The contrary opinion about urgency as elemental to the definition of grave necessity might prescind from the corresponding text concerned with situations qualifying as danger of death. Described only in general terms and lacking any priority over its companion in law, the many circumstances addressed by this formula have consistently indicated urgency as a non-essential factor in the process for discerning the appropriate liturgical option. Similarly, the complex of relations between the different aspects which together lead competent authority to a positive conclusion about the presence of a grave necessity, whilst demanding a comprehensive and rapid though considered response, may be associated with a case where spiritual hardship is not created by an emergency situation.[129] In circumstances of this kind the minister, together with some faithful representing the whole community, might plan a penitential ceremony with general confession and absolution which plumbs the mystery of divine reconciling activity in the lived experience of all members, thus forming the assembly itself into a reflection of "the manner in which God chooses to be present perceptibly in human society and history."[130] The search for an understanding of grave necessity which embraces in full measure the diverse pastoral conditions both concrete or latent throughout the entire Church may permit for many faithful a greater sacramental

---

[127] Especially when the law already permits the postponement of an individual, auricular accusation for those present conscious of grave sinfulness which, as cc. 962 and 963 provide, must be made as soon as possible when the opportunity occurs.

[128] It also seems to understand the Christian life as an essentially atomised existence, so that the assembly consists of "a congregation of individuals united by professing faith in the same terms and by receiving sacraments in the same way." See Dallen, "Reconciliatio et pænitentia: The Postsynodal Apostolic Exhortation," p. 115.

[129] This opinion is held by Green, "Reflections on the Revised Code," p. 370; McManus, *CLSA Commentary*, p. 679 and Huels, *Disputed Questions in the Liturgy Today*, p. 76 and again on p. 82 where the author also gives some examples.

[130] Dallen, "Reconciliatio et pænitentia: The Postsynodal Apostolic Exhortation," p. 115.

participation, a stronger sense of individual and communal responsibility, and bring a deeper realization to the meaning and potential of their membership in the Church.[131] Applied in this context, general confession and absolution can engage the theological values of reconciliation by providing a communal liturgy for celebrating in an ecclesial and sacramental setting the personal conversion and peace experienced among the members so that, fully prepared as a community for sharing in the Eucharist, they can move forward together, nourished and renewed, along the pilgrim journey to the Father.

A further significant repercussion of Pope John Paul's approach to general absolution emerges in relation to the decision required of the diocesan bishop, who "will give this judgement with a grave obligation on his own conscience, with full respect for the law and practice of the Church and also taking into account the criteria and guidelines agreed upon ... with the other members of the Episcopal conference."[132] A logical extension of the norms and clarifications previously issued by the Church's central teaching authority, and quoted verbatim in several commentaries,[133] this statement seems to increase the pressure upon competent authority for a conservative uniformity in

---

[131] See the comments in Fernández, *The Father's Forgiveness: Rethinking the Sacrament of Reconciliation*, p. 78; R. Falsini, *La penitenza: commento al rito e schemi di catechesi*, Milano, Edizioni OR, 1990, pp. 51-52 and Arnold, *The Quality of Mercy: A Fresh Look at the Sacrament of Reconciliation*, p. 101. Working from the principle of justice, the regular exercise of the third rite in cases of non-urgent grave necessity also represents an appropriate pastoral policy to assist faithful comply with the Church's request to celebrate the sacrament on a frequent basis. Alternatively, communities rarely visited by priests, for example, could celebrate the ritual given by the *OP* in stages, including the subsequent individual accusation of sin (either through canonical obligation or for other purposes), carefully spaced to emphasize the process dimension inherent to the penitential life of Christian faithful and provide the framework whereby the maximum spiritual benefit might be obtained.

[132] *Reconciliatio et pœnitentia* 33, p. 270. The Pope added that any criteria must be formulated on the basis of the doctrinal and pastoral considerations he had explained earlier in the document. The full Latin text reads: "Episcopus ergo ... hoc iudicium faciet *graviter onerata conscientia* pleneque observata lege et praxi Ecclesiæ necnon ratione habita criteriorum et mentium directionis, de quibus – innixis quidem in considerationibus doctrinalibus et pastoralibus, quæ supra sunt expositæ – cum ceteris membris Conferentiæ Episcopalis convenerit."

[133] Examples include Rincón, "Title IV – The Sacrament of Penance," p. 612; García, "General Absolution in the New Codex," p. 577; Chiappetta, *Il Codice di diritto canonico*, vol. 2, p. 100; Stetson, "Titulus IV: De sacramento pœnitentiæ," p. 767 and Zalba, "Normas sobre el valor y la licitud de la absolución general," p. 253, who also notes the difficulties involved in forming this judgement.

decision making yet simultaneously forces that same authority to adopt a more direct style in determining cases for the lawful exercise of the third rite.[134]

The factor proposed by some commentators for reconciling these two enigmatic aspects was the apparent elimination of any part for presbyters in lawfully discerning the need for general absolution in unforeseen cases with or without prior recourse to the diocesan bishop. The 1972 Pastoral Norms and the 1974 *OP* had both provided priests (*presbyteroi*), and in the latter document, especially parish priests, with the capacity to impart sacramental absolution to many at one time when some other serious need arose.[135] With the exclusion of this provision during the process for the revision of the Code because it appeared to be an "almost open invitation for priests to give general absolution" so that the norms "were often misinterpreted or applied incorrectly" and, therefore, the corresponding withdrawal of the competency previously acknowledged to the local Ordinary,[136] the bishops as a conference were jointly invested by law and doctrine with the task to provide guidelines and structures which effectively reduced the possibility of abuses at a regional level whilst each diocesan bishop, as the moderator of penitential discipline in his own territory, mindful of such criteria was expected, with deep awareness of local factors, to give intimate and personal scrutiny to each extant or possible case.[137]

---

[134] McAreavey, "The Sacrament of Penance," states on p. 526 that the tone of c. 961 §2 "strongly suggests that the bishop should assess each situation individually, rather than lay down general rules," whereas Rincón, "Title IV – The Sacrament of Penance," p. 612, concludes that "the indiscriminate and unjustified use of general absolution is therefore deprived of all legal foundation."

[135] Norm V and nos. 32 and 40c respectively. In the case of parish priests, this capacity may be derived from c. 528 §2. Both norm V and *OP* 32 listed the local Ordinary as the competent official for prior recourse, whereas *OP* 40c provided that when such recourse proved impossible, the minister who imparted general absolution had to subsequently notify the diocesan bishop.

[136] The first citation is from Woestman, *Sacraments*, p. 220, the second from Rincón, "Title IV – The Sacrament of Penance," p. 611 and see also O'Hara, "Penance and Canon Law," p. 243.

[137] The diocesan bishop thereby required sufficient understanding and information not only to collaborate meaningfully in the preparation and maintenance of a national or regional policy for general absolution but also to assume or absorb a role properly exercised by one with a stable presence and immediate availability who at the same time had the opportunity for regular and widespread consultation among the faithful he served. The danger thus emerges that a diocesan bishop may adopt the policy to simply prohibit the application of general absolution within his particular Church.

Given the difficulty of this complex and delicate task, together with the degree of prescience it seems to require, one alternative explanation, grounded in the evangelical dignity of his office and which more or less mitigated this exclusive approach, allowed the diocesan bishop a competency to determine the specific cases whereby general confession and absolution could be lawfully exercised in his territory, not only in keeping with the criteria formulated by the conference of bishops, but also when no criteria have been composed and even beyond any such criteria if he is convinced by sufficiently serious reasons.[138] Similarly, presbyters may be extended some part in discerning cases of grave necessity, when altogether rare and exceptional circumstances require them to make a decision guided by the principles of moral theology for the spiritual welfare of the faithful.[139] Finally, it would seem that the diocesan bishop also has the prerogative, using the provisions of c. 134 §3, to share the burden in judging these cases through a special mandate delegated to his vicar(s) general and/or episcopal vicar(s).[140] As the canon stands, therefore, general absolution is not a form of reconciliation to be greeted with suspicion and reserve, so that the law suffers from an arbitrariness of interpretation, but one which must be applied properly by competent authority as a complement to the rites

---

[138] García, "General Absolution in the New Codex," pp. 577-578; Cuschieri, *The Sacrament of Reconciliation: A Theological and Canonical Treatise*, p. 203 and Huels, *Disputed Questions in the Liturgy Today*, p. 82, following J. Manzanares, "De absolutione sacramentali generali in casu gravis necessitatis considerationes," in *Periodica*, 76 (1987), pp. 143-144.

[139] McAreavey, "The Sacrament of Penance," p. 526; McManus, *CLSA Commentary*, p. 678; Green, "Reflections on the Revised Code," pp. 369-370 and Woestman, *Sacraments*, p. 220, who notes that following the ceremony of general absolution, "the diocesan bishop should be informed since he is primarily responsible for the care of souls and the celebration of the liturgy." It seems that in accordance with c. 137 §1 the diocesan bishop could delegate the task of receiving this information, effectively restoring to some extent the role granted the local Ordinary by the 1972 Pastoral Norms.

[140] The contrary opinion in no. 4 of Archbishop Pio Laghi's letter to Bishop Malone is noted but does not appear to be sustainable without an official interpretation. An interesting permutation on this question may be found in some guidelines for the use of general absolution issued by Archbishop B.J. Hickey of Perth, Western Australia, on 17 December 1991. Rather than determine a list of cases himself, he provided that "on each occasion that the need for the third rite appears to be present, the priest is to contact the archbishop or his vicars general for permission. It is up to the bishop of the diocese to make the judgement as to whether the necessary conditions are fulfilled or not. Should contact be impossible, the priest is to inform the archbishop after the event of the action taken." These guidelines are included as the second appendix to this dissertation.

with individual, auricular confession, thereby enabling all Christ's faithful to express with joy in an ecclesial context the mystery of God's forgiveness and peace.[141]

Designed to reflect the reticence embodied in Latin Church legislation toward the practice of general absolution,[142] the parallel texts in the *Code of Canons of the Eastern Churches* nevertheless employ an asymmetrical mix of traditional and modern perspectives which, as c. 720 §§2 and 3, together produce some interesting variants for examination:

> §2. Absolution to several penitents at the same time without previous individual confession by general mode cannot be imparted, unless:
>
> 1° danger of death threatens and time is not sufficient for ministering the sacrament of penance by the priest or priests to individual penitents;
>
> 2° grave necessity exists, namely if having given heed to the number of penitents a supply of priests is not at hand for ministering the sacrament of penance to individual penitents within a suitable time so, that without personal fault they are forced a long time to be without the grace of the sacrament or reception of the Divine Eucharist; the necessity is not truly judged sufficing, when confessors are not able to be at hand by reason of only a great throng of penitents, such as can be had during some great solemnity or pilgrimage.
>
> §3. To decide whether such a grave necessity might be reckoned, the eparchial bishop is competent, who when he has consulted with the patriarchs and eparchial bishops of the other Churches *sui iuris* exercising power in the same territory can determine certainly with general prescriptions such cases of necessity.[143]

---

[141] This conclusion might be adequately reflected in the canon by redrafting the introductory formula in a more positive tone.

[142] V.J. Pospishil, *Eastern Catholic Church Law*, rev. and augmented ed., Staten Island, NY, Saint Maron Publications, 1996, p. 409.

[143] "§2. Absolutio pluribus simul pænitentibus sine prævia individuali confessione generali modo impertiri non potest, nisi:

1° imminet periculum mortis et tempus non suppetit sacerdoti vel sacerdotibus ad ministrandum sacramentum pænitentiæ singulis pænitentibus;

2° est gravis necessitas, videlicet si attento pænitentium numero sacerdotum copia præsto non est ad ministrandum singulis pænitentibus sacramentum pænitentiæ intra congruum tempus ita, ut sine propria culpa gratia sacramentali aut susceptione Divinæ Eucharistiæ diu carere cogantur; necessitas vero non censetur sufficiens, cum confessarii præsto esse non possunt ratione solius magni concursus pænitentium, quali haberi potest in magna aliqua sollemnitate aut peregrinatione.

§3. Decernere, num detur talis gravis necessitas, competit Episcopo eparchiali, qui collatis consiliis cum Patriarchis et Episcopis eparchialibus aliarum Ecclesiarum sui iuris in eodem territorio potestatem suam exercentibus casus talis necessitatis etiam generalibus præscriptis determinare potest."

From a purely grammatical viewpoint, the substitution of the subjunctive present with indicative forms for the verbs introducing the situations when general absolution may be lawfully imparted appears to reiterate the view that any cases of a premeditated or experimental character are beyond the parameters of the law.[144] Along with their parallel circumstantial elements, the common use of this open, straightforward construction style may clarify the intention of the legislator to address both unforeseen and established situations whilst excluding competent authority from obviating the approved conditions.

Although essentially a product of terminological standardization, one modern perspective, incorporated into §2 to describe the sacramental action of the priest, emerges in the employment of the more comprehensive phrase *ad ministrandum sacramentum pœnitentiæ singulis pœnitentibus* rather than the incomplete, albeit popular term *ad audiendas singulorum [pœnitentium] confessiones*. The substitute text seems to offer a clearer impression than the Latin Code of the priest's role – especially his function as a presiding minister – which the *OP* requires in whatever sacramental form reconciliation of the penitents is celebrated. This may also justify the change from *confessariorum* to *sacerdotum* and elimination of the adverb *rite* from the first part of §2, 2° in the promulgated text.[145]

Without prejudice to the distinct structures of authority exercised in the Eastern Churches, one traditional perspective, included in §3 to specify the consultation expected of the eparchial bishop and his capacity to issue regulations with respect to cases of grave necessity, returns in the text *qui collatis consiliis cum ... generalibus præscriptis determinare potest*. Consequently, this phrase grants to the eparchial bishop a degree of autonomy deliberately withdrawn from the corresponding official in the Latin Church during the revision process for *CIC 83*, suggesting the need for some further reflection on an apparent imbalance between the two laws.

With the exception of the relevant numbers in the *OP*, the sources provided for these paragraphs are essentially the same as those listed in *CIC 83*. The strikingly terse text initially proposed, which may be found in *Nuntia*, no. 6 (1978), p. 61, was subsequently expanded and developed according to the text of the Latin Code. See *Nuntia*, no. 15 (1982), p. 36; nos 24-25 (1987), p. 133 and no. 28 (1989), p. 94 where the example was eventually added to §2, 2°.

[144] See *Nuntia*, no. 21 (1985), p. 71.

[145] See ibid., pp. 74 and 75.

6.4 CANON 962: DISPOSITION AND INSTRUCTION OF THE FAITHFUL

As the fruit of the redemptive event of the Lord Jesus Christ, whose life, death and resurrection definitively re-established the covenant with God and broke down the divisions which sin had raised up between people, reconciliation becomes the hope and reality characteristic of Christian living when the dispositions proper to its sacramental celebration are first embraced, nurtured and renewed by faithful who, having welcomed the Holy Spirit dwelling in power within them, willingly strive to accomplish all that is possible for the restoration and upbuilding of communion and peace in the full spectrum of their relationships with God, each other and the whole created order.[146] Given the fundamental place and responsibility of the Church to enkindle in every member the positive guidance of a remote and proximate formation including prayer, example and love which challenges and helps them express in life and worship their experience of a true and dynamic conversion, this canon provides:

> §1. For a member of Christ's faithful to benefit validly from a sacramental absolution given to a number of people simultaneously, it is required not only that he or she be properly disposed, but also that he or she be at the same time personally resolved to confess in due time each of the grave sins which cannot for the moment be [so] confessed.
>
> §2. Christ's faithful are to be instructed about the requirements set out in §1, as far as possible even on the occasion of general absolution being received. An exhortation that each person should make an act of contrition is to precede a general absolution, even in the case of danger of death if there is time.[147]

---

[146] See *Reconciliatio et pœnitentia* 7, 8 and 13 on pp. 200, 201 and 209-210 for the ideas from which these comments are composed.

[147] "§1. Ut christifidelis sacramentali absolutione una simul pluribus data valide fruatur, requiritur non tantum ut sit apte dispositus, sed ut insimul sibi proponat singillatim debito tempore confiteri peccata gravia, quæ in præsens ita confiteri nequit.

§2. Christifideles, quantum fieri potest etiam occasione absolutionis generalis recipiendæ, de requisitis ad normam §1 edoceantur et absolutioni generali, in casu quoque periculi mortis, si tempus suppetat, præmittatur exhortatio ut actum contritionis quisque elicere curet."

Since the translation cited omits an English equivalent for the word *ita*, it has been added in square brackets. The sources given for the first paragraph are the decree of the Sacred Apostolic Penitentiary dated 30 August 1939, the response of the said dicastery dated 10 December 1940 and art. 4 of its instruction *Ut dubia* issued 25 March 1944, norm VI of the 1972 Pastoral Norms, and *OP* 33. For the second paragraph, art. 5 of the 1944 Instruction, norm VIII of the Pastoral Norms and *OP* 33 are listed as the relevant sources.

Drafted in the form of straightforward legal statements, one a disqualifying positive ecclesiastical law and the other a policy on catechesis, c. 962 draws on certain elements of doctrine to present some important canonical obligations with significant ramifications for the pastoral ministry.

6.4.1 DOCTRINAL FOUNDATIONS

The specific vocation to evoke and foster the spirit and experience of conversion and penance through mutual, unconditional love in the hearts of one another and enter ever more deeply into the mystery of justification which defines every member of Christ's body seeks concrete expression in the personal acts which together comprise an integrated, effective liturgical celebration of reconciliation. In fidelity to this calling, canon law specifies the dispositions proper to penitents so that the intervention by which the Church authenticates conversion may be exercised with the cooperation and for the benefit of the entire faith community.[148] Since, in the interpretation currently proposed by the Church's central teaching authority, all who approach the sacrament must, for validity, intend stating privately to a lawful minister each grave sin remembered after a careful examination of conscience, c. 962 §1 explicitly mentions this resolution to complete the pattern for faithful who participate in a rite of reconciliation with general confession and absolution.[149] Two opinions may be recorded concerning the doctrinal foundation of this matter.

One probability vindicates the intention on the basis of divine law and proceeds from the notion that a clear and comprehensive statement of grave sin forms part of a sacramental sign somehow instituted by Christ on the day of his resurrection.[150]

---

[148] The dispositions consist of a wholehearted, inner conversion to God which embraces sorrow for sin and the intent to live a new life. They are briefly described in c. 987, recalling *OP* 6.

[149] The understanding assumes that a penitent is prepared and willing to make such a statement whether or not it is morally or physically possible, thereby indicating a common standard for all the faithful.

[150] See the comments of Pope John Paul in *Reconciliatio et pœnitentia* 29 and 33, pp. 252-253 and 269-270, together with his subsequent allocution at the Sunday Angelus on 9 March 1986 in *Insegnamenti di Giovanni Paolo II*, IX, part 1 (1986), pp. 644-645 and his discourse to the plenary session of the Congregation for the Sacraments, p. 12. An English trans. for the allocution may be found in

Regarded by Pope John Paul II as one of the most awe-inspiring innovations of the Gospel and consequently beyond dispensation of any element deemed fundamental to its essence, this gift the risen Lord entrusted to the Church requires the protection built into this canon to safeguard a right which reflects the unique subjectivity of each individual and the personal relationship the Good Shepherd desires to nourish with those he calls by name.[151]

Alternatively, the intention may be explained from the perspective of ecclesiastical law. Grounded in the responsibility of the Church actualised in the variety of ministries that together provide for the growth of the members from the treasury of spiritual riches with which the community of faith has been blessed, the canon communicates a disciplinary norm enabling penitents to subsequently receive the pastoral care appropriate to their needs, either in the mode of personalized guidance or perhaps a special form of satisfaction, at the same time recognizing the function of the minister to judge and heal the converted and reconciled sinner.[152]

Since the intention of the penitent to celebrate reconciliation in a sacramental context is altogether meaningless without having experienced a process of conversion in his or her life, and mindful of the dominant, contrasting attitudes in psychology and social behaviour present in the modern world,[153] c. 962 §2 specifies the complementary

---

L'Osservatore Romano, weekly ed. in English, 11 March 1986, p. 4. In these texts the Pope relies exclusively on a quite literal exegesis of Jn 20:22-23. A similar approach may be observed in the comments of McNamara, "Penance: Sacrament of Reconciliation," pp. 5, 6-7.

[151] See Pope John Paul's discourse to the plenary session of the Congregation for the Sacraments, p. 12 and the conclusion of Stetson, "Titulus IV: De sacramento pænitentiæ," p. 768. Accordingly the Pope emphasizes in *Reconciliatio et pœnitentia* 33, p. 271, that all the norms regulating general absolution must be followed, including the requirement for a subsequent individual confession.

[152] See the discussion in Woestman, *Sacraments*, pp. 221-222 and Dallen, *The Reconciling Community*, pp. 382-384 and the opinion of Fernández, *The Father's Forgiveness: Rethinking the Sacrament of Reconciliation*, p. 20, influenced by his observations on pp. 27-28 that using images like doctor and judge to justify private, verbal confession of grave sin seems an appeal to non-existing functions in order to impose a grave obligation. See also the comments of Humphreys, "Thoughts on Penance," pp. 745-746.

[153] See *Reconciliatio et pœnitentia* 26, pp. 243 and 244, where without the benefit of supporting evidence Pope John Paul claims that "contemporary human persons seem to find it harder than ever to recognize their own mistakes and to decide to retrace their steps and begin again after changing course. They seem very reluctant to say 'I repent' or 'I am sorry'." The Latin text reads: "Homo enim nostri temporis videtur ægris ac difficilius quam alias agnoscere posse suos errore statuereque retrogradi ut viam repetat, supriore itinere correcto; videtur admodum nolle ipse dicere: «pænitet me» vel «doleo»."

types of instruction – formal catechesis, homilies and exhortations – which those entrusted with an educative function in the faith community should provide in order that the penitential dispositions of all the members may be brought to a suitable maturity.[154] In this way, the second paragraph reflects the belief that the Church is the "pillar and bulwark of the truth," placed in the world as mother and teacher with the task of teaching the truth that constitutes a path of life.[155]

6.4.2 CANONICAL ELEMENTS

Notwithstanding the presumption in law which favours the intrinsic validity of an act or the capacity of a person to perform a particular act, c. 962 §1 joins a specific intention hidden in the heart of a penitent, as a condition *sine qua non*, to the benefit that person – otherwise properly disposed – might validly derive from a celebration of general sacramental confession and absolution.[156] Since it is required that faithful carefully observe all the conditions which regulate the exercise of the third rite of reconciliation, a penitent without the required intention apparently lacks the capacity stipulated in the paragraph and places an invalid act.[157] The element of validity thus illustrates the deep

---

[154] The education of Christ's faithful embraces a very broad spectrum of persons and activity. According to c. 386 §1, "the diocesan bishop is bound to teach and illustrate to the faithful the truths of faith which are to be believed and applied to behaviour." In this task he is assisted by parish priests whom c. 528 §1 directs to see "that the lay members of Christ's faithful are instructed in the truths of faith, especially by means of the homily ... and by catechetical formation." A formative role is also affirmed of parents (c. 793 §1), schools (c. 796 §§1-2) and other lay faithful (c. 529 §2). Furthermore, given the understanding that the third rite of reconciliation has a particular relevance for mission territories and other groups of persons, catechists also have a part in this work, since c. 785 §1 states "they are to present the Gospel teaching and engage in liturgical worship."

[155] *Reconciliatio et pœnitentia* 26, p. 242. Consequently, Pope John Paul regards the context of catechesis as the area in which the Church has the mission of operating through dialogue. See also the comments of Gervais, "L'Exhortation apostolique «Reconciliatio et pœnitentia»," p. 208.

[156] The presumption is stated in c. 124 §2. Whilst c. 10 provides that "only those laws are to be considered invalidating or incapacitating which expressly prescribe that an act is null or that a person is incapable," validity can be expressed in perfectly positive terms, as exemplified in this instance.

[157] See the general commentary of E. Molano, "Title VII – Juridical Acts," in *Code of Canon Law Annotated*, p. 141; M. Thériault, "Titulus VII: De actibus iuridicis," in *Comentario exegético al Código derecho canónico*, vol. 1, p. 822, and the comments in the doctoral dissertation of J.E. Connell, *Invalidating and Incapacitating Laws in the Code of Canon Law*, Ottawa, Saint Paul University, 1994, p. 78, especially footnotes 77 and 78.

concern of the legislator to emphasize the seriousness of the penitent's obligation and the extraordinary character of the pastoral circumstances which provoke the exercise of general absolution.[158] This concern is reinforced by the inclusion of the phrase *debito tempore* that effectively adds a nuance to the intention by indicating in rather general terms the period within which the accusation of any grave sinfulness should subsequently be submitted privately to the minister in an individual, auricular confession.[159]

Consistent with similar injunctions contained in its immediate source documents, c. 962 §2 expresses the corresponding obligation which belongs to members of the faith community with canonically recognized responsibilities in the field of education and formation. Significantly, the paragraph strikes something of a balance between the various forms of instruction which together might satisfy this similarly serious ministerial endeavour. Like the first and second forms of sacramental reconciliation, the mode of general absolution requires the one who presides at the ceremony itself to assist and encourage participants in a way which ensures the integrity and effectiveness of the celebration. Consequently, the legislator insists on careful attention to this obligation so that faithful are not left uncertain or confused and the sacredness of the sacramental encounter is upheld and fostered.[160]

6.4.3 TOWARDS A CANON IN HARMONY WITH ESTABLISHED THEOLOGICAL VALUES

Among the many statutes promulgated to implement the initiatives of Lateran IV Council, Walter Gray, Archbishop of York, provided:

> And now lest presbyters suffer a complaint about the welfare of souls, let them not first speak a sermon concerning the tithe or other temporal things in confession, but let them carefully explain confessing just as one ought to confess, what is the fruit of penance,

---

[158] See McManus, *CLSA Commentary*, p. 679 and Green, "Reflections on the Revised Code," p. 371.

[159] Green, "Reflections on the Revised Code," p. 371. The "suitable time" is circumscribed generally by the obligation of c. 989 and more specifically by c. 963.

[160] *Reconciliatio et pœnitentia* 33, p. 271, interpreting the phrase *quantum fieri potest* in a superlative rather than a minimalistic sense.

> and when all has been completed then let them ask what they may owe to the Church about the tithe or other things.[161]

This medieval witness to the prominence of diocesan bishops in the writing and distributions of decrees and other materials for the assistance of clergy and laity simultaneously illustrates the significant benefit attributed to appropriate and accessible catechetical instruction for celebration of the sacraments. Consequently, this apparent widespread official revival of the concept that Christian faithful should be prepared for confession by means of homilies, systematic teaching and various types of ecclesial and popular literature given or explained beforehand ensured that religious education became a primary object of parish ministry.[162] These duties shouldered by the pastors of the Church of that day clearly resound with the catechetical elements of pastoral activity ascribed to their contemporaries in the modern world called to bring a similarly challenging context the peace which only God can give.

Notwithstanding the obvious necessity of the proper disposition for an authentic participation by faithful in the celebration of the sacrament, and the deep pastoral concern for the penitential discipline of the Church with which the legislator has approached the composition and elaboration of c. 962 §1, the requirement for validity of an intention to confess the grave sinfulness of which penitents assembled for a celebration of general absolution are conscious in a subsequent liturgy of reconciliation with private and auricular accusation of sin continued to arouse considerable debate among authors following promulgation of the new Code.[163] Without prejudice to some problematic aspects of the discussion such as the kind of intention required and the delicate nature of

---

[161] "Synodal Statutes for the Diocese of York, with Additions to 1306," no. 20, in F.M. Powicke and C.R. Cheney (eds), *Councils and Synods, with Other Documents Relating to the English Church, II, AD 1205-1313*, part I: *1205-1265*, Oxford, Clarendon Press, 1964, p. 489. The Latin text reads: "Ne autem presbyteri questum saluti preferent animarum, tractatum de decimis seu aliis temporalibus in confessionibus non premittant, sed diligenter exponant confitenti qualiter debeat confiteri, quisque sit fructus penitentie, ac expletis omnibus tunc petant que de decimis vel aliis ecclesie debentur."

[162] C.R. Cheney, *Medieval Texts and Studies*, Oxford, Clarendon Press, 1973, pp. 189-191.

[163] See for example Örsy, "General Absolution: New Law, Old Traditions, Some Questions," pp. 679 and 685, and subsequently in "The Sacrament of Penance: Problem Areas and Disputed Questions," p. 37 and Huels, *Disputed Questions in the Liturgy Today*, pp. 85-86.

the subject matter,[164] the most crucial question raised by this paragraph centres on the credibility of general confession and absolution as an approved ritual mode to fully effect sacramentally the reconciliation experienced by penitent Christian faithful with God and the Church.

The genesis of this question emerges in the apparent ambiguity of the text concerning the symbolic power of the celebration. Whereas some authors query the need to present already absolved sins in the context of a second, albeit different, sacramental mode,[165] another readily draws the conclusion that grave sins of which penitents are conscious at the time general absolution is imparted "have not yet been submitted to the power of the keys of the Church."[166] The danger in such conflicting opinions is the possible misunderstanding of a ceremony with general confession and absolution as an incomplete form of the sacrament,[167] a situation which not only significantly reduces the meaning and extent of the theological values of reconciliation properly reflected by this mode, but also illustrates that discussion circumscribed purely by canonical elements has no future and is essentially useless.[168] Rather than dwell on certain conditions which seem difficult to both interpret and observe,[169] progress may be achieved by shifting the

---

[164] Örsy elaborates on these issues somewhat in "General Absolution: New Law, Old Traditions, Some Questions," p. 679.

[165] See, for example, Huels, *Disputed Questions in the Liturgy Today*, p. 85; Dallen, *The Reconciling Community*, p. 382 and Örsy, "The Sacrament of Penance: Problem Areas and Disputed Questions," p. 37.

[166] Rincón, "Title IV – The Sacrament of Penance," p. 612, citing c. 988 §1. The fallacy of this interpretation is exposed by the content of c. 963 and *OP* 35b. Nevertheless, the addition of the phrase *neque in confessione individuali accusata* to the text of c. 988 §1 (essentially built from cc. 901-902 of *CIC 17*) is awkward and effectively disturbs the overall clarity of the new Code's presentation of sacramental penance.

[167] See the comments of Kim, *La penitenza: il sacramento della conversione e riconciliazione*, p. 156. The use of the term "unconfessed grave sins" in relation to the third form of the sacrament is a case in point. Perhaps the obligation should be rephrased to indicate that any grave sinfulness confessed generally must be mentioned to the minister when a subsequent celebration of the first or second sacramental form is possible.

[168] At particular risk are the Church's ability to intervene in the penitential journey of the faithful (ecclesial value) and the capacity of an assembly to truly signify conversion and reconciliation in an approved ritual (personal value).

[169] See for example Huels, *Disputed Questions in the Liturgy Today*, p. 86 and Örsy, "General Absolution: New Law, Old Traditions, Some Questions," p. 685, who concludes that attempts to explain

focus of the debate to community renewal through examination of the positive effects of the third form and how, when exercised properly, it can inculcate the theological values of reconciliation in the lives of Christian faithful. The text of c. 962 §2 provides the grounds and a rudimentary method to engage this proposal.

In order that the salvific mission proper to the Church may flourish, the dialogue meant to characterize its interaction with other Churches and ecclesial communities, political entities and various international organizations, as well as individual members and groups of the human family, must be based upon a sincere effort of permanent and renewed dialogue within the Catholic Church itself.[170] An element which endeavours to generate the active internal harmony and deeper communion in a context of mutual love and respect sought by this dialogue is religious education.[171] If the first way to address the spiritual needs of men and women in the modern world is the restoration of an authentic vision of the human condition, aided by a sound, biblically-inspired catechesis, attentive listening and openness to the Church's teaching authority, and the more careful preparation for and participation in the sacrament of penance,[172] the basic pastoral strategy enunciated by c. 962 §2 – perhaps sufficient in terms of the contemporary legal presentation – might profitably be deepened and expanded to further develop and intensify in faithful that maturity of being desired for each one by Christ.[173] The paragraph could then provide those responsible for the service of education, mindful of the diverse aspects from which an integrated, adaptable programme of instruction can be suitably composed, with a secure platform for a catechesis on the sacrament of reconciliation which fully recognizes the potential of the present liturgical framework of

---

this norm may only "introduce hairsplitting distinctions and unnecessary scruples and hesitations in both the priest and the penitent."

[170] *Reconciliatio et pœnitentia* 25, pp. 236-237, recalling *GS* 92.

[171] See Second Vatican Ecumenical Council, Declaration on Christian Education *Gravissimum educationis* 4 and 8 in Tanner, pp. 962-963 and 964-965 respectively.

[172] *Reconciliatio et pœnitentia* 18, p. 228.

[173] Pope John Paul provides a useful starting point in *Reconciliatio et pœnitentia* 26, pp. 242-248, although the section seems to lack the inspiration and innovation called for by the 1983 Synod of Bishops. See R. Moloney, "The Liturgy of Penance Reviewed," in *The Furrow*, 35 (1984), pp. 169-170, for some discussion on the need to improve understanding on community and social issues.

the third rite to express the active, complementary ministerial functions of a community assembled and symbolize in a meaningful way the living drama of salvation.

As if to confirm in part the observations presented in the preceding commentary, the corresponding text in the *Code of Canons of the Eastern Churches*, c. 721, states:

> §1. So that a member of the Christian faithful is able to enjoy sacramental absolution given to many together at the same time, it is required not only that he or she is properly disposed, but also at the same time intends to confess the grave sins one by one in due time, which for the moment he or she is not able to so confess.
>
> §2. Let the Christian faithful, in so far as it is possible to do, be instructed thoroughly about these requirements and moreover, also in the case of danger of death, be exhorted, that each one make an act of contrition.[174]

Without prejudice to the subtle changes in tone attributed to the textual standardization impressed upon the initial composition of this canon, it is a significant cause for reflection that the adverb *valide* does not appear in c. 721 §1.[175] Although the omission of this word may be justified with regard to the self-evident character of the disposition proper to every penitent,[176] its absence in terms of the intention to disclose any grave sinfulness in a subsequent celebration with private, auricular confession seems difficult to explain unless it assumes either that an incapacitating or invalidating law is not appropriate in this instance or that a clear, verbal statement of every grave sin cannot be

---

[174] "§1. Ut christifidelis sacramentali absolutione una simul pluribus data frui possit, requiritur non solum, ut sit rite dispositus, sed etiam ut simul sibi proponat singillatim debito tempore confiteri peccata gravia, quæ in præsens ita confiteri non potest.

§2. Christifideles, quatenus fieri potest, de his requisitis edoceantur et præterea, etiam in casu periculi mortis, exhortentur, ut actum contritionis unusquisque eliciat."

Other than *OP* 33, the sources listed for this canon are identical to *CIC 83* c. 962 §§1-2, with the exception that for *CCEO* c. 721 §1 norm VII of the 1972 Pastoral Norms is erroneously cited rather than norm VI. Originally §4 of what would become c. 720, §1 was separated during the final stages of revision and joined to a more tersely drafted form of *CIC 83* c. 962 §2 to make the final text of c. 721. The development of the canon may be followed in *Nuntia*, nos 6 (1978), pp. 61-62; 10 (1980), p. 28; 15 (1982), pp. 35-36; 24-25 (1987), p. 133 and 28 (1989), pp. 94-95. G. Nedungatt, *A Companion to the Eastern Code: For a New Translation of Codex Canonum Ecclesiarum Orientalium*, Kanonika, 5, Rome, Pontificio Instituto Orientale, 1994, p. 185, notes that the translation prepared under the auspices of The Canon Law Society of America includes the text " 'to precede general absolution, if time is available'. This is not in *CCEO* but is found in the corresponding *CIC* c 962 §2, which the translator obviously took over but did not rework."

[175] Surprisingly, neither the commentary of R. Metz, *Le nouveau droit des Églises orientales catholiques*, Paris, Les éditions du Cerf, 1997, p. 191, nor Pospishil, *Eastern Catholic Church Law*, p. 410, make note of this variant.

[176] Unlike *CIC 83*, there is no canon in *CCEO* which describes this disposition.

disputed as the exclusive and irreformable expression of integral confession.[177] Nevertheless, the greater responsibility which Vatican II Council conceded the faithful for their own spiritual lives which might be fostered by careful regard for the more straightforward presentation in §2 on education adds a complementary perspective that may illuminate any further reflection undertaken.

6.5 CANON 963: SATISFYING THE OBLIGATION FOR INDIVIDUAL CONFESSION AFTER GENERAL ABSOLUTION

Jesus Christ is our peace and reconciliation, sent as the unique liberator of humankind with power over sin and death to gather into one the scattered children of God. Led by his example, the Church intervenes with a ministry and witness in order to dialogue with individuals and communities in their particular circumstances of life and bring each person to firm possession of an authentic self-knowledge which enables them to live as a new people in the spirit and practice of reconciliation.[178] Since the verbal acknowledgement of grave sin is an effective expression or sign of sincere conversion,[179] c. 963 states that "without prejudice to the obligation mentioned in c. 989, a person whose grave sins are forgiven by a general absolution, is as soon as possible, when the opportunity occurs, to make an individual confession before receiving another general absolution, unless a just reason intervenes."[180] Logically and essentially related to c. 962,

---

[177] When applied to the opinions of some scholars, the first assumption removes needless burdens from presiding minister and penitents. In contrast, the second assumption retains the concept of validity; it would simply be unstated. In the latter case, perhaps some influence may be detected in the provision of c. 719, that those conscious of grave sin receive the sacrament of penance as soon as possible. The understanding of conversion and purificatory purpose upon which this regulation seems based appears at odds, however, with the description of the sacrament given by c. 718.

[178] See *Reconciliatio et pœnitentia*, 7, 9 and 13, pp. 199, 203 and 210 for the ideas from which these comments have been composed.

[179] *OP* 6b, which adds "the inner examination of heart and the outward accusation must be made in the light of God's mercy." The Latin text reads: "Hæc tamen intima cordis exquisitio et externa accusatio in lumine Dei misericordiæ fieri debent."

[180] "Firma manente obligatione de qua in c. 989, is, cui generali absolutione gravia peccata remittuntur, ad confessionem individualem quam primum, occasione data, accedat, antequam aliam recipiat absolutionem generalem, nisi iusta causa interveniat." The sources listed for this canon are the 1944 Instruction *Ut dubia* art. 4b; norm VII of the 1972 Pastoral Norms; *OP* 34 and the allocution given by Pope John Paul II on 30 January 1981.

this ecclesiastical law, designed in the form of a brief policy statement, communicates when the penitents affected should fulfil the intention specified therein.[181] Consequently, although it shares the doctrinal foundation elaborated for the preceding canon,[182] c. 963 contains additional elements of a canonical nature which serve as a preparation for the commentary that follows.

6.5.1 CANONICAL ELEMENTS

Introduced with a phrase confirming the fundamental precept which stipulates that faithful having attained the age of discretion confess their grave sinfulness at least once a year, the key to interpreting the distinct obligation addressed in c. 963 emerges in the term *occasione data*. It is clear from the pastoral circumstances which provoke exercise of the rite of reconciliation for several penitents with general confession and absolution that in certain cases faithful thereby absolved of grave sin may not have an opportunity for some time to make the verbal statement required of them in a private encounter with a lawful minister of the sacrament.[183] Given its residual character, this obligation can weigh upon the conscience of a penitent.[184] Consequently, the inclusion of this qualifying term not only provides a note of assurance to penitents but also a credible nuance to a regulation that otherwise might be regarded as an unrealistic aspect of sacramental discipline. At the same time, however, the presence of the adverb *quam primum* – which modifies *ad confessionem individualem ... accedat* – shows the serious nature of the matter by urging the prompt attention of penitents when an occasion to satisfy the obligation arises.[185]

---

[181] See McManus, *CLSA Commentary*, p. 680 and Green, "Reflections on the Revised Code," p. 371.

[182] Cuschieri, *The Sacrament of Reconciliation: A Theological and Canonical Treatise*, p. 206.

[183] Woestman, *Sacraments*, p. 225, who adds that as long as there is no opportunity the obligation is held in abeyance.

[184] See Rincón, "Title IV – The Sacrament of Penance," p. 613, supported by Stetson, "Titulus IV: De sacramento pænitentiæ," pp. 770-771.

[185] Rather than "as soon as possible after the celebration of general sacramental reconciliation" as stated by Pope John Paul in *Reconciliatio et pœnitentia* 33, p. 271 and McManus, *CLSA Commentary*,

Whilst in the current law physical or moral impossibility alone excuse from the individual and integral confession and absolution of grave sin not yet confessed according to any mode provided by the *OP*, the verbal statement required by c. 963 should be submitted as prescribed *nisi iusta causa interveniat*. This indicates that a reason somewhat broader in scope than that which originally permitted the use of general absolution may excuse a penitent from attending to the obligation in question.[186] Accordingly, a member of the faithful in this situation may participate in further celebrations of the third form of the sacrament if, for example, one is unable without serious inconvenience to either penitent or minister "to approach individual confession at a regularly scheduled time at a church in the area."[187]

6.5.2 TOWARDS A CANON IN HARMONY WITH ESTABLISHED THEOLOGICAL VALUES

As the dawn of Christianity broke over the people of Ireland, one of the laws by which the first missionaries organized the Church stated that

> When a virgin who has vowed to God lives in chaste, and after that has married a fleshly husband, let her be excommunicated, until she is converted: in case that she has been converted, and has foregone adultery, let her undertake penance; and thereafter let them dwell neither in one house nor on one farm.[188]

---

p. 680. Rincón, "Title IV – The Sacrament of Penance," p. 613 agrees with this apparent misreading of the canon's emphasis. Greater accuracy is achieved by Huels, *Disputed Questions in the Liturgy Today*, who notes on p. 87 that "the time should be understood ordinarily as the next scheduled opportunity for individual penance that the person is able to attend or another opportunity that can be arranged without undue inconvenience to the confessor or penitent." Woestman, *Sacraments*, suggests on p. 225 that *quam primum* could mean "within a month" (of the opportunity becoming available), so that the norm may oblige even before the lapse of a year's time.

[186] Rather than "the same or similar conditions to those which justified the first general absolution," as stated by McAreavey, "The Sacrament of Penance," p. 527 and also McManus, *CLSA Commentary*, p. 680, since these conditions operate at a different level.

[187] Huels, *The Pastoral Companion*, p. 128. He gives there another example of just cause, along with examples of physical or moral impossibility. The author also notes in *Disputed Questions in the Liturgy Today*, p. 87, a person who, without just cause, participates in a second general absolution before satisfying the obligation, would act illicitly. "However, the second absolution would be valid provided the person was properly disposed and intended to confess individually the serious sins in due time."

[188] "Canons attributed to a Synod of Bishops, consisting of St. Patrick, Auxilius and Isserninus," no. 17, in A.W. Haddan and W. Stubbs (eds), *Councils and Ecclesiastical Documents Relating to Great*

A witness to more than a trace of the ancient public penitential discipline in the ecclesial structures imposed on that place, and the corresponding official determination to extend the adoption of Roman thought and custom among the local inhabitants, this text provides an example of the life-long obligations which, probably in origin a mere matter of counsel, had by then assumed the character of an inflexible law.[189] Whilst the accretion of such burdens to a process already laborious and even beyond the spiritual and physical capabilities of many faithful may be included among the causes by which this mode of communal penance fell into desuetude, it also motivates thinking on residual obligations incorporated into contemporary canonical legislation.

Perhaps more than any of the norms with which the Code regulates the celebration of the sacrament of reconciliation, c. 963 conveys a policy that illustrates the ultimately negative atmosphere which instructed and sustained those responsible for revising this part of canon law. Although the fulfilment of the obligation may be justified from the perspective of the personal value – as an action which completes the personal input penitents conscious of grave sin must provide – or of the ecclesial value – as a response which brings the individualized help and enlightenment presiding ministers can contribute – or of the process and communal values – as a form of satisfaction which reaffirms penitents' love for God and neighbour and the social nature of sin and conversion,[190] none but the first can be grounded in the theological convictions already expounded by the Church's central teaching authority.[191]

Britain and Ireland, ed. after Spelman and Wilkins, vol. II, part II, Oxford, Clarendon Press, 1878, p. 329. The Latin text reads: "Virgo quæ voverit Deo permanet kasta, et postea nubserit carnalem sponsum, excommonis sit, donec convertatur: si conversa fuerit, et dimiserit adulterium, poenitentium agat; et postea non in una domo nec in una villa habitent." The translation is somewhat inspired by that provided in McNeill and Gamer, *Medieval Handbooks of Penance*, p. 78 and does not recognize the corrections introduced by Wilkins.

[189] McNeil and Gamer, *Medieval Handbooks of Penance*, p. 75 and Poschmann, *Penance and the Anointing of the Sick*, p. 106.

[190] This comment is based on material presented by Fernández, *The Father's Forgiveness: Rethinking the Sacrament of Reconciliation*, pp. 38-39; Allard, "*Reconciliatio et pœnitentia*: A Comment," p. 203; McNamara, "Penance: Sacrament of Reconciliation," pp. 15-16, 17 and Woestman, *Sacraments*, p. 222.

[191] Rincón, "Title IV – The Sacrament of Penance," p. 613. Cardinal J. Ratzinger had presented the findings of the SCDF investigation during his intervention to the 1983 Synod of Bishops, summarized in section 5.2.2.2 of this dissertation. The balance of the values thus have a purely pastoral motivation and orientation.

With due regard for these diverse perspectives, examination of the relevant source documents reveals a harmony between the obligation by which the reconciled penitents to whom it applied were expected to fulfil the specific intention required for the validity of an absolution imparted to many together simultaneously, and the universal obligation for those having attained the age of discretion to confess any grave sin of which they were conscious at least once a year.[192] Fascination with eliminating both actual and potential cases of abuse, however, not only distorted this harmony, but also created a precept which requires certain faithful to remember and then realise something more than what is generally expected. If the fostering of peace in the minds and hearts of Christian faithful is a task worthy of canon law, two alternatives emerge for the restoration of harmony in this matter that may also promote a deeper integration of the theological values of reconciliation.

An arguably less radical approach suggests a merging of c. 963 with the text of c. 962 §1. It seems that the parallel norms contained in the source documents relevant to c. 963 conceded that fulfilling the precept of ecclesiastical law for an individual, auricular confession of grave sin at least once a year also satisfied the obligation attached to those faithful who participated in a ceremony of general confession and absolution whilst conscious of such sinfulness, so long as this was accomplished before a subsequent celebration of this mode of reconciliation unless prevented by a just cause. This proposal has the advantage of grounding the obligation now expressed by c. 963 directly in a law firmly established and a regular part of the Church's life and worship. Consequently, it may project with greater credibility and simplicity that dimension of the Church's official intervention which seeks to guide and support a penitent's reconciliation and growth in holiness.

A challenge to the literary form of c. 963 and its capacity to foster development of an appropriate spiritual maturity among Christian faithful suggests as an alternative that the obligation therein be redrafted in the form of an exhortation or recommendation.[193]

---

[192] See norm VII of the 1972 Pastoral Norms and *OP* 34 in the edition of 1974. This harmony appears the result of a deliberate endeavour by those responsible for the composition of these documents.

[193] See Fernández, *The Father's Forgiveness: Rethinking the Sacrament of Reconciliation*, p. 37. The basis for such an idea seems to be the lack of agreement among commentators why a person conscious

Although this would require removal of the relevant text from c. 962 §1 and possibly the acceptance of other means to support a penitent's conversion, it maintains a firm link with that regulation and at the same time provides the subsequent private statement of grave sin with a more convincing motivation. Alongside its confidence in the capacity of general absolution to suitably actualise the ecclesial value and obvious potential for integration of the process value, perhaps the greatest advantage of this proposal is the respect it bears for the person and his or her identity as God's new creation in Christ.[194]

Significantly, the *Code of Canons of the Eastern Churches* does not contain a norm similar to *CIC 83* c. 963. Apart from the recommendation in *CCEO* c. 719 that Christian faithful celebrate the sacrament devotionally on a frequent basis,[195] the same canon merely obliges *qui gravis peccati sibi conscius est, quam primum fieri potest, sacramentum pœnitentiæ suscipiat* (Let one who is conscious of grave sin, as soon as it is possible to do, receive the sacrament of penance).[196] This approach seems in harmony with the greater simplicity of presentation exhibited by the parallel canons of the *CCEO*, which offers a further perspective for thinking on this aspect without an environment characterized by contention and a consuming desire to prevent abuse of the sacrament.

CONCLUSION

Among his discourses on the Book of Psalms, St Ambrose of Milan observed:

> If anyone is looking for the power of the law, which is to be found totally in the bond of love (for he who loves his neighbour fulfils the law), let such a one read in the Psalms with what great love a lone man submitted himself to grave dangers in order to remove the

---

of grave sin who participates in a ceremony of general confession and absolution must, for validity, intend to make a private, verbal statement of these sins in a later individual confession.

[194] As Dallen notes in *The Reconciling Community*, p. 385, "If [the Church] can leave to the penitents' judgement whether conversion is sufficiently mature to receive general absolution, it can likewise leave to their judgement whether they need the special assistance of individual confession."

[195] See the explanation in Pospishil, *Eastern Catholic Church Law*, p. 408. The canon adds that this should be done especially during the times of fasts and penance observed in the penitents' own Church *sui iuris*.

[196] Nevertheless, this obligation must be read in conjunction with the description of the sacrament provided by c. 718. See the comment at footnote 177 in section 6.4.3 of this dissertation.

> shame of a whole people, in which he [or she] will acknowledge the incomparable glory of love through the triumph of virtue.[197]

Throughout the commentary provided in this chapter, the person of Jesus Christ, in whom God revealed and effected a reconciling love through his life, death and resurrection, constitutes the measure which definitively instructs the composition, application, assessment and possible evolution of norms having a vital yet contentious part in the law designed to regulate and uphold the sacramental ministry of the Church. Legal texts like cc. 959-963 of *CIC 83* require a solid, authentic and credible foundation in the mystery of Christ and a content thoroughly permeated by what his revelation means for the family of humankind in order to enable and complement how faithful express this reconciling love – so admirably described in the words of St Ambrose – obedient to God according to their participation in who the Church signifies and what it undertakes not only from the perspective of internal life and worship but also as actively engaged with the world. At once a cause for concern and hope, the mix of old and new materials moulded into the form these canons presently enjoy has rendered them essentially incapable of reflecting the awesome depths of the paschal mystery and its complex of implications for the sacrament of reconciliation which contemporary study has discovered and continues to explore and propose, suggesting that the limitations inhibiting the texts will remain until the relevant issues have been properly identified, constructively debated, and advanced toward an authentic resolution.

As the supreme theological principle and spiritual reality resulting from the definitive intervention of God in Christ, the first among these issues is the biblical concept of justification. With its ability to unlock a genuine sense of what God has done for the whole creation in terms that are comprehendible and inspirational to human beings, nothing less than a sufficient and competent grasp of this concept can effectively open the canons examined here to the fullness of the power and meaning the sacrament inherently embodies and must somehow convey – from what is now formally accepted to an intended understanding apparently as yet not completely realised – and consequently

---

[197] St Ambrose, *Enarratio in psalmum* 1, 7, in *PL* 14, 967. The Latin text reads: "Si quis vim legis explorat, quæ tota in vinculo charitatis est (qui enim diligit proximum, legem implevit), in Psalmis legat quanto dilectionis affectu pro totius plebis oppobrio repellendo, periculis se gravibus solus objecerit; in quo non imparem charitatis gloriam triumpho virtutis agnoscet." Bishop Ambrose appears to base his argument on Rom 13: 8-10.

to a more lucid articulation and convincing integration of the essential theological values of reconciliation. Accordingly doctrinal, pastoral and legal positions heretofore given a certain precedence and an authority more or less beyond question in the official teaching and practice of the Church – such as the interpretation of particular biblical texts, the main foci of sacramental catechesis, the nature and effects of the sacrament of reconciliation and its hierarchical moderation – have thereby become susceptible to careful, reverent and serious reappraisal, raising important questions about their significance and expression in theology and canon law.

Consistently recognized and formally taught as the dynamic, negative reality by which human beings cause and define the wound they freely inflict upon their relationship with God, one another and the creation but over which grace now rules through the victory of Christ, a second and related issue is the complex problem of sin. Without prejudice to the understanding that has long emphasized sin as discreet, individual acts or omissions within an essentially judicial framework, variously distinguishable in the life of a moral agent according to type, degree and impact, and for which the sacrament of reconciliation exists as an authorized and effective remedy, cc. 959-963 of *CIC 83* – exclusively instructed by this theological perspective – already appear somewhat inadequate given the emergence of certain revised and additional aspects recently acknowledged in official teaching and discussed among scholars, that were simultaneously contiguous with experiences common to many of Christ's faithful and other people throughout the world. Along with the contentious and difficult concept of fundamental option – discussion of which has been reserved to section 7.1 of this study – some matters having particular importance included understanding more precisely the place of sin among, and its relationship to, the various elements of the process which engages the human person as the total journey of reconciliation, thereby revealing the ultimate impotence of sin before the power of God's love, and addressing arguments for a social-structural dimension of sin, given its capacity to seriously challenge the contemporary meaning of integrity through an expanded vision of personal responsibility.

Notwithstanding those things the Church believes and teaches about the lay and clerical members of Christ's faithful, whose dignity, presence and participation as God's new creation is affirmed and enriched through appropriate formation and respect for what

they communicate and contribute to the life and mission of the Church, a third issue is the challenge of fully mature discipleship in Christ. To be sure, Church authority has indefatigably promoted the importance and necessity of ongoing instruction and formation throughout the postconciliar era, and itself laboured diligently with diverse methods and programmes so that members might discover, comprehend and assume the place and vocation to which God calls them (especially) in their local faith community. Conversely, whatever positive outcomes it may generate or accomplish in fact and/or potential obliges Church authority not only confirm the fruits of this project but also make that maturity of discipleship real and effective by trusting members with the greater freedom and responsibility they have come to know, embrace and rightfully possess for the exercise of their moral and spiritual lives. If the sacrament of reconciliation realizes an encounter with the risen Lord who creates, sustains and upbuilds such maturation in members of the Church through the working of the Holy Spirit to the glory of the Father, then the content and function of cc. 959-963 as policy, obligation or doctrinal summary remain in question whilst more or less isolated from the effects of this activity made known with increasing breadth and confidence in contemporary pastoral practice.

Given the colourful blend of factors that influenced composition of what became cc. 959-963 of *CIC 83*, and has subsequently instructed their interpretation and application, the attempt to form these legal texts from a singular and quite narrow perspective of a sacrament theologically in dispute and practically in crisis has effectively codified attitudes and opinions on certain aspects which properly belong to the level of Spirit-led dialogue between materials presented as the content and expectations of official Church teaching, the fruit of scholarship in study, reflection and pastoral endeavour, and what faithful are in search of and prepared to receive and integrate into their lives. Consequently, the partial or limited expression the canons exhibit anchors them in a mentality and practice with little enthusiasm for new or alternative thinking on the sacrament and its celebration, now so unreal to have been either transcended or abandoned by faithful who have grown in the freedom of postconciliar reform. Loosed from a function that appears predominately associated with the need to maintain and control a particular theoretical understanding and form of discipline, the canons could otherwise evolve into a vehicle suitably embodied with essential theological values of

reconciliation men and women might learn and appropriate for accepting from God and living their call to holiness, the *CCEO* perhaps revealing in its parallel texts some indication of a way for this work to proceed towards fulfillment.

CHAPTER 7: SERVING THE TRUTH: SELECT ASPECTS INSTRUCTING THE CONTEMPORARY DEBATE ON GENERAL ABSOLUTION AS A SACRAMENTAL FORM OF RECONCILIATION.

In a homily carefully developed from Mt 5: 13-16, Pope John Paul II, standing in solidarity with a people whose suffering had, over many years, rendered them uncertain for the future of their land, asked the faithful of East Timor:

> Who will be the salt that preserves life in the midst of death, if not you? Who will be a light that radiates wisdom in the midst of darkness, if not you? There are situations in which the ecclesial community needs to be especially capable of living the evangelical message of love and reconciliation. The strength to do so comes from interior conversion. The call to be "salt" and "light" is no easy task. It is nothing less than the call to be fully "mature in Christ."[1]

Besides its remarkably prophetic character, this homily, informed by a context the Pope attributed to the influence of what he called "negative mechanisms," and the corresponding need for the emergence of a reconciled community, succinctly captured certain major emphases of papal teaching relevant to the sacrament of reconciliation presented from the promulgation of *CIC 83* until the beginning of the third Christian millennium. An outline and some analysis of these emphases form the primary content of the material comprising the first part of this chapter, followed by a reflection on the meaning and practice of the sacrament in its contemporary and future possible expression.[2]

7.1 THE SOCIAL-STRUCTURAL AND PERSONAL DIMENSIONS OF SIN

An attempt to revive the idea of the Church's social doctrine permitted Pope John Paul to express a somewhat developed understanding of the structural injustice and the institutional systems at work behind the oppression and misery presently suffered by many individuals, groups of persons, and even entire nations. Through a theological

---

[1] Pope John Paul II, Homily, 12 October 1989, in *AAS*, 82 (1990), pp. 172-173.

[2] An extensive literature has rapidly developed for the aspects examined in this section of the dissertation. The works consulted are included with the hope and intention that they provide a representative selection of the available material.

reading of modern problems, the Pope declared that a world divided into blocs and sustained by rigid ideologies is a world subject to *structures of sin* which, whilst grounded in personal sin and linked to the concrete acts of those who introduce, consolidate, and defend them go far beyond the actions and brief lifespan of an individual.[3]

An important insight detected from thinking on these structures is the pervasive and subtle nature of their manner of operation, producing in persons of the dominant culture a blindness which prevents them from recognizing the evil dimension of their social reality and establishing an environment of conformity and passivity that causes even powerless and marginalized members to regard such structures as the only possible ordering of society, effectively lending them an appearance of legitimacy and indispensability.[4] Having identified structures of sin as the sum total of the negative factors working against a true awareness of the universal common good, giving the impression of creating, in persons and institutions, an obstacle difficult to overcome, and his desire that they be destroyed and replaced with more authentic forms of living in community, Pope John Paul asserted himself as a key figure in the process of "conscientization" which was broadly accepted as the necessary prerequisite before people could be mobilized to generate informed, positive and lasting social change.[5]

---

[3] Pope John Paul II, Encyclical Letter *Sollicitudo rei socialis*, no. 36, 30 December 1987, in *AAS*, 80 (1988), pp. 561-563. English trans. in *Origins*, 17 (1987-1988), p. 653. See also the Pope's discourse to the participants in a study week sponsored by the Pontifical Academy of Sciences on 27 October 1989, in *Insegnamenti di Giovanni Paolo II*, XII, part 2 (1989), p.1048. Already the National Conference of Catholic Bishops of the United States of America, in its pastoral statement on the US economy entitled "Economic Justice for All" dated 13 November 1986, at no. 77 called forms of social sin those institutional patterns which distribute power and wealth inequitably, so that the right to participate actively in the economic, political and cultural life of society - which flows from the social nature of human beings and their communitarian vocation - is not guaranteed and fostered as a basic matter of justice for each and every member. See the text in *Origins*, 16 (1986-1987), p. 420.

[4] See the comments of G. Baum, "Structures of Sin," in G. Baum and R. Ellsberg (eds), *The Logic of Solidarity: Commentaries on Pope John Paul II's Encyclical "On Social Concerns,"* Maryknoll, NY, Orbis Books, 1989, p. 113 and M. O'Keefe, *What Are They Saying About Social Sin?* New York, NY, Mahwah, NJ, Paulist Press, 1990, p. 33.

[5] *Sollicitudo rei socialis* 16, 36-38 and see also the Pope's later Encyclical Letter *Centesimus annus*, 1 May 1991, in *AAS*, 88 (1991), especially no. 38 on p. 841. English trans. in *Centesimus Annus*, Homebush, NSW, St Paul Publications, 1991, p. 72. As Baum states in "Structures of Sin," p. 118, the Pope does not use the term "conscientization," introduced into the Church's official teaching by the Latin

In the mind of Pope John Paul II, it was incumbent upon each one of Christ's faithful to consciously develop an ever growing knowledge and appreciation about the nature of the interdependence which human beings experience in the world of today, and thereby challenge "the spiritual attitudes which define each individual's relationship with self, with neighbour, with even the remotest human communities and with nature itself" so that higher values such as the full development of the whole individual and of all people might be regarded as worthy of respect and acceptance in society.[6] This process would, it was hoped, not only expose the truth about the structures which obstruct integral development and the reality of social sin which pertains to people as they relate to these structures, but also reveal the inherent place of a growing awareness in the journey of conversion and assist Christian faithful to take responsibility through repentance, reconciliation, and commitment to some form of social action.

Commentators writing about the time this papal teaching appeared discerned a number of features in the social-structural dimension of sin which indicated not only the growing interest to address the complex reality to which it referred, but also a certain vagueness and ambiguity among scholars with respect to the possible ways the concept might be further explored and expounded.[7] One of these features is the more or less unconscious, non-voluntary and quasi-automatic aspect of sinful social structures. Pope John Paul writes specifically about "economic, financial and social mechanisms which, although they are manipulated by people, often function almost automatically, thus accentuating the situation of wealth for some and poverty for the rest."[8] From another

---

American bishops, in *Sollicitudo rei socialis*, but speaks of a new, *critical awareness* of the interdependence among individuals, groups of persons, nations and continents.

[6] *Sollicitudo rei socialis* 38. The Latin text reads: "habituum spiritalium, qui indicant cuiusque hominis necessitudines secum ipso, cum proximo, cum humanis communitatibus, vel maxime longinquis, cumque natura." Pope John Paul thus promotes interdependence as a moral category.

[7] See H. Mynatty, "The Concept of Social Sin," in *Louvain Studies*, 16 (1991), pp. 3-9, who states that the contemporary discussion on this theme has produced a proliferation of terms which have been employed in a less than consistent manner. Some of these terms are listed and explained by O'Keefe, *What Are They Saying About Social Sin?* beginning on p. 32.

[8] *Sollicitudo rei socialis* 16. The Latin text reads: "machinationes oeconomicas, nummarias ac sociales, quæ licet ab hominibus regantur, suapte tamen fere sponte et ultro agunt, unde divitiæ alterorum rigidius defigantur et alterorum simul miseriæ." In his analysis of this text, Baum, "Structures of Sin,"

perspective, however, structures may also in some way negatively influence individuals and groups of people and their choices, with the result that those affected contribute to a situation without directly intending the injustice being perpetrated on others. The bishops of Southern Africa, for example, proposed that "the personal sins of individuals [often] form a pattern for a group [that] hardens into social attitudes, customs, systems and institutions which are handed down from one generation to the next ... as if a net ensnared each one of us, causing us to contribute to the evils of society."[9] Without prejudice, however, to the importance of these insights, the greater emphasis in the thinking of Pope John Paul lay in the personal or voluntary aspect of social sin, based on his conviction that since people are not objects, but subjects of their society and, therefore, the institutions of which it is comprised, *human beings* are ultimately responsible not only for the emergence and perpetuation of social sin, but also for the introduction of qualitative changes, grounded in personal transformation, intended to ensure the participation and fulfilment of all the members.[10]

---

suggests on p. 114 that whilst "it would be an error to think that all institutions of society were created with the sinful intention to exploit and dominate the population" even the many institutions originally intended for the service of the common good may become a source of injustice and a structure of sin. "What happens," says Baum, "is that the hidden contradictions implicit in the institutional structure become visible under new circumstances and produce irrational, wholly unintended, consequences."

[9] The Bishops of Southern Africa (IMBISA), "Pastoral Letter," in *L'Osservatore Romano*, weekly ed. in English, 3 May 1989, nos 63-64, p. 8. Dated 10 September 1988, the letter goes on to state that "clear examples of social sin can be seen in the evils of discrimination, the denial of basic human rights, exploitation, permissiveness, violence and conflict." The bishops seem to make a distinction, therefore, between the social-structural dimension of sin, identified as the reality of sin mediated through the social environment in its totality, and the concrete manifestation of this dimension in the sinful social structures which victimize those obliged to follow their patterns and customs by oppressing human dignity and stifling freedom. See Mynatty, "The Concept of Social Sin," pp. 10-11. Whatever the case, the bishops conclude their letter by offering some examples of political action - individual and communal - proper to overcome instances of the sinful social structures in their region.

[10] See the comments of Baum, "Structures of Sin," pp. 115-116 and O'Keefe, *What Are They Saying About Social Sin*? pp. 60-61. By way of a conclusion, M Kiliroor, " 'Social Doctrine' in Sollicitudo Rei Socialis," in *The Month*, 249 (1988), states on p. 713 that Pope John Paul did "not connote any active role which structures of sin really exercise." The Pope's stress on interior conversion is also evident in an address to the youth of the Archdiocese of Gaeta (Italy), 25 June 1989, in *Insegnamenti di Giovanni Paolo II*, XII, part I (1989), pp. 1746-1747. English trans. in *L'Osservatore Romano*, weekly ed. in English, 24 July 1989, p. 3. Kiliroor goes on to suggest that this approach seems to stem from a "paradigmatic conditioning" intent on preserving the constant character of certain elements of Church doctrine, an attitude which is also possibly reflected, for example, in nos 30, 31 and 33 of *Reconciliatio et pœnitentia*.

Another feature of the social-structural dimension of sin is its apparent ability to operate on more than one level. According to Pope John Paul, structures of sin can betray the presence of ideologies or value systems which intend to absolutize human actions and attitudes opposed to God's will.[11] Similarly, contemporary scholarship suggested that certain evils are propagated through embodiment in symbols and myths so that negative attitudes, relationships and world views become legitimated, learned and reinforced in the process of socialization.[12] A significant element in this feature is that, once established, values, attitudes, roles, and even entire perspectives presented by society to individuals and groups of people can develop a remarkable resistance to change. The conclusion emerges, therefore, that the extent to which this mythic level informs the operation of the various structures, institutions and systems should not be ignored in thinking on the way society seeks to preserve and strengthen its prevailing situation and whether this may enable and even dispose people to sin.[13]

A third feature of the social-structural dimension of sin is the belief that "structures operate not only outside individual persons but also within them."[14] The economic and political marginalization which Pope John Paul recognized as a moral evil and social sin is not brought about "only in the choice of the concrete institutions through which the system operates but also and more especially in the attitude or disposition of

---

[11] *Sollicitudo rei socialis* 37. Hidden behind certain decisions apparently inspired only by economics or politics are real forms of idolatry, leading Pope John Paul to the conclusion that the social crisis existing in the modern world is essentially a theological crisis of values regarding the identity of the true God. See Baum, "Structures of Sin," p. 117.

[12] See O'Keefe, *What Are They Saying About Social Sin*? p.34. He gives the example of the patriarchal ideology exposed by feminist theologians, and maintained through the structures of "sexist language and symbol, the non verbal language of dress and body signals, laws and customs." By way of example, the mythic story of Adam and Eve perhaps originally had an etiological purpose so that people could reflect on and come to grasp the origin and mystery of sin and its social manifestation but, when reinterpreted from other perspectives, could also become a model to justify forms of dominance and oppression.

[13] Ibid., pp. 61-62. It is somewhat surprising, therefore, that Pope John Paul does not mention possible examples of social sin in the New Testament, such as Lk 16: 19-31 and 20: 45-47, 21: 1-6. In both cases, the evangelist places Jesus at odds with a traditional belief - that wealth and prosperity were signs of God's favour - which had been manipulated by an elite class to either ignore or crush those who were less fortunate than themselves.

the heart that drives the entire system forward."[15] This thinking indicates that in as much as a society has embodied sin and injustice, "its members will internalize this unjust situation as the very constitution of reality itself [and] the injustice will be viewed as the only possible manner of constituting society and its structures."[16] If social sin can sufficiently influence people to either choose inferior values in particular situations or limit freedom of choice so that they cannot act according to their convictions, the question remains whether and/or to what extent human beings as individuals or in some collective form can be held responsible for the existence of social sin and its continued ability to impact at local, regional and even international levels.

The search for answers to the question of responsibility for social sin led scholars to a deeper appreciation for the problematic and complex nature of this issue. Although prepared to acknowledge the existence and effects of the social-structural dimension of sin, the teaching of Pope John Paul II already cited in this section did not appear to discuss with any specificity whether "the social sin in which we live implicate[s] us in guilt and culpability."[17] Nevertheless, published opinions revealed a somewhat uneasy consensus among contemporary authors which concluded that, since institutions and social structures never exist in and of themselves, independent from the individuals of which they are composed, and mindful of the complicated and dialectical relationship that exists between individuals and social groups, "it may be necessary to understand moral culpability and guilt in a broader perspective than the traditional discussion of individual

---

[14] O'Keefe, *What Are They Saying About Social Sin*? p.35. He adds that whilst structures of sin might seem "to connote an almost exclusive emphasis on the external embodiment of sin [the term] is meant to indicate both the external as well as the internal influences of sin as a social reality."

[15] Baum, "Structures of Sin," p. 117 and see *Sollicitudo rei socialis* 36-37.

[16] O'Keefe, *What Are They Saying About Social Sin*? p. 62. He adds, therefore, that social sin affects people "by clouding their knowledge of values and crippling their ability to freely choose the good." Mynatty, "The Concept of Social Sin," p. 16, advocates a similar opinion.

[17] Baum, "Structures of Sin," p. 119. Pope John Paul seems to confine his reflections to the connection between sinful social structures and personal sin, especially understanding personal sin as the means by which structures of sin are introduced and perpetuated. The Pope thereby maintained his position on responsibility for social sin elaborated in *Reconciliatio et pœnitentia* 16, where he specifically mentioned those who cause, support or exploit evil, who fail out of laziness, fear or the conspiracy of silence to avoid, eliminate or at least limit social evils, or who sidestep the effort and sacrifice required by offering specious reasons of a higher order.

knowledge and freedom as requirements for moral agency have allowed."[18] Given the difficulty in establishing direct causal links between many of the sinful social structures operating in the modern world and those responsible for their introduction, scholarly debate tended to concentrate on the situation of the great majority of people caught up in the structures which they have inherited and in the corresponding legitimating values and ideologies. Some authors restricted the notion of responsibility for social sin to *individuals* who, through the process of growing awareness or "conscientization," might come to understand ever more profoundly the depth and breadth of their personal cooperation in maintaining structures of sin.[19] Others wanted greater consideration given to a more or less *collective* approach which understood the guilt for social sin at least as a collective political problem or more radically in terms of a negative fundamental option of a group or society.[20] The fruit of this lively discussion was the developing acceptance of the suggestion that the personal dimension of sin struggles by itself to explain fully the experience of sin in the world, intimating that cases of social sin may be more than simply the result of the accumulation and concentration of many personal sins.

When people recognize that they are responsible for sin – whether personal or social – they have truly begun a process of conversion that looks forward in hope to genuine and lasting reconciliation. In the mind of Pope John Paul II, the social conversion necessary to overcome the disharmony he attributed to structures of sin could only succeed if the growth in awareness of the interdependence among individuals and nations was translated into the moral and social attitude of solidarity. More than a feeling of vague compassion or shallow distress at the misfortunes of people both near and far away, solidarity is "a firm and persevering determination to commit oneself to the

---

[18] O'Keefe, *What Are They Saying About Social Sin*? p. 74, summarizing a comprehensive survey of important authors, and see also Mynatty, "The Concept of Social Sin," p. 14.

[19] The process of "conscientization" thus works to confound the defence of ignorance regarding the injustice which exists today in so many forms. In doing so, the process reveals its *enigmatic* nature, for whilst it helps people recognize their complicity in social sin so that they might work for and effect positive change, it may also induce an unhealthy level of guilt in sincere people otherwise already challenged or at least confronted by some awareness of their participation in or acquiescence to the operation of sinful social structures.

[20] Mynatty offers an explanation of this approach in "The Concept of Social Sin," pp. 15-17.

common good; that is to say, to the good of all and of each individual because we are all really responsible for all."[21] At the same time, the Pope offered some thoughtful comments on what a valid exercise of solidarity within a society might consist.

From a real appreciation of the dignity of all people, solidarity will serve the common good when this attitude is extended to each and every member of society, "in the hope that working together [people] can free society from its idolatry and reform the social and economic institutions so that they promote the well-being of all."[22] Alternatively, solidarity also serves the common good when extended "preferentially to the poor, the unemployed, the workers, all those who are disadvantaged by society, so that struggling together in the same movement they succeed in [qualitatively] transforming the social order."[23] Whatever the case, the light of faith suggested to Pope John Paul that, as one of the virtues practice of which could lead to peace and unity, "solidarity seeks to go beyond itself, to take on the specifically Christian dimensions of total gratuity, forgiveness and reconciliation" so that the awareness of fundamental equality inspires men and women to an oblative love even for their enemies.[24]

---

[21] *Sollicitudo rei socialis* 38. The Latin text reads: "voluntas firma et constans bonum curandi commune, seu bonum uniuscuiusque et omnium, quia omnes vere recipimus in nos." English trans. in *Origins*, 17 (1987-1988), p. 654. Pope John Paul equates this commitment to the good of one's neighbour with the Gospel counsel to lose oneself for the sake of the other: to serve him or her rather than exploit and oppress for one's own advantage. Mynatty, "The Concept of Social Sin," calls this "substantive responsibility" on p. 24, which "is not concerned with an account of what has been done or what has happened, but with the forward determination of what is to be done."

[22] Baum, "Structures of Sin," p. 120, which seems to reflect the relevant teaching in *Sollicitudo rei socialis* 39. Pope John Paul applies this by analogy to international relationships. He writes that "solidarity helps us to see the 'other' – whether a person, people or nation – not just as some kind of instrument ... but as our 'neighbour', a 'helper', to be made a sharer on a par with ourselves in the banquet of life to which all are equally invited by God." The Latin text reads: "Consensio nos adiuvat ad vivendum «alterum» – personam, populum vel Nationem – non tamquam quodlibet instrumentum ... sed tamquam nostrum «similem», tamquam «adiutorem», quem participem faciamus, similiter ac nos, vitæ convivii, ad quod omnes æque homines invitantur a Deo." English trans. in *Origins*, 17 (1987-1988), pp. 654-655. Baum calls this a "functionalist" perspective of society.

[23] Baum, "Structures of Sin," p. 121, which largely parallels the sentiment expressed in *Sollicitudo rei socialis* 39 concerning solidarity among the poor, including efforts to present their needs and rights in the face of inefficiency or corruption of public authorities. In this instance, Pope John Paul affirms the evangelical duty of the Church to stand beside the poor, discern the justice of their requests and help satisfy them. Baum calls this a "critical, conflictive" perspective of society.

[24] *Sollicitudo rei socialis* 40. The Latin text reads: "coniuncto illa se ipsam nititur superare, nititur rationes speciali modo christianas plenæ donationis gratuitæ induere, veniæ et reconciliationis." Solidarity

Nevertheless, the consensus among authors tended towards the preferential understanding of solidarity, which seemed a more consistent application of the Pope's quite radical social analysis in *Sollicitudo rei socialis* and other contemporary texts.[25] In this light, the Church has the special mission not only to challenge and empower individuals and communities with the awareness and motivation to work for the transformation of structures that oppress human dignity, but perhaps also to sincerely address the delicate issue whether the concept of structures of sin applies to itself as a social organization.

Given its role as a sign and sacrament of the unity to which God calls the human race, "the Church must be the visible embodiment of what it means to be a just society."[26] Pope John Paul clearly lamented situations where structures of sin diminish the human subjectivity, which he so greatly emphasizes to the extent that creative initiative is replaced by a passivity, dependence and submission to the bureaucratic apparatus, which provokes frustration and even some form of escape.[27] Is it possible, therefore, that an *ecclesiastical* authority, which the Church regards as of divine origin, and itself effectively acts as the only ordering and decision-making body in the Church, should not carefully reflect on the way it responds to the various initiatives proposed by Christ's faithful, and instigate actual, positive change to structures that devalue and control this creativity when they should welcome efforts of members to share, inspire and challenge with their knowledge and experience the theoretical and practical elements by which the

---

thus has an essential role in fostering that supreme model of unity which reflects the trinitarian life of God on the level of individuals and of national and international society, identified by Pope John Paul as the communion which is the soul of the Church's vocation to be a sacrament.

[25] Baum, "Structures of Sin," p. 122 considers the call to action in *Sollicitudo rei socialis* rather weak, perhaps because the area of challenge conceded to the oppressed in the letter is restricted to abuses of the social order, rather than the structures themselves. By way of contrast, see the strategies for conversion listed by O'Keefe, *What Are They Saying About Social Sin*? pp. 87-90. He approves comprehensive structural reform, especially through *community* awareness and action, an idea supported by Mynatty, "The Concept of Social Sin," p. 25.

[26] Baum "Structures of Sin," p. 123. He states that the Church, although set up for a supernatural end that transcends the dimensions of this world cannot, as an organization ruled by human beings and made up of men and women who must live up to the principles of justice applicable to all social institutions, exempt itself from these norms. O'Keefe calls this "symbolic witness" in *What Are They Saying About Social Sin*? p. 91, suggesting that the sacramental life of the Church must witness the social nature of sin and of salvation.

[27] *Sollicitudo rei socialis* 15 and see Baum, "Structures of Sin," p. 124.

life and mission of the Church is sustained and exercised at a particular time and place?[28] On account of its capacity to generate serious thinking on social concerns, the teaching outlined so far seemed a positive step in further understanding the social-structural dimension of sin and conversion.[29]

It is surprising, therefore, that careful study of the presentation on the sacraments of healing in the *Catechism of the Catholic Church* fails to discover any mention of "societal or structural sin even in the texts on the communal celebration of reconciliation."[30] According to the *Catechism* sin is a personal act, although in another section it concedes that Christian faithful can incur responsibility for the sins of others through some form of active or passive cooperation. The conclusion emerges that structures of sin – defined as the expression and effect of personal sins, which give rise to social situations and institutions contrary to the divine goodness – are negative, even evil contexts which, by the diverse responses they generate in human beings, constitute, in an analogous sense, a social sin.[31] Unfortunately, the authors of the *Catechism* did not seem to either appreciate or understand the complex nature of social sin. Already papal teaching, and its application to local situations by conferences of bishops, had begun to

---

[28] See the comments of Baum, "Structures of Sin," pp. 124-125. Although as yet unresolved, this question would seem to indicate that the dialectic relationship discussed in O'Keefe, *What Are They Saying About Social Sin*? pp. 92-94 between personal conversion and structural reform validly applies to the Church as a social organization.

[29] See the final assessment of Baum, "Structures of Sin," p. 125. He concludes with the observation that in the light of the doctrinal development embodied therein, "one wonders how ... treatments of moral theology that do not take sinful structures into consideration can present themselves as trustworthy." This must have at least some implications for the meaning of our reconciliation with God and each other and its celebration in life and the sacramental liturgy of the Church.

[30] C.F. Jegen, "Book Two: Celebrating the Christian Mystery," in *Chicago Studies*, 33 (1994), p. 36 and see *Catechismus Catholicæ Ecclesiæ*, Libreria editrice Vaticana, editio typica, 1997, nos 1482 and 1483. English language version *Catechism of the Catholic Church* (=*Catechism*), Ottawa, Canadian Conference of Catholic Bishops, 1994. This document appeared in response to a need comprehensively advocated at the extraordinary assembly of the Synod of Bishops celebrated in 1985 for the twentieth anniversary of the close of the Second Vatican Ecumenical Council, with the intention that it be used as a reference text for the catechisms and compendiums prepared in various regions throughout the world.

[31] *Catechism* 1868 and 1869. The sole reference cited is the postsynodal apostolic exhortation *Reconciliatio et pœnitentia* 16. Consequently, the presentation does not acknowledge the lively and ongoing nature of the discussion regarding the social-structural dimension of sin.

transcend the cautious approach which circumscribed the text of the *Catechism* to perceive some kind of corporate relational impact in discerning the presence of grace and sinfulness in the world of today.[32]

At the same time, scholars continued to explore the various theoretical aspects which serve to illuminate the meaning of structural evil and how this involves human beings both in groups and individually in social sin. By way of example, the sociological concept of *reification* – where social structures and institutions attain an objectivity and autonomy that seem so logical and sensible that every trace of the real nature of society as a human construct is utterly concealed – was conscripted to explain both the "hiddenness" of structural evil in societies and the ignorant cooperation with it by the many people who accept themselves generally as persons of goodwill.[33] This served not only to reinforce the process of "conscientization" already proposed with an "ethics of urgency" which might identify the structural evils causing greatest harm in order to contest the still relatively under-burdened social conscience of today's man and woman, but also to extend it with a "theology of compromise" which stirred a feeling of existential angst at the inevitability of their cooperation with structural evils whilst they worked to alter them.[34] Although tersely presented, the inclusion of a text on social sin at the place

---

[32] See for example Australian Conference of Catholic Bishops, *Common Wealth for the Common Good: A Pastoral Statement on the Distribution* of *Wealth in Australia*, North Blackburn, Victoria, Collins Dove, 1992, especially pp. 31, 32 and 39.

[33] J.H. McKenna, "The Possibility of Social Sin," in *The Irish Theological Quarterly*, 60 (1994), p. 131. The Australian bishops also appear to rely on this concept in their analysis on pp. 35-37 of *Common Wealth for the Common Good*. "Under the spell of reification," writes McKenna, "as a society, as a group, as a collective, we can become puppets of our own systems of thought, governance, and social organization. And we resist change, or refuse to admit its need ... because these idolised 'laws' arrest the very option for change. And herein we unwittingly perpetuate and conserve evil, along with whatever else we may preserve."

[34] McKenna, "The Possibility of Social Sin," pp. 137-138. Social sin thus represents, at least in part, the uneasy conscience which lives with this tension. Following the line of McKenna's discussion on pp. 133-136, it seems that this understanding relies on two conditions: available prophetic dissent, which by knowledge, protest and resistance, indicts the complicitors in the conservation of the structural evil in question, and voluntary, culpable ignorance of the relevant social knowledge members of the society are bound to possess. When these two conditions are present in the context of any particular structural evil, all thereby assume heightened responsibility for the existence of that evil, notwithstanding the mechanisms which connive to conceal it from people and keep them in ignorance. In this light, social sin might also be equated with the gap identified by the Australian bishops in *Common Wealth for the Common Good* which separates a structure of sin from a structure of grace.

provided in the *Catechism* at least makes it a bridge to subsequent materials which describe in detailed fashion "the communal character of the Christian vocation, the common good, and the Christian's responsibility to take an active part in public life."[35] Nevertheless, in proposing the permanent need for that inner conversion which, through grace, directs men and women in the path of charity to obtain the social changes which promote human rights and the practice of justice,[36] the question remains concerning appropriate exercise of existing sacramental rites which enable Christian faithful to celebrate in a credible manner experiences of repentance, challenge, growth and reconciliation that emerge from engagement with the structural evil impacting upon life in the world of today.

Beginning with Africa in 1994, a series of five continental special assemblies of the Synod of Bishops were celebrated as part of the Church's preparation for the Great Jubilee of the year 2000.[37] Given a theme which took as its starting point the encounter with the living Jesus Christ, and embracing his call to conversion, communion and solidarity, the Synod for America, held in the Vatican from 16 November until 12 December 1997, carefully explored the social-structural dimension of sin, conversion and reconciliation, not only identifying and denouncing, but also proposing solutions to the structures which represent for people a serious obstacle to their encounter with the Lord and in developing their potential freely for a fully human life according to the teaching of the Gospel.[38]

Informed by the Church's social doctrine, Synod delegates proposed as examples of social sin a number of attitudes and actions which generate violence and disrupt peace

---

[35] K. O'Neill, "An Introduction to Moral Theology: Reflections on the *Catechism of the Catholic Church*," in *The Living Light*, 31 (1995), p. 54.

[36] *Catechism* 1888-1889.

[37] See Pope John Paul II, Apostolic Letter *Tertio millennio adveniente*, 10 November 1994, no. 38, in *AAS*, 87 (1995), pp. 30-31. English trans. in *Origins*, 24 (1994-1995), p. 412.

[38] In the thinking of Pope John Paul, the theme allocated to the Synod also reflected the desire to speak of America as one continent, thereby expressing a regional unity which in some way already existed but also that movement towards a deeper bond actively sought by its people and fostered by the Church as part of its mission in promoting the communion of all in the Lord.

and harmony between communities at local, national and regional levels, about which Pope John Paul II offers a commentary in his traditional postsynodal document.[39] Apart from these examples, the Pope also mentions with a certain emphasis structures which have progressively accrued from uncontrolled or a more radical premeditated amalgamation of evils which adversely discriminate against and crush the person, vocation and contribution of women, and deny many children their dignity, their innocence, and even their life.[40] Consequently, Pope John Paul affirms that encounters with Christ Jesus of a *communal nature*, which in the formation of the apostles were of fundamental importance for the constitution of the Church, together with the corresponding personal encounters experienced by individuals, are the starting point of authentic conversion and of renewed communion and solidarity. [41]

Given that Synod delegates perceived great shortcomings at both communal and personal levels in relation to a deeper conversion among Christian people in America, Pope John Paul invited faithful "to revise 'all the different areas and aspects of life, especially those related to the social order and the pursuit of the common good'."[42]

---

[39] See Pope John Paul II, Postsynodal Apostolic Exhortation *Ecclesia in America*, 23 January 1999, in *AAS*, 91 (1999), especially nos 56-64 on pp. 791-799. English trans. in *Origins*, 28 (1998-1999), pp. 583-586. The Pope specifically mentions the drug trade, the recycling of illicit funds, corruption at every level, the terror of violence, the arms race, racial discrimination, inequality between social groups and the irrational destruction of nature.

[40] *Ecclesia in America* 45 and 48. Significantly, the Pope admits the existence of "larger plans" which degrade women, especially the poorest and most marginalized, often carried out surreptitiously and perpetrated for economic gain. Pope John Paul recalled the "indisputable fact" of such structures in an address to a general audience on 25 August 1999. "If one thinks of the structures of sin that hinder the development of the peoples most disadvantaged from the economic and political standpoint," says the Pope, "one might almost surrender in the face of a moral evil which seems inevitable. So many people feel powerless and bewildered before an overwhelming situation from which there seems no escape." English text in *L'Osservatore Romano*, weekly ed. in English, 1 September 1999, p. 7.

[41] *Ecclesia in America* 9 and 12, and see also Pope John Paul's address dated 25 August 1999, p. 7. Since the Pope proceeds in his postsynodal apostolic exhortation to explain the sacred liturgy as a place of encounter with Jesus, this clearly suggests that celebrations with a community, assembled and participating in accordance with the theological and pastoral renewal adopted and encouraged by Vatican II Council, are essential in order to prepare and nurture true conversion by the exercise of the sacraments of reconciliation and the Eucharist.

[42] *Ecclesia in America* 27. Where a gap existed between faith and life, the personal encounter with the living Jesus, in the Gospel, the sacraments, and one another, could draw each member to that radical revision of the reasons behind their attitudes and actions so that the witness they offered might be credible and consistent with the example of the Lord himself. Already in 1991 Mynatty had observed in "The Concept of Social Sin," pp. 9, 21-22 that an obstacle for this task was the dormant social conscience

Although mindful that the office and competence of the Church precluded its identification with any political entity or ideology, the Synod's overriding concern for the freedom and dignity of every person meant that the best response it could determine to situations of social sin – the promotion of solidarity and peace with a view to achieving real justice – revealed an official docility to initiatives better accomplished at a collective level by groups of believers.[43] At the same time, the principal aspiration voiced by Synod delegates, that the Church throughout America be a living sign of reconciled communion, and its corresponding emphasis on conversion, also allowed them to respectfully recognize the many differences extant in the various particular Churches as a source of mutual enrichment, perhaps indicating the importance of a willingness to learn about sacramental experience which can inspire faithful with a positive, mature Christian lifestyle and provide a communal support structure to inform and nourish the progress of their response.[44]

An interesting parallel to this theological development on the social-structural dimension of sin may be observed in continued thinking and debate on *personal sin* and the problematic concept of fundamental option. In what could be interpreted as a frank admission of failure, Pope John Paul conceded that the world would cross the threshold of the new millennium with its consciousness of sin apparently relatively untouched by the Church's contemporary witness and teaching on penance and reconciliation.[45] Within

---

inherited from traditional Catholic moral theology largely unconcerned about the structural mediation of human behaviour and hence the reality of sin and grace in its social dimension. A decade later W. Cosgrave seems to share the same opinion in an article entitled "What Are Theologians Now Saying About Sin?" in *Doctrine and Life*, 50 (2000), pp. 290 and 295.

[43] *Ecclesia in America* 27 and 56. With its unqualified support for the democratic system of government, which the postsynodal document admits provides greater control over political abuses, Pope John Paul makes specific reference in nos 56, 61 and 65 to the education and training of leaders and policy makers, the cooperation to develop strategies and projects which provide alternatives to activities threatening the well-being of peoples, and the call for communities of faith to live an evangelical fraternity and become places of welcome and hospitality.

[44] *Ecclesia in America* 32 and see the comments of N. Brown, "The Communal Nature of Reconciliation: Moral and Pastoral Reflections," in *The Australasian Catholic Record*, 77 (2000), pp. 5-6.

[45] Pope John Paul II, Address, 25 August 1999, p. 7. In doing so, the Pope maintained the official line which for some decades had concluded that the state of affairs existing in the modern world was largely due to a widespread loss of the sense of sin.

the context of this perception, the publication of certain documents and the effort to explain and disseminate their content effectively brought the grave nature of the situation into even greater prominence. Alternatively, the possibility exists that the teaching on personal sin proposed in these documents, based on a number of presumptions and a particular line of interpretation, did not resonate in a comprehensive and meaningful way with the sense and experience of sin understood by many of the people to whom it was directed.

At a more or less introductory level, the *Catechism* explains personal sin from the broadly favoured relational aspect officially adopted at Vatican II Council.[46] This positive, even progressive approach, which had developed on the basis of a modern and critical exegesis of Sacred Scripture, nevertheless surrenders something of its power to the proceeding section, which prefers to identify personal sin largely with individual acts of lawbreaking in evaluating the question of its gravity.[47] In doing so, the *Catechism* incorporates an anthropological perspective which presumes and projects an almost ideal vision of freedom, autonomy and self-possession and tends to reinforce the disproportionate sense of guilt inevitable, repeated transgression in grave matter of the moral law had engendered in generations of Catholic faithful.[48]

As if to balance and contain the impact of this aspect, the *Catechism* subsequently explains that, in the context of God's plan for humankind, men and women discover and explore their personal identity in an essentially social environment, indicating that "it is through interchange with others, through friendship, through mutual collaboration, that

---

[46] See *Catechism* 1440, citing *LG* 11, and 1849, which describes sin as "failure in genuine love for God and neighbour caused by a perverse attachment to certain goods. It wounds the nature of man and injures human solidarity." The Latin text reads: "Peccatum ... a vero amore erga Deum et erga proximum, propter perversam ad quædam bona affectionem, est defectio. Hominis vulnerat naturam et humanam attentat solidarietatem." In this light, the *Catechism* affirms that there are many kinds of personal sin which can be distinguished in various ways.

[47] *Catechism* 1854-1864. Under the necessary conditions carefully specified in the text, mortal sin is a *grave violation of God's law* which destroys charity in the human heart. Without these conditions, a person commits venial sin when he or she *does not observe the standard prescribed in the moral law* or, in a grave matter, *disobeys the moral law* without the required knowledge or consent.

[48] See the thoughtful comments of Brown, "The Communal Nature of Reconciliation: Moral and Pastoral Reflections," where on p. 6 in contrast to this view he illustrates the many factors productive "of a self that is fragmented, a fragile assembly of discrete memories and experiences, held together only tenuously."

people seek the common good together and foster their own growth as people made in the image of God, and thus respond to their vocation."[49] In this view, experiences of failure – including those of a sinful nature – can be evaluated most fruitfully in relation to the whole person and the rich complex of social-structural factors and influences which pattern and mould the unique story of each one.[50] Although not discussed in the *Catechism*, the theory of fundamental option persisted as a methodological insight for scholars to comprehend the personal dimension of sin, beyond the limitation of individual acts, to a more integrated and adequate theological perspective of personhood.[51]

In the realm of personal moral life, the theory of fundamental option is grounded in a notion that distinguishes two essentially different levels of human freedom.[52] When freedom expresses itself in a more or less definitive way to its ultimate or absolute object (the *transcendental* level), a person is said to have made an overall self-determination for good or evil, which embraces the whole of his or her being. In addition, human beings have the capacity to exercise a level of freedom in particular acts and choices (the *categorical* level), by which they engage and make known in at least a partial manner the fundamental orientation of their life.[53] A controversial aspect of this theory emerges

---

[49] O'Neill, "An Introduction to Moral Theology: Reflections on the *Catechism of the Catholic Church*," p. 54, and see the *Catechism* nos 1879, 1886, 1936 and 1937.

[50] An important presumption informing this approach is the objective and subjective aspects of social structures. Unfortunately, the authors of the *Catechism* did not relate their explanation with the thinking which produced the text on sin and thus arrive at a more consistent and comprehensive presentation.

[51] See the comments of G.J. Hughes, "Our Human Vocation," in M.J. Walsh (ed.), *Commentary on the Catechism of the Catholic Church*, Collegeville, MN, The Liturgical Press, 1994, p. 351.

[52] For an overview of the ideas proposed by some important scholars on this subject, see T.E. O'Connell, "The Question of Grundentscheidung," in *Philosophy and Theology*, 10 (1997), pp. 144-156. He concludes that common to all opinions "is a sense that human persons are more than their acts and that the proper appreciation of personhood, both philosophically and in the theological consideration of one's place before God, must attend to [a] 'depth dimension' " which essentially refers to the complex of elements and forces that influence the moral life of each human being.

[53] M. O'Keefe provides a lucid explanation of this distinction in *Becoming Good, Becoming Holy*, Mahwah, NJ, Paulist Press, 1995, pp. 46-47. Acknowledging the dynamic character of the fundamental option, he suggests that "the task of the Christian life is to orient one's life toward God and, over a lifetime, to dispose oneself more fully toward God so that one may come to love God with one's whole heart, soul, mind and strength." Nevertheless, his unqualified emphasis on "active effort" as an account of human cooperation with grace seems a little disconcerting.

when the distinction proposed assumes the force of a *separation*, with the result that moral good and evil is expressly limited to the level of freedom proper to the fundamental option.[54] With mortal sin thereby regarded solely as a human being's radical, innate declaration against God, it theoretically tended not only to lose its perceptible nature, but also the level of frequency presumed in traditional Catholic theology.[55]

Criticism aimed at some views concerning the theory of fundamental option based on the understanding of mortal sin developed since the Council of Trent – with its emphasis on full knowledge and deliberate consent in a predominantly juridical context which in the past promoted an extremely individualistic approach to moral life and sacramental celebration – did not discourage scholars from exploring this theory further and thereby seeking a deeper understanding of human freedom.[56] The inscrutable

---

[54] Pope John Paul II, Encyclical Letter *Veritatis splendor*, 6 August 1993, in *AAS*, 85 (1993), no. 65, pp. 1184-1185. English trans in *Veritatis Splendor: Certain Fundamental Questions of the Church's Moral Teaching*, Homebush, NSW, St Paul's, pp. 101-103.

[55] According to a reflection of B.V. Johnstone on *Veritatis splendor* published under the title "Sin is Healed by Grace, but Church Must Help Sinner Acknowledge Guilt," in *L'Osservatore Romano*, weekly ed. in English, 2 February 1994, p.10, this might lead a person "into a mistaken evaluation of his [or her] sinful condition," although it seems incredible that persons, even if unable, as suggested by A. Szostek, "Man's Fundamental Option Can be Radically Altered by Individual Acts," in *L'Osservatore Romano*, weekly ed. in English, 20 April 1994, p. 14, to clearly realize their fundamental option or determine with all certainty their status before God, having freely made certain specific choices which served to reorient over time the direction of their whole life away from God, could be seriously unaware that these choices caused in them the loss of charity and the privation of sanctifying grace. It is also obvious that placing grave sin exclusively in the realm of fundamental option would seriously undermine the need and necessity for the sacrament of reconciliation, especially rites with individual confession and absolution.

[56] The critique is set out in *Veritatis splendor* 66-70 and is neatly summarized by O'Keefe, *Becoming Good, Becoming Holy*, p. 161, endnote 5. See also the comments by Szostek, "Man's Fundamental Option Can be Radically Altered by Individual Acts," p. 14. O'Connell, "The Question of Grundentscheidung," pp. 157-164, gives a thoughtful analysis of the critique presented by Pope John Paul. This author suggests on p. 163 that in seeking to protect the substantial integrity or personal unity of the moral agent in order to guard the traditional understanding of mortal sin, the Pope seems to challenge another long held doctrine of the faith which enshrines the notion of personal ambiguity in Church teaching on the human person. This doctrine entertains the prospect that even in objectively grave wrongful acts, there may not co-exist the perfection of the human engagement, so that one with a genuine personal commitment to the good can place such acts and, conversely, a truly evil person can indulge in occasional acts of objective goodness. For another perspective on this issue, see the comments of G. Gleeson, "The Moral Life as Christian Vocation," in A. Murray (ed.), *The New Catechism: Analysis And Commentary*, Sydney, Catholic Institute of Sydney, 1994, pp. 74-76. He suggests that recognition of what he calls incomplete grave sin (a serious wrongdoing to which the moral agent does not give full consent) might clarify the distinction between a sinfulness grave enough to sever the bonds of charity with God and neighbour so long as it remains unrepented in the human heart and that which involves neither serious wrongdoing nor breach of relationship with God.

mystery which the human being is to him or herself effectively ensures that the emergence of the social-structural dimension of moral life and the challenge of the theory of fundamental option will continue to broaden the possibilities for Christian faithful to perceive and articulate their sense of individual and collective responsibility for sin, and embrace the conversion that leads to peace and reconciliation with themselves, their brothers and sisters, and with God.[57]

7.2 MATURE DISCIPLESHIP IN CHRIST

An ordinary assembly of the Synod of Bishops celebrated in the autumn of 1987 provided Pope John Paul II with an opportunity to reflect on some fundamental aspects of the vocation and mission of lay faithful in the Church and in the world, including the "continual process in the individual of maturation in faith and a likening to Christ according to the will of the Father, under the guidance of the Holy Spirit."[58] This aspect, which indicates that people, approached in liberty by God to grow, develop, and bear fruit, can gradually discover what God wills for them in life and take up the responsibilities – in both the personal and social dimensions of their discipleship – with which they have been entrusted, Pope John Paul carefully elaborated in a subsequent series of homilies given on the occasion of pastoral visits to parishes in the diocese of Rome.[59] The commitment to follow Christ and assimilation into him "is not meant to be

---

[57] See the comments of O'Connell, "The Question of Grundentscheidung," pp. 165-166. In addition to appreciating that persons are more than their acts and that the reality of personal ambiguity must always be taken seriously, this author significantly mentions a more focussed attention on "the process wherein human persons grow, develop, evolve, individuate, consolidate, repent, renew, and increasingly cohere [and become] more aware than ever of the need to acknowledge the cultural context for all thinking and to self-consciously expand cultural horizons of conversation."

[58] Pope John Paul II, Apostolic Exhortation *Christifideles laici*, 30 December 1988, in *AAS*, 81 (1989), no. 57, p. 507, citing proposition 40. The Latin text reads: " 'continuum processum personalis maturationis in fide atque configurationis cum Christo, sub ductu Spiritus Sancti'." English trans., which contains a clause not present in the Latin text, in *Origins*, 18 (1988-1989), p. 589. See P. Coughlan, *The Hour of the Laity: Their Expanding Role*, Newtown, NSW, Dwyer, 1989, p. 174 for an interesting survey of the consultation conducted as part of the preparation for the Synod.

[59] The proximate context for his enthusiastic promotion of Christian maturity was the preparatory work for an impending synod in that diocese.

anything other than a personal and communal journey of conversion," says Pope John Paul, "in which Christians examine themselves on their fidelity to the Lord in order to live it more authentically, ... reconciled with the Father and with one another."[60] Accordingly, the Pope suggested four factors proper to the process by which formation in such a mentality was attainable: acceptance of the crucified and risen Lord Jesus as the principle and foundation of salvation; organic and systematic deepening in Gospel values; communion with Christ through prayer and the sacraments; and commitment to share in the Church's mission.[61] A community so reconciled could then genuinely participate in an evangelization whose content announces that in Jesus Christ, reconciliation is already brought about, under the condition that people turn to him and, with him, make themselves obedient to God's plan.[62]

Although the *Catechism* considers the dignity and life of Christian faithful "grounded in [their] creation in God's image, aimed at beatitude, centred on Christ, and empowered by the Spirit,"[63] it does not reflect the emphasis on conversion and

---

[60] Pope John Paul II, Homily at St Chrysogonus parish, 4 March 1990, in *Insegnamenti di Giovanni Paolo II*, XIII, part 1 (1990), p. 603. English trans. in *L'Osservatore Romano*, weekly ed. in English, 2 April 1990, p. 5. See also the Pope's homily at the parish of Saints Francis and Catherine, 26 November 1989, in *Insegnamenti di Giovanni Paolo II*, XII, part 2 (1989), p. 1372. English trans. in *L'Osservatore Romano*, weekly ed. in English, 18-26 December 1989, p. 16. Commentators observed and emphasized the collaborative nature of this journey, which not only depends on the contribution of the participants themselves in authentic reciprocity of input and example, but also affirms the community as the context for sharing and celebrating the diverse experiences and tradition of spirituality and culture belonging to those with whom one travels the way of Christ. See for example Coughlan, *The Hour of the Laity: Their Expanding Role*, p. 176 and E. Vigano, "Formation of the Lay Faithful," in *The Laity Today*, 32-33 (1989-1990), pp. 99 and 101.

[61] Pope John Paul II, Homily at St Polycarp parish, 11 March 1990, in *Insegnamenti di Giovanni Paolo II*, XIII, part 1 (1990), pp. 622-623. English trans. in *L'Osservatore Romano*, weekly ed. in English, 26 March 1990, p. 5. Whereas commentators seem to emphasize the maturity of the lay *vocation*, Pope John Paul describes the total project of the mature lay*person*. A disciple who grows up to Christian adulthood reflects in their personal being a maturity of faith, knowledge and responsibility which should be respected and heard in the life and mission of the Church and helps each one strive to unite faith and daily living.

[62] Pope John Paul II, Homily at St Chrysogonus parish, p. 5 and see also his homily at St Polycarp parish, where on p. 5 he adds that evangelization which has its motivating and unifying centre in the local Church can become teaching, education, and experience of life, with each member putting "his or her own charisms at the disposal of all for common edification, walking together with others towards the fulfillment of the Reign of God."

[63] M. O'Keefe, "The Heart of Christian Life: Conversion," in *The Living Light*, 31 (1995), p. 4. The *Catechism* treats the life and vocation of Christian faithful in Part 3, entitled "Life in Christ."

reconciliation apparent in contemporary papal documents. Essentially task-oriented in its approach, the *Catechism* summarizes the life proper to Christian faithful stating that, "following Christ and united with him, Christians can strive to be 'imitators of God as [his] beloved children, and walk in love' by conforming their thoughts, words and actions to the 'mind ... which is yours in Christ Jesus', and by following his example."[64] Unfortunately, the sections which expound this introductory statement seem to make little use of insights recently gained from theological investigation and rely rather on an eternal, static and universal perspective on morality apparently detached from historical and social factors. When built, however, on a dynamic process of conversion and reconciliation, permeated and empowered by the paschal mystery, becoming fully mature in the crucified and living Christ Jesus is a human response to God's invitation to forgiveness and blessing which transcends these rather external categories to behold a liberation born of a *transformed* vision and way of being that can not only embrace persons individually, but moreso within the context and formation provided by the Christian community, where each one "internalises the Christian story through reading and study, through meditation on the Scriptures, through prayer, through the living witnesses of saints and fellow Christians, and through the celebration of the liturgy."[65] Thereby instructed in God's purposes for the world, faithful recognize that this communal context effectively deprivatizes both the theoretical understanding and tangible experience of their growth to maturity, confirms the inherent nature of the social dimension of Christian life, and shows that the Church, precisely as the local community of brothers and sisters walking together the journey of conversion and reconciliation, is the place where the more mature discipleship which this process can generate is

---

[64] *Catechism* 1694. The Latin text reads: "Christum sequentes Eique coniuncti, christiani conari possunt imitatores esse Dei, sicut filii carissimi et ambulare dilectione, suas cogitationes, sua verba suasque actiones sic conformantes, ut hoc sentiant in se, quod et in Christo Iesu Eiusque sectentur exempla." The statement is a synthesis of several texts from the New Testament, and provides an example of the method employed by the authors of this *Catechism* criticised by some commentators for producing a superficial harmonisation of Scripture which paid little attention to the way in which biblical texts came to be written and lacked appreciation for the diversity of views embodied and expressed therein.

[65] O'Keefe, "The Heart of Christian Life: Conversion," p. 9 and see his extensive comments on this theme on pp. 8-10.

celebrated, made explicit and encouraged.[66] In this light, sacramental rites must provide forms of worship that duly recognize the greater level of comprehension, responsibility and commitment faithful have integrated into their lives and ensure them sufficient freedom in choosing appropriate liturgical frameworks to celebrate their diverse experiences of sin, conversion and reconciliation in the personal and communal relationships they maintain with God and neighbour.

In a further significant reference to the question of mature discipleship in Christ, Pope John Paul carefully emphasized the presence and activity of the Holy Spirit who, "received by the humble and docile heart of the believer, brings about the flourishing of the Christian moral life and the witness of holiness amid the great variety of vocations, gifts, responsibilities, conditions and life situations."[67] Accordingly, the fullness of life in Christ to which each member of the faithful is called in the midst of their brothers and sisters who accompany one another in the discovery and development of their identity and vocation – a value at once personal and communal – is nothing less than "the fruit of the Spirit, who enlivens and directs the believing person and causes him or her to mature in their unique and unparalleled personal dignity, and in their communion with and mission for others."[68] Viewed from this perspective, efforts directed towards the formation of mature Christian faithful not only provide a solid foundation for greater collaboration in the life and mission of the Church, but also strengthen the propensity of each one for a

---

[66] Ibid., p. 11. Drawing on the work of a number of eminent scholars, the author discusses on p. 12 the connection between ongoing Christian conversion and becoming mature in Christ with the dynamic integration of the positive fundamental option, but without concluding for their simple identification. At the same time, McKenna suggests in "The Possibility of Social Sin," p. 137 that a developed social conscience is a positive and credible sign of maturation in Christian discipleship.

[67] *Veritatis splendor* 108, pp. 1217-1218. The Latin text reads: "recepto ab humili docilique credentis animo, debentur igitur christianæ moralis vitæ flos sanctitatisque testimonium ampla sua vocationum varietate, donorum, responsalium partium vitæque rerum condicionum." English trans. in *Veritatis Splendor: Certain Fundamental Questions of the Church's Moral Teaching*, p. 159. The context for this statement was the "new evangelization," which is examined in the next subsection of this dissertation.

[68] D. Tettamanzi, a reflection on the encyclical letter *Veritatis splendor* published under the title "The Call to Freedom Lived in Truth is Heart of the New Evangelization," in *L'Osservatore Romano*, weekly ed. in English, 30 March 1994, p. 10. Archbishop (now Cardinal) Tettamanzi examined this question as one of three aspects of the life of holiness, "which represent the profound meaning and the ultimate good of the moral life as a free response to the call to participate in God's perfection."

keener and more responsible participation in liturgical celebrations.[69] Indeed, this Spirit-led process could inspire in faithful "a true longing for holiness, a deep desire for conversion and personal renewal in a context of ever more intense prayer and of solidarity with one's neighbour," thereby drawing Christians to that stronger faith and witness which Pope John Paul had proposed as the primary objective of the Great Jubilee of the year 2000.[70]

Speaking on the eve of the jubilee, Pope John Paul discerned the whole Church called "to present itself humbly before the Lord, to make a serious examination of conscience, to resume the journey of profound conversion, of Christian maturity, of faithful adherence to Christ in holiness of truth, the journey of authentic witness to the faith."[71] This proposal required all Christ's faithful "to know more deeply and make their own a genuine Christian spirituality ... accepted in faith, expressed in love and inspired by hope [to] become the daily life of the Church community."[72] Significantly, Pope John Paul considered growth to maturity in Christian living dependent in large part on a rediscovery of the sacrament of reconciliation. Since the ecclesial community "is the embrace which welcomes the repentant and forgiven sinner and, even before, creates a suitable climate for the journey back to the Father," the sacrament both nourishes and

---

[69] This thought is based on comments made by Pope John Paul in an address to the Bishops of Nicaragua during their *ad limina* visit on 18 February 1994, in *Insegnamenti di Giovanni Paolo II*, XVII, part 1 (1994), p. 514. English trans. in *L'Osservatore Romano*, weekly ed. in English, 2 March 1994, p. 3, and in a subsequent address to the Bishops of Cuba on 25 June 1994, in *Insegnamenti di Giovanni Paolo II*, XVII, part 1 (1994), pp. 1231-1232. English trans. in *L'Osservatore Romano*, weekly ed. in English, 6 July 1994, p. 2. A practical example of this formation in relation to the sacrament of reconciliation is the catechesis contained in the Pope's homily at St Francis de Sales parish in Rome on 13 March 1994, published in *Insegnamenti di Giovanni Paolo II*, XVII, part 1 (1994), p. 679. English trans. in *L'Osservatore Romano*, weekly ed. in English, 30 March 1994, p. 10.

[70] *Tertio millennio adveniente* 42. The Latin text reads in full: "Oportet, ergo, concitetur in unoquoque fideli vehemens sanctitatis impetus, flagrans in conversionem et sui ipsius renovationem desiderium dum precationis usque ardentioris sensus acuitur dumque proximus, indigentissimus præsertim, comiter suscipitur." English trans. in *Origins*, 24 (1994-1995), p. 412.

[71] Pope John Paul II, Address to the plenary assembly of the Pontifical Council for the Laity, 1 March 1999, in *L'Osservatore Romano*, weekly ed. in English, 10 March 1999, p. 5.

[72] *Ecclesia in America* 29, p. 575. "In this sense," added Pope John Paul, "by spirituality, which is the goal of conversion, we mean 'not a part of life, but the whole of life guided by the Holy Spirit'." See also the relevant comments in the Pope's address to the Bishops of Ireland during their *ad limina* visit on 26 June 1999, in *L'Osservatore Romano*, weekly ed. in English, 30 June 1999, p. 3.

celebrates "a penitential attitude of life as an ongoing dimension of the Christian experience."[73] Nevertheless, although signs of this maturity included advancement of lay participation and co-responsibility in the life of the Christian community, the demand for adherence to the Church's doctrinal and moral teachings might discourage and even prevent the freedom to question, challenge, and propose theoretical and practical alternatives – not excluding forms of sacramental reconciliation – born of the insight and experience of Christ's faithful.[74]

7.3 A NEW EVANGELIZATION

Arguably the dominant theme of papal teaching in the period under review, the exhortation for a new or re-evangelization which encompassed not only those regions undergoing transformation through a constant spreading of an indifference to religion, of secularism and atheism, but also those where many vital traditions of piety and popular forms of Christian religion risked dispersion under the impact of a multiplicity of processes, served as a formidable context which bound together the Church's social doctrine and the formation of mature ecclesial communities "in which the faith might radiate and fulfill the basic meaning of adherence to the person of Christ and his Gospel, of an encounter and sacramental communion with him, and of an existence lived in charity and in service."[75] Enthusiasm for the implementation and comprehension of this

---

[73] Pope John Paul II, Address, 15 September 1999, in *L'Osservatore Romano*, weekly ed. in English, 22 September 1999, p. 11. Emphasizing the importance for Christian faithful of the communal dimension of conversion and reconciliation, the Pope added that "in a reconciled and reconciling community, sinners can find the way they had lost and the help of their brethren. In the end, through the Christian community it is possible again to mark out a sound path of charity, which visibly expresses through good works the forgiveness refound, the evil redressed, the hope of being able once again to experience the Father's merciful embrace."

[74] For an example of such insight, see the comments by G. Gleeson, "The Future of the 'Third Rite' of Reconciliation," in *The Australasian Catholic Record*, 77 (2000), p. 28.

[75] *Christifideles laici* 34. The Latin text reads: "in quibus nempe fides irradiet et re prodeat tota sua vi ac significatione adhæsionis personæ Christi Eiusque Evangelico, accessus et communionis

new evangelization rapidly gathered momentum from the formal introduction of the term by Pope John Paul in an address to the members of the Federation of the Conferences of Latin American Bishops in Haiti on 9 March 1983.[76] As an effective response to this crisis of values, the profound renewal of the life of each individual Christian and of the Church community as a whole implied by this new evangelization Pope John Paul considered fundamentally dependent on the Church's ability to offer people a personal and sincere meeting with the Lord, a task for which he immediately regarded the sacrament of reconciliation and its concomitant penitential process a vital and eminently suitable contributing element.[77]

Prompted by the collapse of Communist political structures in several Eastern European countries, Pope John Paul announced on 22 April 1990 the convocation of a

---

sacramentalis ad Illum, existentiæ in caritate et servitio peractæ." English trans. in *Origins*, 18 (1988-1989), p. 577.

[76] See K. Boyack, "What is 'New' in the New Evangelization?" in *The Living Light*, 29 (1993), p. 3 and T. Menamparampil, "What is New About the New Evangelization? I," in *Vidyajyoti*, 61 (1997), p. 361, although according to S. O'Riordan, "Towards a New Evangelization of Europe?" in *The Furrow*, 43 (1992), p. 131, the idea of a new evangelization had been in the Pope's mind since the beginning of his pontificate, having declared during the first of many visits to his native country in June 1979 that such an evangelization had already begun. Consequently, whilst the occasion of his address in Haiti was the beginning of the preparations for the fifth centenary of the evangelization of Latin America, Pope John Paul "was not thinking of merely a re-evangelization of the American continent," states Archbishop Menamparampil, "but of a sharing of the faith which was 'new in its vigour, new in its methods, and new in its expression'." For a helpful summary which traces the rapid development in modern times of the identification of evangelization as the grace and vocation proper to the Church, see A. Dulles, "John Paul II and the New Evangelization," in *America*, 166 (1992), pp. 52-55.

[77] Pope John Paul II, Address to the Bishops of Peru on their *ad limina* visit, 29 September 1989, in *Insegnamenti di Giovanni Paolo II*, XII, part 2 (1989), p. 699, and his closing address to the special joint assembly of the Archbishops of the United States of America and the heads of the Curial departments, 11 March 1989, in *Insegnamenti di Giovanni Paolo II*, XII, part 1 (1989), pp. 537-538. An English trans. for the former text may be found in *L'Osservatore Romano*, weekly ed. in English, 20 November 1989, p. 3. The Pope repeated and expanded this message in the course of several successive delegations of bishops from Latin America celebrating their *ad limina* visits at this time, culminating in his encyclical letter *Redemptoris missio*, 7 December 1990, in *AAS*, 83 (1991), pp. 249-340, especially no. 44 on pp. 290-291. English trans. in *Origins*, 20 (1990-1991), pp. 541; 543-568. Dulles, "John Paul II and the New Evangelization," also mentions on pp. 56 and 58 a letter to the religious of Latin America dated 29 June 1990, in *AAS*, 83 (1991), pp. 22-45, where Pope John Paul affirmed how important it is "to recall that evangelization involves conversion, that is, interior change." As Fr (now Cardinal) Dulles adds on p. 58, evangelization "must emanate from a deep experience of God." An English trans. of this letter may be found in *Origins*, 20 (1990-1991), pp. 208-216. The comment cited is on p. 214.

Special Assembly of the Synod of Bishops to launch a new evangelization of Europe.[78] The optimism which accompanied this announcement soon withered before the complex reality of late twentieth century Europe. Problems such as the rapid emergence of nationalism as the dominant force in the social, political and religious life of the former Communist countries and increasing dechristianization which apparently continued unabated in the West inevitably exposed the conflicting mentalities at the source of projects or strategies offered as viable and productive responses, which effectively wrapped the Synodal proceedings in a rather sombre and critical atmosphere.[79] This situation may have motivated some authors to reflect primarily on the *person* to whom the new evangelization would be addressed within their specific religious, socio-political and economic contexts.

The emergence of secularised environments in certain areas of the world suggested that the phenomenon of a "post-Christian human being" had grown proportionately significant in modern times.[80] At the same time, the new evangelization offered the Church an opportunity for dialogue and exchange with members of other

---

[78] See O'Riordan, "Towards a New Evangelization of Europe?" for an interesting reflection on the preparations for the Synod and the event itself celebrated at the Vatican from 18 November to 14 December 1991. According to O'Riordan, Pope John Paul probably thought it likely that a new flowering of civil and religious freedom in Central and Eastern Europe could provide the catalyst for revitalizing Christianity in the West so that all might participate together in a new evangelization which would effect a social transformation of humanity not limited to the Christian conversion of individuals and particular groups and communities.

[79] O'Riordan, "Towards a New Evangelization of Europe?" p. 132. On subsequent pages the author examines some of these differing approaches to evangelization. Significant opposition was raised against the "campaigning" form of evangelization advocated and practised by new movements within the Church favoured by Pope John Paul which O'Riordan states on p. 137 seemed to many "a summons to return by another route to the ancient 'wars of religion'."

[80] A. Suquía, "The New Evangelization: Some Tasks and Risks of the Present," in *Communio*, 19 (1992), p. 527. The person to whom Cardinal Suquía refers "has largely lost the sense of, and even the language for, speaking of the mystery of God, and of his [or her] own mystery ... for [whom] the fundamental reference point from which he [or she] understands his [or her] life, situations and things is no longer the Christian tradition." Although the Cardinal refers only to Europe, his comments could apply to other places. See the similar appraisal in Dulles, "John Paul II and the New Evangelization," p. 57, who adds that in *Redemptoris missio* 37, Pope John Paul II mentions the presence of *new cultural sectors* which have emerged in formerly Christian areas which require evangelization as if they did not know Christ or the Gospel, including "migrants, refugees, young people and the 'new humanity' whose formation depends greatly on the mass media of communication." Another perspective on America appears in D.L. Schindler, "Reorienting the Church on the Eve of the Millennium: John Paul II's 'New Evangelization'," in *Communio*, 24 (1997), pp. 740-744.

ancient religions and native cultures, and to look into the eyes of the oppressed through engaging major issues such as the widespread poverty caused by sinful social structures and the consequences of colonialism.[81] This suggests that the elements which might characterize the newness of any evangelization – redemption in Christ offered as a real tangible possibility that can be experienced personally in life, by a Church brave enough to be simply and transparently itself, to men and women taken absolutely seriously, accepted and loved as and where they are, in the form of a testimony and an invitation which explicitly proclaims the person of Jesus Christ – comprise a message that has already begun to convert and transform the evangelizing entity into "a people that carries in its flesh the signs of the Redemption, whose communion and whose entire life, above any weakness of the members, is a testimony that the Redemption has happened in them."[82] Pope John Paul thus expressed the hope that this process of evangelization, through the personal and collective reconciliation and peace it would generate and nourish in individuals and society, could provide a solid foundation for local faith communities to become the evangelists and reconcilers of all those in need.[83]

The meaning and importance of the new evangelization received further attention from Pope John Paul when, in recalling that Jesus himself, from the very beginning of his ministry, called people to faith and conversion, and perceiving in his interpretation of the dechristianized modern world, not only the loss of faith or its becoming irrelevant for everyday life, but also and of necessity, a decline or obscuring of the moral sense, he

---

[81] See the introductory comments of Archbishop Menamparampil, "What is New About the New Evangelization? I," p. 362. A helpful synthesis of papal teaching on the relationship between Catholic social doctrine and evangelization is provided by Dulles, "John Paul II and the New Evangelization," p. 69. Schindler also offers some comments on this topic in "Reorienting the Church on the Eve of the New Millennium: John Paul II's 'New Evangelization'," pp. 745-753.

[82] Suquía, "The New Evangelization: Some Tasks and Risks of the Present," p. 532, and see the author's preceding comments on pp. 528-531. Similar thoughts are expressed by Boyack, "What is 'New' in the New Evangelization?" pp. 5-7 and Menamparampil, "What is New About the New Evangelization? I," p. 362.

[83] Pope John Paul II, Address to the Bishops of Peru, p. 3. Nevertheless, concludes Dulles on p. 71 of "John Paul II and the New Evangelization," whilst "Catholic spirituality at its best has always promoted a deep personal relationship with Christ ... too many Catholics of our day seem never to have encountered [Him]. The hearing of the Gospel, personal prayer, and the [celebration] of the sacraments should establish and deepen that saving relationship."

indicated that evangelization involves the proclamation and presentation of morality, a "way" to be followed for those who would be disciples of the Risen One.[84] "The new evangelization will show its authenticity and unleash all its missionary force," says Pope John Paul, "when it is carried out through the gift not only of the word proclaimed but also of the word lived."[85] At the most fundamental level, the daily subject of this experience is the willingness to forgive and to ask for forgiveness – for which the Church's official ministry of reconciliation can be an effective locus of celebration and nourishment – as the necessary example and inspiration for men and women who sincerely seek what can give meaning and value to their lives.[86]

In the final year of preparation for the Great Jubilee of the year 2000, Pope John Paul grasped the opportunity to carefully elaborate on the context and purpose of the new evangelization, and suggest means by which the entire Church might effectively embrace this crucial, deliberate and ongoing programme.[87] Consistent with his previous teaching on the subject, Pope John Paul affirmed that a new evangelization intended for the modern world in all its richness and diversity should not "be restricted to revitalizing the

---

[84] These comments are composed from the text of the English trans. of *Veritatis splendor* 106-107, pp. 157-158. See also the helpful explanation by Tettamanzi, "The Call to Freedom Lived in Truth is Heart of the New Evangelization," p. 9. Various aspects of the "way" of Christ are elaborated in the *Catechism*, Part 3, Section 1.

[85] *Veritatis splendor* 107. The Latin text reads: "Nova evangelizato ... suam prodit veritatem eodemque tempore suum integrum emittit missionale robur cum expletur per donum non solum verbi nuntiati, sed etiam, *et quodam modo* præsertim, per donum verbi ad effectum deducti." The English trans., which does not appear to convey the emphasis in the Latin text on active living of the word, may be found in *Veritatis Splendor: Certain Fundamental Questions of the Church's Moral Teaching*, p. 158. Indeed, Pope John Paul paid particular attention in some subsequent addresses to the witness of a holy life in the contemporary world – calling it the first means of evangelization – especially for the Church's ordained members, but also affirming this for laypersons as a mission of the utmost importance by which all will find "the necessary freedom and strength of spirit to transform social relations and society itself according to God's plan." See for example the Pope's *ad limina* address to the Bishops of Cuba, p. 2, from which the text quoted has been obtained, and his *ad limina* address to the Bishops of Nicaragua, p. 3, where he clearly states the new evangelization's need for witnesses, "people who have experienced a real transformation in their lives through their faith in Jesus Christ and can pass this experience on to others."

[86] See the text of Pope John Paul's address in the cathedral of Zagreb, Croatia, 10 September 1994, in *Insegnamenti di Giovanni Paolo II*, XVII, part 2 (1994), pp. 276-277. English trans. in *L'Osservatore Romano*, weekly ed. in English, 21 September 1994, p. 3 and *Tertio millennio adveniente* 31-32.

[87] Significantly, the new evangelization was the theme underlying each of the special assemblies of the Synod of Bishops celebrated between 1994 and 1999.

faith of regular believers, but must strive as well to proclaim Christ where he is not known."[88] Aware of the unfortunate fact that many Christians, "forgetful of their baptismal commitments, live in indifference, yielding to compromise with the secular world," Pope John Paul thus repeated his call for "the witness of 'new men' and 'new women' who, in word and deed, make Christ present in an ever more powerful way, for Christ is the only complete and superabundant answer to the longing for truth and happiness in the human heart."[89]

This understanding enabled Pope John Paul to explain in some detail several implications which emerged from the task of a new evangelization. Given the ministry of bishops to both live and promote holiness of life and the Christian formation of those they serve, the new evangelization required of them a renewal of pastoral governance and activity which not only retained or revived traditional practices, but also sought "new forms of prayer and apostolate, new structures and programmes, that help to build a greater sense of *belonging to the ecclesial community.*"[90] Within this broad proposal, the Pope singled out those he regarded as the most vulnerable and marginalized for intense pastoral attention, making the defence of basic human rights – especially when affected by sinful social structures – a focus for the catechesis and practical solidarity by which the new evangelization might stir up an authentic *metanoia* that would help create more just

---

[88] *Ecclesia in America* 74, p. 589, and see also nos 67-68 where the Pope writes that to the extent Christian faithful "make the life of the Son of God made man the perfect model for their work of spreading the Gospel," each one can carry out his or her mission to "communicate to others the richness discovered in the experience of the[ir] encounter [with the Lord], ... enabling others to encounter Jesus personally."

[89] Pope John Paul II, Address to the plenary assembly of the Pontifical Council for the Laity, 1 March 1999, p. 5.

[90] Pope John Paul II, Address to the Bishops of Ireland during their *ad limina* visit, 26 June 1999, p. 3. Since "many of the faithful are eager to have a more enlightened knowledge of the faith, to deepen their relationship with God in prayer, to learn how to follow Christ more closely in their daily lives and in the service of the common good," Pope John Paul reminded the bishops to "make their aim the saving truth of Christ, in order to be able to transmit a solidly rooted vision of the faith, relevant to the needs of our times."

and human structures and ensure that people recover the awareness that in Christ evil can be conquered with good.[91]

In this light, it was essential that the new evangelization address "prevailing trends in contemporary culture [that] weaken the sense of sin, particularly because of a diminished consciousness of God who is all holy and calls his people to holiness of life."[92] The means suggested by Pope John Paul to counter this trend represented an effort "to recover the sense of what sin is in relation to God" that would draw faithful to an encounter with the merciful Lord in "the uniquely transforming experience that is individual, integral confession and absolution."[93] This proposal was given further attention in a letter issued about this time by the Congregation for the Clergy. Revealing a straightforward, predictable and, in some places, arguably unrealistic approach, this document used the new evangelization as a link between the sacrament of reconciliation and spiritual direction. The Congregation argued that frequent individual confession, by which faithful are brought "to that conversion which leads to sincere and contrite recognition of those moral flaws and deficiencies found in everyone's daily life," could open them to an authentic spiritual dialogue through which they might be formed into "true apostles capable of activating new evangelization in society."[94]

---

[91] See ibid., p. 3, and his address to a general audience, 25 August 1999, p. 7. In this latter talk, the Pope reiterated that "people must be taught a sense of personal responsibility, closely connected with moral obligations and the consciousness of sin."

[92] Pope John Paul II, Address to the Bishops of Ireland, p. 4. See also *Ecclesia in America* 70-72 where the Pope discusses this issue at some length and suggests Catholic centres of education and the social communications media as effective means for evangelizing culture in the world today.

[93] Pope John Paul II, Address to the Bishops of Ireland, p. 4. Although more or less consistent with his teaching on the sacrament of reconciliation, the exclusive reference to the personal nature of sin, conversion, forgiveness and reconciliation in this address is somewhat surprising, given the Pope's recent willingness to explore the communal aspect of these elements, especially in terms of the Church's social doctrine.

[94] Congregation for the Clergy, Letter *The Priest and the Third Christian Millennium: Teacher of the Word, Minister of the Sacraments and Leader of the Community*, 19 March 1999, published as a special insert in *L'Osservatore Romano*, weekly ed. in English, 21 July 1999, chapter 3, p. v. Although the letter affirms that the sacrament of reconciliation opens the way for everyone, especially those borne down by grave sins, individually to experience God's mercy, and reveals an awareness of the need to avoid confusing the sacrament with spiritual direction, its general content and tone blurs the distinction between these two ministries and as a result promotes the primacy of a devotional use of the sacrament centred on conscience formation and growth in virtue.

Couched in quite traditional language, the letter relies on familiar concepts – an emphasis on confession and certain types of sins, individualism, and an abstract, purificatory and "momentary" understanding of the liturgical ritual – which necessarily urge the maintenance or revitalization of certain practices which foster repetitious use of the sacrament, such as a regular organized schedule of private confessions and frequent exemplary recourse to the sacrament by priests. It seems strange, therefore, that despite high-level acknowledgement of the need for new forms of prayer and worship which might credibly engage the Christian maturity expected from the "new people" of the third millennium, the new evangelization had apparently not stretched to invigorate the official stance on the meaning, structure and pastoral application of this element in the Church's sacramental life. Indeed, the dependence of the new evangelization on a renewal of individual confession as an exclusive and fixed sacramental mode in this document is emphasized in its concern for the strict observance of the canonical norms governing general absolution.[95]

The reserved style of celebration advocated by the Congregation for the Clergy for the sacrament of reconciliation apparently did not exhaust the inspiration of some bishops, whose planning for the jubilee year included a programme to joyfully welcome home members of the Church specifically addressed by the new evangelization.[96] Proposing a grand rite of reconciliation on the Saturday before Palm Sunday 2000, the Bishops of England and Wales, Scotland and Ireland voted unanimously "to give general absolution to everyone, *en masse*, with no private confessions at all."[97] Although formed

---

[95] See no. 23 of the letter's questionnaire, perhaps rejecting the later comment of Pope John Paul in his *ad limina* address to the Bishops of Ireland, p. 4.

[96] According to *Redemptoris missio* 33, these members are characterized as entire groups of baptized persons who have lost a living sense of the faith or live a life far removed from the Lord Jesus and his Gospel.

[97] R.B. Kaiser, "Bishops, the Vatican and General Absolution," in *Doctrine and Life*, 50 (2000), p. 15. The occasion for this admission and its background was a press conference given by Archbishop K. O'Brien of St Andrews and Edinburgh during the Special Assembly of the Synod of Bishops for Europe on 21 October 1999. As the Archbishop explained, three days had been set aside in the following week for those who wished to approach an individual, private celebration of the sacrament. "We thought that if people wanted a reconciliation with the Lord, we should make it easy for them," said Archbishop O'Brien, "rather than have them jump through all these hoops."

upon sound historical and biblical foundations and proposed by theologically moderate Church officials with vast pastoral experience, the plan was vetoed by the Congregation for Divine Worship and the Discipline of the Sacraments, indicating on the one hand the continuing emergence of different interpretations regarding the norms regulating general absolution, but also the presence of more fundamental questions concerning, for example, the role and responsibility of diocesan bishops, the principle of subsidiarity, and the balance between service and power in exercising the spiritual riches with which Christ has blessed the Church.

7.4. THE QUESTION OF JUSTIFICATION

According to documents released on 11 June 1999, Pope John Paul II, having been informed of the approval given by the responsible dicasteries of the Roman Curia, gave his blessing for the signing of the *Joint Declaration on the Doctrine of Justification*, together with the subsequent *Official Common Statement* with its attached *Annex*, on the date and in the place decided upon by competent representatives of the Lutheran World Federation and the Roman Catholic Church.[98] Although the Pope was not directly involved in the activities which comprised this project of ecumenical dialogue, its affirmation that a consensus in basic truths of the doctrine exists between Lutherans and Catholics, and that the mutual condemnations of former times do not apply to the understanding of justification expressed in the documents, emerged as an exemplary response to the papal appeal for an examination of conscience and the promotion of fitting ecumenical initiatives so that Christians could celebrate the Great Jubilee of the year 2000, if not completely united, at least much closer to overcoming the divisions of the second millennium.[99] Obviously, the consensus as published in its final form was the

---

[98] The ceremony took place on 31 October 1999 in Augsburg, Germany, a day and location regarded by both signatories as deeply significant of peace, inclusion, and "our common belief that our justification by God's grace through faith, ... is in fact the faith of the whole Church." See the statement given by I. Noko, general secretary of the Lutheran World Federation, in *Origins*, 29 (1999-2000), p. 91.

[99] *Tertio millennio adveniente* 34. At the same time, Pope John Paul recognized that the unity of Christians – a gift of the Holy Spirit – is a crucial matter for the Church's testimony to the Gospel before the world and a dynamic stimulus for repentance and healing through practical efforts and a deeper

product of an extended process and the work of many scholars and Church officials, which involved the dialogue partners in a reverent common listening to Sacred Scripture and theological conversations informed by developments gained from their respective ecclesial histories that not only made possible, but also required the Churches to examine certain divisive questions and see them in a new light.[100]

Even as the official dialogue gathered momentum in pursuit of this consensus on basic truths regarding justification, concerned scholars either individually or through informal exchange of ideas worked conscientiously beside the formal process to identify and discuss issues whose resolution they considered necessary before any substantial agreement could be achieved between the Churches involved. Arguably the common denominator effectively linking these issues was the understanding of *faith* in the response of human beings to the presence of God in Jesus as the condition and cause for justification.

One of the principal matters which fuelled the debate on justification was the controversy on the importance and function of faith alone (*sola fides*), regarded in Roman Catholic theology as an initial disposition to a process in which is emphasized the sanctification and renewal that the constant interior action of the Holy Spirit makes possible for those forgiven and made righteous by justifying grace, and understood in Lutheran teaching as trust in Jesus Christ which sinful men and women, having heard the good news proclaimed, receive as an unmerited divine gift, whereby God effects without

---

commitment to prayer "in unison with the great petition of Christ before his passion: 'Father ... that they also may all be one in us (Jn 17:21)'." The Latin text reads: "secundum amplam illam Christi præcationem ante Passionem: «Pater ... ut et ipsi in nobis unum sint» (Io 17, 21)." Another initiative reflecting the Pope's appeal may be the common declaration between the Catholic Church and the Armenian Apostolic Church signed on 13 December 1996. See *L'Osservatore Romano*, weekly ed. in English, 18-25 December 1996, p. 2 for the text of this declaration.

[100] Lutheran - Catholic Dialogue, *Joint Declaration on the Doctrine of Justification*, 25 June 1998, in *Origins*, 28 (1998-1999), pp. 120-121, 122. Cardinal E. Cassidy provided a brief overview of the proximate and remote history of the dialogue in a press conference statement also published in *Origins*, 28 (1998-1999), p. 128 especially. It is interesting to note that the *Joint Declaration* itself experienced a somewhat lengthy and troubled path towards a conclusive text sufficiently acceptable to both signatories.

any contribution on their part a justification that declares them righteous, forgives their sins, and imparts a love to them from which the renewal of life proceeds.[101]

According to the contemporaneously published compendium of Catholic teaching, "justification establishes *cooperation between God's grace and human freedom.* On the part of human beings, it is expressed by the assent of faith to the Word of God which invites them to conversion, and in the cooperation of charity with the prompting of the Holy Spirit who precedes and preserves their assent."[102] Through justifying grace – understood as God's self-communication in forgiving love – Christians participate in a living relationship with the Trinitarian God, whereby they are changed to become a new creation, God's adopted children and friends of Christ his only Son.[103] At the same time, the *Catechism* carefully acknowledges that "since the initiative belongs to God in the order of grace, no one can merit the initial grace of forgiveness and justification at the

---

[101] See for example the comments of Osborne, *Reconciliation and Justification*, p. 250; J.F. O'Grady, "Paul and Justification," in *Chicago Studies*, 31 (1992), p. 76 and G.O. Forde, "Justification by Faith Alone: The Article by Which the Church Stands or Falls?" in J.A. Burgess (ed.), *In Search of Christian Unity: Basic Consensus / Basic Differences*, Minneapolis, MN, Fortress Press, 1991, pp. 66-67. Dr Forde explains in his essay the rationale for considering justification by faith alone as the critical article by which all teaching must be measured and its hermeneutic function to direct and foster the speaking of the unconditional gospel. Since Catholic theology tended to separate rather than distinguish justification and sanctification, C.J. Peter, writing in the same volume as Dr Forde, queries the adequacy of this principle as the sole criterion for judgement, and advocates on pp. 81-82 of his "Roman Catholic Response" the retention of a complementary principle, as a help in search of consensus, in order "to provide explicit and effective recognition of promised grace that may go unnoticed or even be rejected if justification by faith alone functions in critical exclusivity and isolation."

[102] *Catechism* 1993. The Latin text reads: "Iustificatio *inter gratiam Dei et libertatem nominis cooperationem* stabilit. Hæc, ex parte nominis, exprimitur in fidei assensu ad verbum Dei eumdem ad conversionem invitat, et in caritatis cooperatione impulsui Spiritus Sancti qui assensum prævenit et servat." This means that, having been freed from slavery to sin through justification conferred in baptism, the sacrament of faith, and conformed to the righteousness of God who makes them inwardly just by the power of his mercy, believers grow in assurance of salvation as they cooperate with God's grace through their Spirit-led response of faith and good works.

[103] *Catechism* 1997. There is a kind of "embrionic" understanding of justifying faith contained in this view, which is preserved and deepened as believers grow in the holiness that leads to eternal life through their active docility to the Holy Spirit, whereas Lutheran thinking maintained the "completeness" of acceptance by God and sharing in the righteousness of Christ from the time of justification, the effects of which can be seen more clearly in the lifelong discovery of its meaning and impact manifested by good works and ultimately fulfilled in life with God. For a succinct summary of the *Catechism's* presentation on justification, see Gleeson, "The Moral life as Christian Vocation," pp. 71-72.

beginning of conversion."[104] Nevertheless, by maintaining the separation between justification and the renewal of life which proceeds from this sovereign and creative act of God, the subsequent comment that "moved by the Holy Spirit and by charity, [*human beings*] *can then merit* for themselves and for others the graces needed for [their] sanctification, for the increase of grace and charity, and for the attainment of eternal life" indicates an apparent lack in the *Catechism* of a statement sufficiently clear and without contradiction concerning the relationship between the faith alone given and made possible by God's grace for justification and the good works this faith active in love necessarily produces.[105]

In their reflections on the principle of justification by faith, scholars also identified the need to restate with some emphasis the absolutely gratuitous nature of God's gift of grace through faith to humankind.[106] At stake for these authors were the fundamental priority of God's initiative in accomplishing the justification and righteousness of the human family and his establishment of this proper relationship with them – unprovoked by any good deed on their part – solely through his intervention in Jesus Christ.[107] A study of the Pauline corpus shows the author(s) concluded that the final eschatological judgement – in which believers share through the gift of faith and new life from God in

---

[104] *Catechism* 2010. The Latin text reads: "Cum inceptum in ordine gratiæ ad Deum pertineat in conversionis, veniæ et iustificationis origine, *nemo primam gratiam mereri potest*." This appears to substantially agree with the Lutheran understanding that human beings contribute nothing to their coming to faith, so that the absence of resistance in them to the action of the Holy Spirit in the work of conversion is itself grace from God.

[105] *Catechism* 2010. The Latin text for the quoted sentence reads: "Sub Spiritus Sancti et caritatis motione, *possumus exinde mereri* nobismet ipsis et pro aliis gratias pro nostra sanctificatione, pro augmento gratiæ et caritatis, sicut pro vita æterna obtinenda utiles." Apparently the idea behind such a statement was to express the responsibility of human beings for their actions. In their report published under the title *Justification: A Common Statement of the Australian Lutheran - Roman Catholic Dialogue*, Adelaide, South Australia, [n.p.], 1998, the authors include on p. 8 the Lutheran teaching contained in the *Apology of the Augsburg Confessions* which states that "good works are meritorious - not for the forgiveness of sins, grace, or justification (for we obtain these only by faith) but for other physical and spiritual rewards in this life and in that which is to come."

[106] Osborne discusses this aspect with some relish on pp. 251-252 of *Reconciliation and Justification* and O'Grady also enters the fray on pp. 70, 74-75 of "Paul and Justification."

[107] As Osborne comments on p. 252, no one, not even Jesus himself, must do something first, so that God can or does give the forgiveness which justifies and declares them righteous. To think otherwise "almost compromises the faith-stance that our salvation through Jesus is the supreme instance of God's absolute gratuitous gift of grace."

baptism – has already taken place historically in the death of Jesus. "The judgement is acquittal for all. God has universally acquitted sinful people. The impious are justified as a pure gift of God."[108] Faith, conversion, and the life of loving service believers live through the power of the Holy Spirit without exception have their only source in that divine grace which is absolutely free, and can never be understood – even in some strictly dependent sense – as good works brushed with the slightest hint of personal merit, for if such is the case faith is lost and human beings are once again slaves to sin.[109]

At the same time, thinking on this aspect of justification also caused scholars to address important questions about the Church and ecclesiastical authority. Acceptance of the Lord Jesus Christ as the *one* who, by his death and resurrection, liberates humankind from sin and opens the way to the new life of justification, must exclude the concept that the Church itself offers something along with Jesus, and the suggestion that the Church or any of its members might be considered a second saviour or – even in miniscule fashion – a co-saviour with him.[110] Christ is the end of the law to those of faith, the death of the old being, and the beginning of the new.[111] When justification is by faith rather than works, even grace-wrought works, this truth about Christ is expressed in the most credible and complete manner, since it is on account of Christ alone that the Gospel message which brings the faith for justification is proclaimed. Whilst this effectively

---

[108] O'Grady, "Paul and Justification," p. 74. "The universal divine gift of grace took place in Christ Jesus," O'Grady continues on pp. 75-76, "and all of humanity has been affected and is graced. God not only forgives, but saves, helps and brings about a reconciliation and deliverance. People are truly different."

[109] See the explanation in Forde, "Justification by Faith Alone," pp. 72-73. "Whatever is not of faith is sin," writes Dr Forde on p. 73. "We are in bondage precisely to our schemes of works and all such. We cannot get out ... only the unconditional promise which creates faith and grants freedom once again can put an end to this slavery and open up the possibility of new life."

[110] Osborne, *Reconciliation and Justification*, p. 252. *Catechism* 617 thus repeats the teaching of the Council of Trent which "emphasizes the unique character of Christ's sacrifice as 'the source of eternal salvation' and teaches that 'his most holy Passion on the wood of the cross merited justification for us'." The Latin text reads: "«Sua sanctissima passione in ligno crucis nobis iustificationem meruit»: docet Concilium Tridentinum, indolem efferens unicam sacrificii Christi tamquam auctoris salutis æternæ." Osborne adds that post-Tridentine explanations have not always maintained the clarity of this teaching. See for example the somewhat ambiguous text in *Catechism* 1362-1372.

[111] Forde, "Justification by Faith Alone," p. 72; see also O'Grady, "Paul and Justification," pp. 73-74 and 75-76.

authenticates the Church itself and the concrete ministry with which it has been entrusted, questions remained for further discussion concerning the nature and purpose of the ministry and the form and exercise of the Church's authority.[112]

The thorough and probative approach which identified and explored the issues outlined in the preceding paragraphs also uncovered some important implications for sacramental theology and in particular for the understanding and practice of the sacrament of reconciliation. One of these involved the topic of eschatology. Sacramental celebrations are for human beings an encounter with the risen Christ in which, within the full meaning of that drama, they are confronted with the reality of the eschatologically new breaking in upon them. Consequently, if this context is informed and shaped from a different perspective of God's self-revelation, then what sacraments are, the effects they are meant to express and nourish in the lives of Christian faithful, and the reasons advanced for their practice can suffer a significant shift in meaning and credibility.[113]

In the act of justification, men and women already through faith enter the new life of God's kingdom and, with a sense of hope and confidence, move in the power of the Holy Spirit toward a future which assures the complete renewal of all life. Since God alone constitutes the justified righteous through faith in Jesus Christ, a sense of freedom emerges which implies that human beings can experience peace rather than anxiety even in the presence of human failure and sin.[114] In the light of Christ, faithful recognize that the mystery of sin, conversion and reconciliation which pervades the whole spectrum of their pilgrim journey on earth takes place with the knowledge and conviction of having already been forgiven because his death on the cross is fully effective for them.

The unrelenting presence of several controversial and unresolved issues concerning the sacrament of reconciliation – reflecting perhaps a certain ambiguity in some of its theological and ritual aspects – further implied the apparent non-integration of

---

[112] See Forde, "Justification by Faith Alone," pp. 68 and 71-72 for the relevant comments and explanation.

[113] An interesting example is given in ibid., pp. 74-75.

[114] O'Grady, "Paul and Justification," pp. 77-78. The defining element in justification is, therefore, the great mercy of God who, once and for all in Christ Jesus, has relativised the power of sin forever.

justification with postconciliar reforms and the discussion with which they have been accompanied. In emphasizing, for example, what penitents must do or intend for the validity of the sacramental celebration, some contemporary theological opinions and even official statements were perceived to make little mention of the absolute gratuity of God's grace, whilst the inconsistency of opinion regarding the relationship between a person's reconciliation with God and with the Church similarly provoked doubt in relation to the complete adequacy of Jesus' salvific action on the cross.[115] Unless the ritual of reconciliation is a sacrament of this same Jesus – and thus of the very meaning of justification – it will not be a sacrament of the superabundant love and mercy of a reconciling, justifying, divinizing God.[116]

The sensitive and basic nature of these and other issues which continued to impact upon the discussion about the doctrine of justification meant that the common understanding achieved at the international level in 1998 was published in a cloudy atmosphere that seemed to expose some fragility in the consensus, so fundamental and indispensable to overcoming division, claimed by the dialogue partners. An official Catholic response to the *Joint Declaration* exposing some "major difficulties preventing an affirmation of total consensus between the parties on the theme of justification" aroused uncertainty concerning the level of agreement asserted in the document which effectively delayed its signing by the delegated representatives.[117] This response explained the major difficulties as the Lutheran formula that the justified are at the same

---

[115] See the comments in Osborne, *Reconciliation and Justification*, pp. 251-252. Nevertheless, whilst Osborne states that continued study on justification is foundational, it remains a separate factor from that which lies at the heart of current Roman Catholic uncertainty in the theology and practice of the sacrament of reconciliation which, put in the form of a question, asks in what way does the sacrament of reconciliation, in its currently revised form, celebrate the central mystery of justification?

[116] Ibid., pp. 253-254. In the author's opinion, the sacrament of reconciliation at present remains distorted because it is generally proposed as simply the means for penitents to regain the innocence they had lost through sin, rather than a celebration where faithful are inundated with a superabundance of God's forgiving and gracing love.

[117] The text of this response, dated 25 June 1998 and prepared by common agreement between the Congregation for the Doctrine of the Faith and the Pontifical Council for the Promotion of Christian Unity, may be found published under the title "Official Catholic Response to Joint Declaration," in *Origins*, 28 (1998-1999), pp. 130-132.

time righteous and sinner, apparently incompatible with the renewal and sanctification of the inner human being related by the Council of Trent; the difference in the importance for Lutherans and Catholics of the doctrine of justification as criterion for the life and practice of the Church; the Catholic understanding of good works as always the fruit of grace but, whilst not diminishing the divine initiative, simultaneously the fruit of human beings, justified and interiorly transformed.[118]

New documents responding to these concerns were published on 11 June 1999, comprising an *Official Common Statement*, which reaffirmed the existence of a consensus in basic truths of the doctrine of justification between Lutherans and Catholics, and an *Annex*, which further substantiated the consensus reached in the *Joint Declaration* to make clear that the mutual condemnations of former times did not apply to the teaching of the dialogue partners presented in their original statement.[119] Consequently, the text of the *Annex* unequivocally reiterated the fundamental confession shared by Lutherans and Catholics that "by grace alone, in faith in Christ's saving work and not because of any merit on our part, we are accepted by God and receive the Holy Spirit, who renews our hearts while equipping and calling us to good works."[120]

In the light of this basic truth, the *Annex* then proceeds to some kind of resolution of how at the same time a Christian can be understood as both righteous and sinner (*simul justus et peccator*). It begins with the mutually agreed conviction that "justification is forgiveness of sins and being made righteous, through which God 'imparts the gift of new life in Christ'," in which sense "the justified do not remain sinners."[121] Notwithstanding this truth, however, the *Annex* also admits the witness of Sacred Scripture which "recalls

---

[118] These problems are comprehensively set out in nos 1, 2 and 3 of the response. The importance of treating the sacrament of reconciliation in further study on the doctrine of justification is also carefully noted in no. 4 of the text.

[119] English language texts of these documents may be found in *Origins*, 29 (1999-2000), pp. 85, 87-88.

[120] *Annex* 2. The text is a direct citation from *Joint Declaration* 15.

[121] *Annex* 2A, citing *Joint Declaration* 22. A variety of biblical quotations are sprinkled throughout the text to illustrate this conclusion and the complementary aspect which follows. All references in this paragraph of the dissertation are taken from *Annex* 2A and 2B.

to us the persisting danger which comes from the power of sin and its action in Christians." The key element for clarification in this matter was the interpretation given by each of the dialogue partners to the term *concupiscence*; for Lutherans, "the self-seeking desire of the human being, which in the light of the law, spiritually understood, is regarded as sin" and for Catholics, "an inclination, remaining in human beings even after baptism, which comes from sin and presses toward sin." Although employing different language, it appeared both traditions essentially spoke of the same reality – the tendency to oppose God which the entire human being carries due to the power of sin. Within the limits of this conception of the Christian as justified yet sinful, the different perspectives of the dialogue partners to this subject were considered sufficiently and effectively reconciled.[122] Nevertheless, if the Catholic perspective on the nature of sacramental reconciliation remains the expression of an altogether reductionist model, and the meaning of sin does not extend beyond the shallow and incomplete understanding incorporated into the *Joint Declaration* and its *Annex*, then further study and ecumenical witness may struggle in striving for the stated goal "to interpret the message of justification in language relevant for human beings today, and with reference both to individual and social concerns of our times."[123]

Although given the shortest consideration of the major problems treated in the *Annex*, the question of the importance accorded the doctrine of justification as criterion for the life and practice of the Church was resolved to the apparent satisfaction of the dialogue partners through the recognition of a basic compatibility in the different expressions of the mutually held belief in the absolute centrality of Jesus Christ "as the

---

[122] The *Annex* winds up its resolution of this issue by reducing any lingering divergence in the respective traditions largely to differences in emphasis. A similar line of explanation may be found on pp. 7-8 of the *Common Statement* issued by the Australian Lutheran - Roman Catholic Dialogue.

[123] *Official Common Statement* 3. Significantly, the official Catholic response to the *Joint Declaration* had explained the sacrament of reconciliation in terms of *a means* by which it is possible for the sinner *to recover lost justice*. The obvious shortcomings in this approach have been outlined previously in this dissertation, including the present section. It is also surprising that a comprehensive treatment of sin – especially its social aspect – was omitted. Perhaps this may explain why, even though recognizing that God has forgiven everyone their sins once and for all through Christ, inaccurate comments persist such as the assertion on p. 8 of the *Common Statement* of the Australian Lutheran - Roman Catholic dialogue "that we stand in need of God's ongoing forgiveness" whereas it seems human beings – as individuals and communities – have an ongoing need to accept with thanksgiving the forgiveness God has already imparted in justification and actualise his grace more fully in the experiences of daily life.

one mediator, through whom God in the Holy Spirit gives himself and pours out his renewing gifts."[124] Since this truth is without contradiction, the doctrine of justification is rightly regarded measure or touchstone for the Christian faith – as an indispensable criterion effectively orienting all Church teaching and practice to Christ – which necessarily "has its truth and specific meaning within the overall context of the Church's fundamental Trinitarian confession of faith."[125] Notwithstanding the consensus achieved, however, the answer to this problem must be regarded as inconclusive until the anticipated further study on questions concerning the nature and exercise of Church authority is brought to an acceptable resolution.

In coming to terms with the third major difference perceived in the *Joint Declaration*, the text of the *Annex* sought to reconcile the teaching of the dialogue partners with respect to the part of human beings both prior to and following their justification by God. Accordingly, the *Annex* carefully acknowledges that "the working of God's grace does not exclude human action: God effects everything, the willing and the achievement; therefore, we are called to strive."[126] The involvement of human persons, therefore, does not come from themselves – whether described as a lack of resistance or cooperation – but is itself an effect of grace which is always received from the salvific and creative work of God. Consequently, the *Annex* also explains that it is "the responsibility of the justified not to waste this grace but to live it," practising their faith and confirming their call as they journey in pilgrimage towards the promise of eternal life. The certainty that "whatever in the justified precedes or follows the free gift of faith is neither the basis of justification nor merits it" indicates the more or less sacramental character of a person's actions, in the sense that they provide a measure of each one's openness to God working in them. Consequently, the conclusive primacy of

---

[124] *Annex* 3. Whilst it does not deal with this matter directly, there are some relevant comments in the *Common Statement* of the Australian Lutheran - Roman Catholic Dialogue, pp. 6-7.

[125] *Annex* 3, which includes several citations from the disputed text of *Joint Declaration* 18. Again, the source of the problem is seen primarily as a different emphasis in the teaching of the two traditions.

[126] Human beings can only accept justification, since it is imparted by God who creates in them faith through grace. In this work of conversion and blessing, men and women can and must become actively involved by the power of the Holy Spirit. References used in this paragraph may be found in *Annex* 2 C, D and E.

God's initiative of mercy over human activity in the understanding of justification expressed in these statements effectively isolates the "works of the penitent" as an important and specific area when the further study mandated therein for the sacrament of reconciliation is undertaken.

Significantly, certain recent scholarly contributions to the study of the New Testament have provided important insights which not only reinforce but also perhaps even extend these developments in understanding the doctrine of justification.[127] Careful exegesis of crucial, albeit difficult and unresolved texts, indicates beside the interpretation which suggests God justifies men and women through the gift of faith in Christ, the alternative position that God has acquitted the entire human race on the basis of *the faithfulness of Christ*, who loved us and gave himself for us, whether or not they are aware of this declaration.[128] This reading clearly complements the emphatic shift which undeniably affirms that justification derives solely from what God has done in Jesus Christ.[129] It also intensifies the imperative to announce the truth of the Gospel. When the message is preached, God generates faith in those who hear it and people come to know they are justified through this event of God's presuppositionless grace. At the same time God confers the gift of the Holy Spirit as an indisputable proof that, on account of their belief in the proclamation of Christ crucified, each one stands in the proper covenant relationship to God.[130] The redemption God effected in Christ is itself more

---

[127] See for example the collection of essays on St Paul's Letter to the Galatians in *Interpretation*, 54 (2000), pp. 233-292.

[128] This thought is based on the explanation of the "new perspective" on Galatians by F.J. Matera, "Galatians in Perspective: Cutting a New Path Through Old Territory," in *Interpretation*, 54 (2000), pp. 236-238.

[129] The once and for all Christ-event is, therefore, absolutely sufficient in accomplishing God's justification of humankind. Accordingly, J.L. Martyn explains in "The Apocalyptic Gospel in Galatians," in *Interpretation*, 54 (2000), p. 247, that justification by faith cannot co-exist with a "circular exchange" mentality - suggesting that human beings can do something about sin, such as repentance or keeping the laws of the Church, which then places God in their debt - no matter how attractive such a scheme may appear.

[130] See Matera, "Galatians in Perspective: Cutting a New Path Through Old Territory," p. 239. The knowledge of justification which comes from hearing the Gospel message brings with these blessings the responsibility to follow the guidance of the Holy Spirit.

than an act of merciful forgiveness; the faithfulness of Christ has an essentially *liberating* force. Now part of God's new creation, believers are led by the Spirit who produces his "fruits" in them so that their faith actively and increasingly expresses itself in love.[131] Justification is properly the experience of the Spirit, a radical and free life which emerges from the secure knowledge that one lives in the sphere of Christ and develops within the context of a mature and informed faith commitment.

7.5 THE SACRAMENT OF PENANCE

At the conclusion of a meeting between Pope John Paul II, various officials of the Roman Curia, and Archbishops from the United States of America, the Holy Father reminded those assembled that "one of the universal needs of the Church ... is the restoration of the sacrament of penance and the renewal of its use."[132] With these few words, Pope John Paul neatly summarized his more extensive comments already made to a group of United States bishops celebrating their *ad limina* visits where, whilst keeping in view preparations for the Jubilee of the year 2000, the Pope had restated the Church's conviction of an essential link between renewal of sacramental reconciliation and implementation of the pastoral renewal envisioned by the Second Vatican Council. Significantly, Pope John Paul added his earnest hope for the comprehensive development and adoption of effective plans – under the pastoral leadership of the bishops – to instigate this sacramental renewal *with the promotion of individual confession*, based on his belief that "individual conversion is at the heart of all reform and renewal."[133]

7.5.1 A BOLD AND LIVELY DEBATE

---

[131] Martyn, "The Apocalyptic Gospel in Galatians," pp. 253-254 and Matera, "Galatians in Perspective: Cutting a New Path Through Old Territory," p. 243.

[132] Pope John Paul II, Address to the Archbishops of the United States of America, 11 March 1989, in *Insegnamenti di Giovanni Paolo II*, XII, part 1 (1989), p. 538. The text includes a footnote to the Pope's postsynodal apostolic exhortation *Reconciliatio et pœnitentia*, no. 28.

[133] Pope John Paul II, Address to the Bishops from Region VII of the United States of America, 10 December 1988, in *L'Osservatore Romano*, weekly ed. in English, 2 January 1989, p. 11. This clearly indicates that the Pope equates the renewal of sacramental reconciliation with a general return of the faithful to frequent use of the individual rite of confession and absolution.

Consistent with conciliar teaching and subsequent attempts to apply and expound its content and reform agenda, Pope John Paul II affirmed that individual conversion begins with the person of Jesus Christ, who proclaimed repentance and belief in him as the way through whom each one comes to know and experience reconciliation with themselves, with God, and with others. According to its self-understanding as a sacrament of Christ, the competency and contribution of the Church emerges in mediating for men and women an encounter with the embrace of the Redeemer and the good news he brings, including faithful and credible celebrations of the sacramental liturgy.[134]

Given this thinking, Pope John Paul appropriately continued to emphasize conversion as a process in explaining what God, faithful to his plan of salvation, graciously effects in the lives of sinful human beings. Reflecting on a Gospel passage favoured in his teaching on this subject, Pope John Paul states that the conversion which responds to God's initiative involves an *entire interior process* of clarification: the *gradual rediscovery* of what was lost: the *growing awareness* of a sense of a deep and deadly poverty, where the person discovers a "homesickness" and *begins to cultivate* the hope of being taken back, so that confident in the Father's love he or she sets off again on the difficult *return journey.*[135] Nevertheless, the combination of a merely vertical notion of sin with a concentration on the individual aspect unfortunately produced an altogether isolationist understanding of conversion, without connection to any kind of communal framework or influence. Moreover, the Pope gives no hint – notwithstanding the restricted context – how the process he describes could be meaningfully expressed by the sacramental forms of reconciliation crucial to his vision for comprehensive renewal in the Church. Without prejudice to this observation, however, Pope John Paul's subsequent

---

[134] Pope John Paul II, Address to the Bishops of Peru, 29 September 1989, p. 3 and see also his address to the Archbishops of the United States of America, pp. 537-538.

[135] Pope John Paul II, Homily on Lk 15: 1-32 during Sunday Mass in the town of Trevignano Romano, 17 September 1989, in *Insegnamenti di Giovanni Paolo II*, XII, part 2 (1989), pp. 544-549. English trans. in *L'Osservatore Romano*, weekly ed. in English, 2 October 1989, pp. 3-4. The text is a summary which attempts to highlight in an intelligible manner the main elements in the Pope's application of the parable.

recollection that private, individual confession somehow represents an inalienable right of Christian faithful at least maintained in prominence his teaching that each person receive the time, attention and generosity worthy of their dignity and that of the interpersonal dialogue between penitent and presiding minister.[136]

In contrast, authors writing in the years immediately following promulgation of *CIC 83* consistently acknowledged the necessity – already recognized by many delegates to the 1983 Synod of Bishops – for new, well-founded and inspired proposals to transform this sacrament with rites that effectively embrace the needs of Christian faithful living in the world of today to celebrate their diverse experiences of conversion from sin and the journey to reconciliation. Given the generally accepted interpretation of relevant historical circumstances, the contemporary situation thus seemed to call not for a fruitless "reworking of old models, but a fresh outlook which will allow to come into being those new forms which will meet the needs of a Church moving toward the twenty-first century."[137]

A substantial and contentious element which demands thorough and careful consideration in any proposal for the authentic renewal of the sacrament of reconciliation is the principle of integrity. One proposal to reformulate this principle which not only attempted to incorporate the concept of process into the sacramental dimension of reconciliation but also respond to the sense of ambiguity in understanding the experiences of life that for many today seems more real than the apparent stability and clarity of former times expressed integrity as "the Lord's call to a growing open-heartedness before him and with the Church."[138] Although it freely acknowledges the importance of a certain

---

[136] Pope John Paul II, Address to participants in a course sponsored by the Apostolic Penitentiary et al., 31 March 1990, in *Insegnamenti di Giovanni Paolo II*, XIII, part 1 (1990), p. 799. English trans. in *L'Osservatore Romano*, weekly ed. in English, 9 April 1990, p. 1. In unprecedented language, the Pope stated that when a priest celebrates "communal confession" in violation of the gravely binding norms of the Church, "he defrauds the faithful and deprives himself of the merit of self-sacrifice which bears witness to the value of each redeemed soul."

[137] R. Hoover, "Openness of Heart and the Sacrament of Penance: A New Look at Integrity," in *Chicago Studies*, 25 (1986), p. 199. She joins other authors who regard the sacrament of reconciliation as ripe for change because of the "wide-spread dissatisfaction with the present rite of penance."

[138] Ibid., p. 201. The author then proceeds to examine each segment of this expression through p. 211. She emphasizes in particular the initiative of God in beginning and sustaining this movement towards wholeness, that integrity requires growth in both trust and self-knowledge, and its purpose to

solitude for spiritual growth, it is perhaps most significant that this understanding of integrity cannot work without the framework of a loving and challenging Christian community, "whose whole life is penitential, that is, an immersion in the paschal mystery which is the supreme sign of forgiveness and reconciliation."[139] Nevertheless, the proposal concedes that a community could assume a more direct role – such as a companion and guide – most effectively only in small groups of faithful committed to each other and to growth in the Lord.

Another important aspect of reconciliation addressed by this proposal is "the tension created by the conjunction of a relational model of sin with a judicial approach to integrity."[140] The attempted merger of these concepts in the rites of reconciliation published in response to the instruction of the Second Vatican Council has apparently left not a few Christian faithful more or less uncertain about the meaning of grave sin and what is required for an integral confession.[141] Without prejudice to arguments concerning its value or necessity, the specific verbal confession of sinfulness in this context – keeping in mind both personal and social dimensions – and the complementary expression of the conversion and reconciliation God continuously works in human experience, may be difficult to articulate in the liturgical rites of the sacrament currently recognized as ordinary in canon law. In such a situation, the question arises whether a *communal* form of this exercise might be appropriate and useful, allowing greater flexibility in application of the norms governing general absolution, perhaps as a component of a structure to accompany penitents toward a fuller personal awareness and

---

develop in each one "that transparency which permits the glory of the risen Christ to be revealed in [them]," experiencing not a return to a previous state but a greater actualisation of God's forgiveness in their lives.

[139] Ibid., p. 210. Unfortunately, Hoover explains the ministry of the community primarily in terms that isolate the presider as a representative who must *personify the penitential stance of the entire Church.* Accordingly, the "involvement" of the community is reduced to a theoretical and symbolic function.

[140] Ibid., p. 213. The author contends that her reformulation is "supremely relational" and works in the "realm of spirituality" rather than the "domain of law." It may represent one way the full implications of the relational model of sin can be acknowledged in the meaning and celebration of the sacrament and open up an important line of further discussion and possible reform.

[141] Ibid., p. 212. Hoover views this as a positive outcome, since it relates more credibly to human experience and avoids the trap of an artificial clarity created by a merely legal approach. She then identifies and discusses certain risks and advantages pertinent to her proposal on pp. 213-215.

greater specificity in expressing their encounter with the transforming love of God active in the spiritual and secular relationships which inform and manifest the reality of the human condition.[142]

A second interesting reflection on the question of integrity addressed certain developments in celebrating the second form of sacramental reconciliation which seemed to go beyond what was originally envisaged by those responsible for the composition of the new *OP* published in 1974.[143] Affirming the traditional concept of integrity expressed in c. 988 of *CIC 83*, this reflection exposed the reduction of confession to a purely ritual accusation of sins and the formalism of an absolution which did scant justice for penitents whose journey from sin to conversion and reconciliation was grave and complex as serious inadequacies of these developments.[144] Consequently, even if from some pastoral and theological perspectives such developments of the second form of the sacrament are probably lawful, valid and more or less helpful for many of those assembled, their approach to the individual aspect of the celebration makes them incompatible with the

---

[142] Hoover follows the discussion of this issue on pp. 218-220 of her essay with an examination of various questions concerning the minister of reconciliation. She suggests that her reformulation of integrity would permit laypersons to exercise this ministry outside a sacramental context, especially if such a person effectively represented the Christian community for the penitent. Then he or she "would occasionally participate in the ritualised sign with the broader Church, probably in the context of a communal service including general absolution." This emerges as an example of the "bold and lively discussion" Hoover considers necessary today on the subject of reconciliation following the impetus generated by the 1983 Synod of Bishops.

[143] R. Moloney, "Communal Penance and General Absolution," in *The Furrow*, 41 (1990), pp. 292-297. Such developments were not confined to the geographical region about which Fr Moloney writes, illustrated by T.E. O'Connell in his article "Reconciliation Renewal: Healing for Today's Church," in *Chicago Studies*, 32 (1993), pp. 114-126. "Frequently congregations are being encouraged," writes Moloney on p. 292, "in the context of communal celebration, to receive absolution individually, but with only a generic confession of sins, or perhaps with a suggestion that one sin be mentioned specifically." For his part, O'Connell makes known on pp. 114-115 some of the colourful language which sprang up to describe the content of this confession, such as "dead or stinky deeds" and the penitents' "personal desert."

[144] Moloney, "Communal Penance and General Absolution," pp. 293-295. The critique does not depend on a widespread frequency of grave sin nor an appeal to the "judicial" character of the sacrament, but although he emphasizes the necessity of effective catechesis within the ritual in part to guide faithful in deciding which form of the sacrament most suitably accommodated their experience, the author is less inclined to uphold the integrity of the ritual itself with similar enthusiasm.

mind of the legislator when integral confession is required in accordance with the condition of the penitent.[145]

These unchecked and somewhat troubling efforts to adapt the second rite of reconciliation simultaneously maintained scholarly interest in the question whether the celebration of general absolution represented a more appropriate alternative to the hybrid rituals which had emerged in various local Churches. In terms of ensuring adherence to the law governing integrity, the third rite – with general confession and absolution only – carries the safeguard which requires those conscious of grave sin an intention that, in due time, they make known such sins as part of their verbal statement to the minister at a liturgy of sacramental reconciliation with individual confession celebrated according to the ordinary form mandated in the Code.[146] Rather than a system in which various rites function in isolation to imply and even effect a kind of penitential class structure, perhaps the combination of forms incorporating individual confession and absolution in a "symbiotic relationship" with the third rite – possibly enriched with greater individual participation and interaction – could work to open up the sacrament of reconciliation to

---

[145] In contrast, O'Connell considers in "Reconciliation Renewal: Healing for Today's Church," a merely generic statement of sinfulness, or at least some symbolic representation of the same, a justifiable way to express the aspect in a celebration of the second rite. One basis for his thinking is the conclusion, following the Church's doctrinal emphasis on the communal nature of sacraments in general, that the individual element as it is incorporated into this form is subsidiary to the communal framework. The author's argument is set out on pp. 117-118. Despite its logic and appeal, this does not reflect the explanation in *Reconciliatio et pœnitentia* 32, where Pope John Paul states that the second form of the sacrament requires a complete verbal statement of grave sinfulness with input from the minister followed by individual absolution, effectively rendering the communal aspect altogether subsidiary to the individual element. O'Connell is correct, however, in describing on p. 119 such an activity as the first rite "with a nearby paraliturgy," and his notion that the new style of interpreting the second form as the quite intentional celebration of the sacrament for those conscious only of venial sin mentioned on p. 122 seems in harmony with suggestions for such a rite at the 1983 Synod of Bishops. Nevertheless, the genius of the Church's sacramental rites of reconciliation set out in the *OP* is the capacity for each one to provide a comprehensive liturgical framework for all penitents, without prejudice to their many and diverse experiences and life situations.

[146] Moloney, "Communal Penance and General Absolution," pp. 295-296. The adaptations to the second form do not contain this safeguard, indicating to Fr Moloney that general absolution "ultimately does better justice to the deep needs implicit in the principle of the integrity of confession." Allowing for the fundamental errors in O'Connell's enthusiastic endorsement of these hybrid ceremonies in "Reconciliation Renewal: Healing for Today's Church," his description on p. 120 of the "ideal form" of sacraments as "a liturgy firmly centred on a communal experience but also incorporating an obviously subsidiary but none the less important note of individuality" highlights a significant structural corrective were the third rite to enjoy greater flexibility and frequency of use for the sacramental celebration of reconciliation.

all the faithful and advance in a fruitful and proper manner the reform agenda of the Second Vatican Council.[147]

Although not specifically concerned with the question of integrity, another essay on reconciliation observed the pastoral and theological richness reflected by the modern liturgical rites which informed and assisted their intended purpose as a paradigm for all human reconciliation, and thereby connected some essential values recognized in the contemporary discussion on the meaning and effect of this sacrament. Thinking on the postconciliar renewal which has attempted to promote the communal dimension of sin, conversion and reconciliation, this contribution made a distinction between the focus of private confession in a communal context and completely public and communal confession.[148] The fruits of this interpretation emerged in the discernment of several positive features allegedly produced by relating the communal value to both the personal and process values of reconciliation which, although explained in large part from the perspective of rites celebrated with a communal framework, are nonetheless always present in the individual and private form of sacramental reconciliation also. Subsequent work in line with this thinking identified the liturgy of reconciliation in its diverse forms as the ritual expression of an ongoing "group process" through which men and women, *as*

---

[147] Moloney, "Communal Penance and General Absolution," p. 297, enlightened by his experience of the sacramental programme employed for many years in Zaïre (now the Democratic Republic of the Congo). That the solution to the problem which had enveloped the sacrament of reconciliation is not a straightforward one is further illustrated by Fr Moloney's thoughtful analysis on the availability of suitable ministers, the sufficiency of which, if restricted to members of the clergy, cannot always be taken for granted when all the implications inherent in the new forms of the sacrament – including the freedom to choose exercised in the maturity of discipleship expected of adult Christian faithful – are consistently applied.

[148] Manuel, "Group Process and the Catholic Rites of Reconciliation," p. 123. Unlike O'Connell, whose analysis led him to theorize a primacy of communal over individual in the second liturgical rite of reconciliation, Manuel proposes that "private confession in a communal context encourages more intellectualised participation, for example, discussing topics like the meaning of community, how to help one another, or the impact of individual gifts and weaknesses upon community life, and so forth [whereas] the focus of completely public and communal confession is upon the whole community and its failures as Church in meeting its mission and/or its contribution to 'collective sin' in the world, for example, the failure to respond as Church to social justice issues, fragmentation within the Church that mirrors the fragmentation of the world, and so forth." Whilst Manuel does not indicate which assemblies of faithful public and completely communal confession might accommodate, he opines that the second sacramental form "is particularly suited for sub-groups within the Church like the family or groups of families, youth groups, engaged couples, and other groups who share common life experiences."

members of a more or less cohesive community of faith commitment, might develop a Christian social conscience, learn to disclose personal experiences of faith and struggle as they pertain to community life, be affirmed in their progress towards God and deeper participation in the community, and attain that level of transparency which enables full self-manifestation before God in solidarity with and accepted by their brothers and sisters.[149] Perhaps this understanding adds weight to suggestions that general confession and absolution – carefully celebrated according to the circumstances and integrated into a broader liturgical programme – may find a legitimate and regular place to direct penitents in a context of communal praise and worship to the source of their conversion and reconciliation.

7.5.2 THE *CATECHISM OF THE CATHOLIC CHURCH*

Not unexpectedly, the presentation of the sacrament of reconciliation in the new *Catechism* officially eschewed any interpretation of the renewal mandated by the Second Vatican Council, and subsequently intimated in the text of the 1974 *OP*, which suggested the need and utility of deeper appreciation, reverent discussion, and ongoing development with respect to the ritual forms then approved by competent authority concerning their meaning, structure, and application in the pastoral life of the Church. Having described the Lord Jesus Christ most radically as the Liberator of the human race from sin, who thereby opened for all people the way to a new life, and the Church quite dynamically as the universal sacrament of salvation by which this same Christ is at once manifesting and actualising the mystery of God's love for men and women, the *Catechism* provides a remarkably static, lifeless and incomplete depiction of reconciliation which, despite some

---

[149] Manuel, "Group Process and the Catholic Rites of Reconciliation," pp. 124-127. The italicised clause mentions a factor consistently proposed by authors quoted in this dissertation and would seem to include not only the maturity of discipleship lived by individual members but also the maturity of discipleship incarnated by the community as a whole. Equally critical is the suitability of the minister who, as president of the assembly – whether the liturgy is celebrated according to an individual or communal format – is responsible for creating a genuine human experience of reconciliation. The qualities listed by Manuel – empathy, ability to listen at a deep and perceptive level, an inviting, compassionate attitude - place him in concert with the conclusions reached by Fr Moloney.

evidence of modern restorative work, shows itself a more or less faithful reproduction of teaching given by the Council of Trent and its interpretation of the earlier tradition.[150]

Although introduced with a sense of the reality of the human condition and an affirmation that the process of redemption revealed in Christ involves relations not only with God but also among people and the building of true human community, in which the community of faith represents a seed of unity, hope and healing for all people, what follows in the presentation of the sacrament typically presupposes the rite for reconciliation of individual penitents so understood that this fundamental communal value is not integrated into the theology and practice described and discussed in the text.[151] Consequently, the *Catechism* appears to enforce the thought pattern that ascribes a virtually unimpeachable quality to the scholarship from which the Tridentine doctrine and subsequent meaning and practice of the sacrament emerged, and which simultaneously failed to recognize itself as one contemporary product of a continuous if rather erratic progression of the original ways reconciliation was understood and celebrated in the Christian community and thus to admit a character of authenticity to alternative theological and pastoral developments that gathered momentum during the latter half of the twentieth century. The result is official maintenance of a mentality in which the sacrament of reconciliation appears the liturgical expression of the essentially penitential Christian life reduced to a repetitive, cyclic and transactional existence wherein faithful are regularly admonished to turn away from obvious, not to say serious, sinful actions and mourn them in the hope of once again receiving the grace of divine forgiveness at the expense of what can be described as the wonderful possibility in the

---

[150] See *Catechism* 654 and 776 and the article by M.K. Hellwig entitled "Penance and Reconciliation," in Walsh (ed.), *Commentary on the Catechism of the Catholic Church*, pp. 274-287. According to this author, the *Catechism* at places even lapses into an inaccurate transmission of the Tridentine doctrine, providing an example on p. 279.

[151] G. Kelly, "The Catechism, the Seven Sacraments and the Reception of Vatican II," in Murray (ed.), *The New Catechism: Analysis and Commentary*, p. 64 and Hellwig, "Penance and Reconciliation," pp. 278-279. Kelly presents an often favourable overview of the section in the *Catechism* dealing with the sacraments and Hellwig herself is not without positive comments. Nevertheless, it is significant that the 1974 *OP* is cited only three times in the article on reconciliation, twice to quote the formula of absolution and once to reaffirm that individual confession and absolution is the ordinary form of the sacrament. The theological nuances and openness to development in thought and practice detectable in the *OP* are not reflected in the text of the *Catechism*.

power of the Holy Spirit to enter more deeply into and experience a fuller integration with the mind of Christ, led by the conviction that there is nothing else so well worth becoming and manifesting in the world.[152]

Accordingly, the *Catechism* explains the sacrament of reconciliation not in terms of a celebration meant to connect with, reflect, and facilitate the encounter with God happening in the existential situation of the participants, but as an offer to sinful members of a new possibility to convert and recover lost grace, controlled by a ministerial system dependant on homogeneity, compliance, and a restrictive interpretation of biblical and historical sources.[153] A particularly awkward and problematic use of such authority in this context is the citation of 2 Cor 5:18, a text concerned with the general mission of reconciliation belonging to the community of believers, but employed by the *Catechism* to claim that Christ Jesus "entrusted the exercise of the power of absolution to the apostolic ministry which he charged with the 'ministry of reconciliation' " and continued in their place by bishops and priests.[154] In effect, whilst the *Catechism* unequivocally

---

[152] See the comments of Hellwig, "Penance and Reconciliation," p. 286. For this author, the focus must shift from "the dark side of history and the possibility of rescue even from the worst moral and spiritual disasters ... [to] a theology of sacrament that understands Christian conversion in a radical, biblical, communal, progressive and challenging way."

[153] See *Catechism*, 1425-1426, 1431-1432 and 1440-1448 and Hellwig, "Penance and Reconciliation," pp. 279-280. The overall tenor of these sections in the *Catechism* is quite negative and suggests that the Christian life of conversion is more or less a "struggle" for the heavy, hardened hearts of human beings who are inherently prone to evil and sinfulness. At the same time, the sacrament of reconciliation appears in this context as a guaranteed blessing of forgiveness from God and the Church through the words of the minister for sins then and there confessed, independent of any experience of forgiveness, growth and conversion in process or already accomplished by God in their personal spiritual journey. In giving the impression, writes Hellwig, "that God's forgiveness and grace are contingent upon the judgement or action of [a] Church functionary," the *Catechism* thereby emphasizes the power and authority of the minister and promotes the idea that "if people are properly tidied into the official rules and observances, an authentic personal Christian life will follow."

[154] *Catechism* 1442. The Latin text reads: "Tatem potestatis absolutionis exercitium ministerio concredidit apostolico. Ipsum suscepit «ministerium reconciliationis» (2 Cor 5, 18)." See also *Catechism* 1461. A feature of the mentality at work in the *Catechism* is the determination to read into the earliest texts and traditions an understanding of the sacrament which effectively emerged at a much later time in the Church's life and worship. Although authors generally agree that there are stable elements present in the meaning and practice of reconciliation across its several historical models, it may be more realistic to suggest that they be considered in general terms rather than as specific actions determined according to a formal institution by Christ. In this light, Hellwig states in "Penance and Reconciliation," p. 282 that "what remains stable is the interaction of the individual penitent, already moved by grace (the Holy Spirit), and the divine power outwardly manifested and mediated by the Church."

states that the whole Church should be the sign and instrument of God's forgiveness and reconciliation and admits that the example of table fellowship Jesus gave his disciples is an astonishing expression of the new relationship humankind now enjoys with God – surely implying that celebration of the Eucharist in which the members of the faith community actively participate is the primary sacrament of reconciliation – the document not only subordinates this soundly based interpretation to the notion that exclusively identifies a ministry proper to the community with a so-called representative sub-group but also asserts an exhaustive, conditional character for the effects of their institutional activity without which a person's relationship to God cannot be determined.[155] Conversely, a more accurate, relevant and credible interpretation might suggest that when a penitent expresses his or her existential situation of sinfulness, conversion and reconciliation concerning relationships with God, self and others before the competent minister, this official has the power in the context of sacramental celebration to announce this reality and at the same time make it juridically effective with respect to that person's status in the community of faith.[156]

In conformity with the dominant mentality instructing this article of the *Catechism*, the presentation of the liturgical celebration of the sacrament somewhat defensively attempts to justify "personal confession [as] the form most expressive of reconciliation with God and with the Church."[157] Having already reiterated in traditional

---

[155] See *Catechism* 1442-1443, 1445. As Hellwig comments in "Penance and Reconciliation," p. 282, declaring "the impossibility of reconciliation with God without institutional sacramental reconciliation is theologically indefensible." An interesting application of the reconciliation celebrated in the Eucharist which challenges participants to a greater witness of this ministry in everyday life is offered by Jegen, "Book Two: Celebrating the Christian Mystery," p. 35.

[156] Obviously, since the sacramental celebration is an encounter with the risen Christ, the penitent is also graced superabundantly, inviting him or her to greater openness and docility with the interior working of the Holy Spirit who enables growth in Christian love and service. Nevertheless, God's grace is freely active without the sacrament as Hellwig explains with the example of perfect contrition on pp. 282-283 of "Penance and Reconciliation." Once a person has such an authentic experience of repentance, which brings him or her to know once again the gentleness and power of God's reconciling embrace revealed in Christ, the action of subsequent integral confession, for example, may be understood not as something required for God's sovereign activity towards human beings, but in terms of a disciplinary feature conditional for reconciliation *with the Church*. Similarly, the obligations acquired by penitents having celebrated reconciliation with the rite of general confession and absolution would seem matters lawfully stipulated in satisfaction of Church discipline and pertain exclusively to their ecclesial status.

[157] *Catechism* 1484. The Latin text reads: "Confessio personalis est igitur forma reconciliationis cum Deo et cum Ecclesia maxime significativa." The reasons for this are explained as three "works" of

terms the act of private and individual verbal confession as an essential part of the sacrament which can liberate, assist conscience formation and encourage merciful behaviour – necessary for faithful aware of grave sin and strongly recommended for those conscious of venial sin only – the *Catechism* simply describes without qualification the rite for reconciliation of individual penitents as the norm for each one to express and nourish their interior spiritual reality and meet the obligations of canon law.[158] A subsequent paragraph explains in appropriate detail the possibility and manner of incorporating the elements of this rite into the framework of a celebration with several penitents together, although the *Catechism* seems to qualify its initial enthusiasm for this form with the comment that "regardless of its manner of celebration the Sacrament of Penance is always, by its very nature, a liturgical action, and therefore an ecclesial and public action."[159] In comparison, the presentation of the rite for reconciliation of several penitents with general confession and absolution amounts to a straightforward summary compiled from the existing canonical legislation governing this form of the sacrament which, unlike the other forms, excludes any description about the manner of its celebration.[160] The *Catechism* thus accurately conveys the rather defensive attitude toward the understanding and application of the third rite which the Church's central teaching authority had consistently upheld for some years, whilst at the same time making

---

Christ in the sacrament, yet other than the reintegration of the penitent into fraternal communion, have no correspondence with the reasons given elsewhere for the verbal confession of sins.

[158] See *Catechism* 1455-1458, 1480. The text on confession of sin is essentially built up from Tridentine formulæ, augmented by several references to Sacred Scripture and early Church Fathers, along with citations to the relevant canons in *CIC 83*. In this context, the quotation from St Augustine in support of the frequent sacramental confession of venial sins is altogether out of place, given that the saintly Bishop of Hippo never knew such a practice. More serious is the absence of any material from the 1974 *OP*, by which the *Catechism* effectively neglects the principle that the new Code must be read and interpreted in light of, and as an harmonious complement to, the authentic teaching proposed by the Second Vatican Council.

[159] *Catechism* 1482. The Latin text reads: "Sacramentum Poenitentiæ, quicumque est celebrationis eius modus, semper est, sua ipsa natura, actio liturgica, ideoque ecclesialis et publica."

[160] *Catechism* 1483. The only variation from cc. 961-963 appears in the last sentence of the paragraph which, for precision, should read "A large gathering of the faithful on the occasion of major feasts or pilgrimages does not *in itself* constitute a case of grave necessity." Despite the restrictive approach apparent here, Hellwig in "Penance and Reconciliation," p. 285 does not think that this will "prevent observant inquirers from noting that it seems to contradict the underlying spirit of the post-conciliar opening up of the three rites."

no mention of that authority's denial regarding the possibility of future development or relaxation in pastoral application for this form of sacramental reconciliation.[161]

7.5.3 THE IMPACT OF LITURGICAL STUDY

The imminence of the Great Jubilee of the year 2000 and the approaching dawn of the third millennium, in conjunction with his invariably negative view of contemporary society, especially in its Western capitalist form, proved a timely occasion in the mind of Pope John Paul II to proclaim once again the importance of conversion as the indispensable condition of Christian love. Accordingly, in his outline of intentions for the third and final preparatory year leading into the jubilee celebrations, Pope John Paul commented that "the sense of being on a 'journey to the Father' should encourage everyone to undertake, by holding fast to Christ the Redeemer of humankind, a journey of authentic conversion."[162] Including both liberation from sin and choosing good, Pope John Paul proposed this conversion as "the proper context for a renewed appreciation and more intense celebration of the sacrament of penance in its most profound meaning."[163]

---

[161] Explicitly stated for the first time in *Reconciliatio et pœnitentia* 33, the denial that general absolution could ever become an ordinary form of the sacrament was subsequently discussed and affirmed in an essay by Cardinal J. Ratzinger, published under the title "The Celebration of the Sacrament with General Absolution," in *L'Osservatore Romano*, weekly ed. in English, 12 August 1985, p. 11.

[162] *Tertio millennio adveniente* 50. The Latin text reads: "conscientia «itineris ad Patrem» omnes impellet ut, Christo hominum Redemptori assentientes, veræ conversionis iter ineant." Significantly, Pope John Paul had described in no. 49 of this letter the entire Christian life as a great pilgrimage to the house of the Father, whose unconditional love human beings discover anew each day. Typically, the Pope stated that this pilgrimage takes place in the heart of the individual person, extends to the believing community, and then to the whole of humanity.

[163] *Tertio millennio adveniente* 50. The Latin text reads: "congruus prospectus, in quo Pœnitentiæ sacramentum revirescere debet idque studiose sua in altiore significatione celebrari." See also Pope John Paul's homily during a visit to the Roman parish of St Francis de Sales, 13 March 1994, p. 10, where he explains the sacrament of reconciliation as an opportunity for the faithful to draw near to Christ so that they might walk in his light and bring forth good deeds. At the same time, thinking on this proposal affirmed for Pope John Paul not only the serious task shouldered by priests and religious to proclaim the message of reconciliation in the modern world but above all to effect this reality in the lives of men and women by making themselves known as convinced witnesses and examples of forgiveness and reconciliation for the people they were called to serve. See the Pope's address to clergy, religious and seminarians assembled for a celebration of vespers in the Cathedral of Zagreb, Croatia, on 10 September 1994, p. 3.

The atmosphere of preparation, reflection and expectation which accompanied the approach of the third Christian millennium also provided scholars an opportunity to discuss certain issues they deemed significant for study, appreciation, exercise and ongoing revision of the liturgy in the forms developed and introduced in response to the instructions of the Second Vatican Council. Among the many issues which emerged from this work, those having a likely substantial impact on reconciliation and its sacramental expression in the rite of general confession and absolution included understanding sacraments as liturgical acts of a community, the relationship between word, sign and gesture within the liturgical context, the purpose of sacraments and their effective ritual communication, and comprehending the liturgy as an event intended to celebrate, confirm and nourish the interaction of divine activity and human experience.

If the liturgy is a form of structured ecclesial mediation where human beings encounter the God of their salvation and life, then the *Catechism* provides at least an introductory perspective to the meaning of the interaction possible therein by presenting sacramental ritual as the work of the Blessed Trinity and a participation in the heavenly liturgy.[164] According to this expression, the sacramental liturgy may be typified in one sense as God's blessing which evokes from those assembled the response of faith, making known and giving to them the mystery of communion with God and spreading divine grace throughout the Church.[165] It was the opinion of respected scholarship that a clear and effective liturgical exercise of this reality required, with respect to the recipients, evangelization and/or catechesis, faith, and radical or ongoing conversion, and on the part of the ritual enactment itself, the obvious celebration of real life as life that is from God.[166] At the same time, observance of the liturgy so conceived as a credible

---

[164] *Catechism* 1077-1112; 1135-1139. See also L. Leijssen, "The Sacramental Economy of Salvation in the *Catechism of the Catholic Church*," in *Questions liturgiques*, 77 (1996), pp. 232-233, 238, who adds that the *Catechism* thereby establishes and strengthens the insights of several eminent scholars.

[165] In addition to the comments of Leijssen already cited, see also M. M. Kelleher, "Sacraments and the Ecclesial Mediation of Grace," in *Louvain Studies*, 23 (1998), pp. 190-191. The interaction on the part of the faithful assembled is essentially their willingness to identify themselves with the ritual performed by the minister, become incorporated into the upward movement of the worship offered and receive God's gift of himself, thereby realizing the Church in its deepest being.

[166] Leijssen, "The Sacramental Economy of Salvation," p. 232 and G. Woolfenden, "The Sacraments and Evangelization," in *The Month*, 26 (1993), p. 125. The importance of authenticity in

manifestation of Christian faith also called for the participation of those assembled in the sacramental liturgy to parallel the moral example made known within the context of their everyday living.[167]

A second perspective on this issue begins with the activity of God already experienced in the personal lives and relationships of faithful who, having heard the invitation of Jesus to "come, follow me" and in response to the leadership of the Holy Spirit dwelling within them, subsequently assemble in praise and thanksgiving to celebrate that love revealed and realized in each one with sacramental rituals intended to ratify, deepen and serve their pilgrim journey of faith and conversion to the Father.[168] As a context which provides ecclesial recognition for God's initiative at work in human beings, the sacramental liturgy may be considered according to this expression a true encounter with God and an experience of divine grace, which can elucidate and empower the moral and spiritual growth in Christian conversion and maturity of those assembled through formation in a distinctively Christian vision of reality – centred on the paschal mystery of Christ – which animates, instructs, interprets and challenges the self-understanding of each one present who is already, yet is also called to be, a sharer in the Trinitarian community of life and love.[169] In short, sacramental liturgy is "constructed" as it were from the work of the Holy Spirit, at once disclosing the presence of God in the

---

liturgical celebrations - meaning that God is made manifest in ordinary things and acts - is emphasized by these two authors on p. 238 and pp. 122-123, 125 of their respective essays, and also by K. Irwin, "Liturgical Method: Issues for the Third Millennium," in *Theology Digest*, 44 (1997), p. 46, who adds "that the 'daily and domestic things' we use in life are the very things we use in liturgy to gain a glimpse into life eternal with God."

[167] O'Keefe, *Becoming Good, Becoming Holy*, pp. 100-101. Although the author intends here to explain the impact of the moral life on the liturgy, the content actually expresses the opposite.

[168] See the comments of Irwin, "Liturgical Method: Issues for the Third Millennium," p. 50 and O'Keefe, *Becoming Good, Becoming Holy*, p. 92. In striving to take seriously the lived experience participants bring to the liturgy, this view attempts to articulate their input during the celebration beyond a merely cultic meaning and perhaps help nuance what Irwin calls on p. 50 "the admittedly valuable but potentially misleading distinction ... between *active* and *passive* character in sacraments, where the ordained are active and the baptized are passive."

[169] See the explanation of O'Keefe, *Becoming Good, Becoming Holy*, pp. 92-100. Although the author carefully establishes that liturgy helps faithful apprehend and appreciate Christian values they can seek in daily living, surely the good deeds that result are the work of the Holy Spirit giving expression to their faith and realizing in them the one, perfect act of righteousness accomplished by the Father in Christ.

lived experience of those assembled and what this could mean, whilst also drawing participants forward in the hope of their new life as a pilgrim faith community who seek the fullness of eternal life in heaven.[170]

An important implication which emerged as a second issue within the context of this discussion suggested that the sacramental rites of the Church are efficacious only insofar as they communicate symbolically. Understood as the "vehicle of sacramental reality," liturgy requires symbols that connect with the dynamics of ordinary human existence in order to reflect in some way what they mean to represent. In this way, the liturgy might be seen to focus for participants the broader and perhaps more fundamental and personal experience of sacramentality they obtain in the world.[171] Not surprisingly, therefore, scholars also gave serious attention to the apparent imbalance of symbols in the reformed liturgy, alleging that reliance on the spoken word often resulted in a "cerebral, didactic and ponderous" celebration which at the same time illustrated a certain impoverishment of Catholic sacramental imagination.[172] Consequently, when speaking of the ideal relationship between the many and diverse symbols having actual or potential viability in liturgical celebrations, scholars recognized as an essential property the presence of a harmony in the symbolic complex brought together for a particular ceremony, made possible by their natural emergence or careful adaptation and subsequent development within the community of the faithful, especially in its local incarnation.[173] Linking these issues was the common understanding among scholars that sacramental celebrations are acts of a community, meant to reflect and actualise the intrinsic

---

[170] See Irwin, "Liturgical Method: Issues for the Third Millennium," p. 50 and Kelleher, "Sacraments and the Ecclesial Mediation of Grace," p. 182.

[171] Woolfenden, "The Sacraments and Evangelization," pp. 122-123. The author makes specific reference to eating and drinking when reflecting on the Eucharist and washing with regard to baptism.

[172] Irwin, "Liturgical Method: Issues for the Third Millennium," pp. 46 and 51, and see also Woolfenden, "The Sacraments and Evangelization," p. 124 where he opines that "so much modern worship seems to have lost an appreciation of the importance of gestures and posture in communicating a participatory role. In fact, people are able to appreciate symbols and symbolic acts and we need to have more courage in employing them."

[173] See Leijssen, "The Sacramental Economy of Salvation," p. 238, citing *Catechism* 1158. Kelleher provides an interesting and practical example in "Sacraments and the Ecclesial Mediation of Grace," pp. 184-185, in which she also acknowledges that some symbols seem to have a dominant or core role whilst others may be more supportive given the role for which they are deemed appropriate.

communal context in which men and women relate with and are responsible to God and one another. Liturgy presupposes an assembly of persons gathered in communion who bring with them and form together a rich mosaic of affirmation and challenge from the multiplicity of relationships they experience within the celebrating community and society in general. This suggests the existence of an indisputable link between liturgy and social life, from which it may be proposed that sacraments both celebrate and mark the way to an ever more complete realization of justice and peace in the Church and in the world.[174]

Practical and academic responses to a decision by the bishops of the Chicago (USA) Province to effect a comprehensive ban in that territory on authorization for imparting general absolution from early 1994 provide a realistic and informative opportunity to identify how these issues might impact upon the mystery of reconciliation and its sacramental exercise with several penitents assembled in liturgical celebration.[175] Despite the determination which saw numerous collaborators in this process for whatever reason still clinging doggedly to ambiguous and even obsolete language when expressing their learning and experience about theoretical and practical aspects of the sacrament of reconciliation, some consensus emerged on the need for a better understanding not excluding the notion that the acts of minister and penitents which together form the visible exercise of the sacrament must realize and deepen in participants the fundamental Gospel value that God in Christ has reconciled the world to himself and the integrity of each person's concrete experience of that divine power at work in their everyday lives

---

[174] See Woolfenden, "The Sacraments and Evangelization," p. 123; Kelleher, "Sacraments and the Ecclesial Mediation of Grace," pp. 181-183; Leijssen, "The Sacramental Economy of Salvation," p. 238, citing *Catechism* 1136 and 1140, and especially O'Keefe, *Becoming Good, Becoming Holy*, pp. 102-103, 106-108. According to this author, the moral life of Christian faithful and the liturgy they celebrate can effectively critique each other for the sake of greater authenticity in ritual performance and formation in Christian discipleship.

[175] These responses are presented as a series of essays in *Chicago Studies*, 34 (1995), pp. 111-171, the first of which describes the dialogue which took place between Cardinal J. Bernadin, the then Archbishop of Chicago, and 150 parish priests of that local Church. The balance of the contributions addresses various aspects of reconciliation, the authors united by a desire for deeper understanding and a more substantial appreciation and participation concerning its sacramental expression.

and in the ritual itself.[176] Although not pursued by the authors consulted here, this approach has the capacity to change perceptions of the sacrament influenced by an emphasis on sin, judgement and penance to consider it a celebration of actual and/or ongoing reconciliation participants already know from their relationships with God and each other and the possibilities for grace, conversion and healing the Holy Spirit constantly reveals to them personally and through the mediation of the Church. Logically, the input of the penitent might be viewed less a statement largely concerned with the admission of sin as some form of verbal or other sign which relates to the minister the process of reconciliation he or she has and/or continues to experience in which the confession of sin, act of contrition and the witness of a life more closely conformed to Christ each have a necessary part. Moreover, the examination of conscience and the quality of its preparation, content and exercise can obtain the proper emphasis, even within the ritual itself as in a celebration of general confession and absolution when, in combination with the homily, it might be an instructive and substantial element which effectively forms part of the integral sign penitents somehow express in the presence of the community assembled with its presiding minister in worship.[177]

---

[176] Some authors continue to write about faithful "receiving" the sacrament, "going to confession," and having their sins "taken away" by the sacrament, implying one approaches the sacramental ritual in order to get something which he or she did not have until that moment. Claims that sacraments are (holy) things rather than liturgical actions of a community not only make them vulnerable to manipulation, abuse and possessiveness, but also to some degree of separation from people's actual religious experience. Consensus that the sacrament of reconciliation and its reform required further reflection and new perspectives can be gathered from the comments of T. Ventura, "Old Wine in New Wineskins," p. 122; K.B. Osborne, "The Ambiguity of Communal Penance," p. 135; L. Örsy, "The Revival of the Sacrament of Penance: A Proposal," p. 144; O.F. Cummings, "Reconciliation and Penance: Some Needed Distinctions," p. 157 and D. Headley, "Sin and Reconciliation in the Consciousness of Christians," p. 171, all published in *Chicago Studies*, 34 (1995). Ventura, Osborne and Headley also make some progress in embracing an essential relationship between what is celebrated in the sacramental liturgy and the process of reconciliation participants have experienced and lived out in the world.

[177] See for example the comments of Ventura, "Old Wine in New Wineskins," p. 115. Notwithstanding the positive outcome here, Ventura's essay also tends to reveal the tepidity with which the requirements, recommendations and options given by the 1974 *OP* have been received and integrated into the sacramental life of many parishes. The service proposed and explained by Örsy on pp. 141-144 of his essay "The Revival of the Sacrament of Penance," may be a step forward, yet it appears little concerned with God's activity and the experience of people so that, even though possibly shifting the emphasis from the enumeration of sins to interior evil inclinations, ultimately seems nothing more than the present third rite of reconciliation with the addition of some minor individual interaction between the minister and each penitent. Moreover, the "breach of charity" used as a basis for the example seems sufficiently specific and

A theological principle which emerges with some distinction from this presentation is the conviction that God, in Christ having reconciled the world to himself, continues in a free and mysterious way to initiate, effect and complete this work of reconciliation with and among human beings, in the context of which the Church and its ritual celebrations represent an essential albeit dependant sign, instrument and place for all people. Given the choice between the discovery of an effective new approach to the sacrament or the continuation of its progressive decline into disuse despite the many and sometimes ingenious pastoral applications of the official rites, collaborators to the Chicago forum remained within familiar parameters when thinking on the purpose of the sacrament and how the liturgy communicates the reality signified therein.[178] Beside the extremes which claim either an optional or exclusive role for the sacrament in effecting God's work of reconciliation in the lives of human beings, diverse and even uncertain opinions contributed by the pastors and authors consulted exposed the problem whether the sacrament should properly be understood as a means for obtaining forgiveness and healing from God through the competent minister which then brings reconciliation with the Church and others, or perhaps a more complex expression during which reconciliation with the Church is officially imparted to penitents who, having approached the sacrament knowing they are already forgiven by God, are affirmed, enriched and strengthened in that knowledge and experience to continue their spiritual journey in the love of Christ.[179]

Without doubt the sacrament of reconciliation formally welcomes back those conscious of grave sin to communion with their brothers and sisters and makes it possible

---

serious to warrant a different pastoral response than a ritual intended for a so-called general series of failures.

[178] See for example Örsy, "The Revival of the Sacrament of Penance," pp. 138, 140, 142 and 144, and Cummings, "Reconciliation and Penance: Some Needed Distinctions," pp. 148 and 155, although Osborne, "The Ambiguity of Communal Penance," pp. 127-128 maintains his opinion that reconciliation celebrated according to the first sacramental form communicates what it does in an ambiguous theological context.

[179] The "optional" view of the sacrament appears in some of the responses tabled by Ventura, "Old Wine in New Wineskins," pp. 116-117, whilst Cummings illustrates an "exclusive" attitude in "Reconciliation and Penance: Some Needed Distinctions," pp. 148-149. The sacrament as a means of obtaining forgiveness and healing from God is, for example, advocated by Örsy, "The Revival of the Sacrament of Penance," p. 142.

for them to participate in a full, active and lawful manner in the life and worship of the Church, and for those conscious of venial sin only, provides an institutional representation of the ongoing conversion by which faithful give witness through their relationships with God and others to the very nature of the Christian way of life.[180] Conversely, reconciliation with God is neither dependent upon nor controlled by the sacramental process; nevertheless, this reality might be said to permeate the liturgical action of the community in such a way which preserves the integrity of both reconciliations whilst they simultaneously form a unity opening the possibility that faithful could come to know and accept God's preceding forgiveness through the symbolic communication of the celebration itself.[181]

Recapitulated in the sign of the absolution prayer, the sacrament of reconciliation makes an essentially twofold statement: namely, reconciliation with God: already taken place; reconciliation with the Church: now taking place. In terms of the sacrament celebrated with general confession and absolution, eliminating restrictions of time and place from the "vertical" dimension of reconciliation credibly suggests that the canonical requirement absolved penitents provide a specific verbal statement about the grave sin of which they were conscious when such absolution was imparted to them by the competent minister, is a merely ecclesiastical law properly intended to assist penitents complete the "horizontal" dimension of reconciliation only.[182]

---

[180] See Headley, "Sin and Reconciliation in the Consciousness of Christians," p. 158 and Örsy, "The Revival of the Sacrament of Penance," pp. 136 and 138.

[181] See the comments of Headley, "Sin and Reconciliation in the Consciousness of Christians," p. 165. One consequence of this thinking identified by Fr Headley is a certain appreciation of the local faith community, the members of which bear responsibility for each other in the ministry of forgiveness, healing and reconciliation and who should be together a sacrament of God's unconditional love. This means, therefore, that anyone who approaches the sacrament more or less unconvinced that they are already forgiven and justified in relation to God must be shown this and come to experience the liberation it brings through their acceptance of the new life God has created in them as an irreplaceable part of the community's witness to the power of the gospel proclaimed.

[182] See Osborne, "The Ambiguity of Communal Penance," pp. 132-134. Although arguing from a different basis, Fr Osborne's conclusion on the character of this norm not only accords with the thinking outlined here, but also places him in agreement with the respected scholarship of M.K. Hellwig, whose relevant comments are listed in footnote 156 above. Osborne correctly contends that in the appropriate circumstances general confession is an integral and thus sufficient sign of the penitent's status before God, although something more may be required from the perspective of discipline so that the Church can fittingly exercise its ministry of service according to each one's spiritual and moral needs.

The proliferation of experimental liturgies of reconciliation made known in responses to the consultation undertaken for the Chicago pastors' forum appeared to confirm some contemporary opinions that the reformed rituals introduced after the Second Vatican Council – not excluding those provided in the 1974 *OP* – laboured in the effective communication of their nature and purpose at least in part due to the relationship of word, sign and gesture determined and approved at the time of their renewal.[183] Among the variations attempted or proposed, the evolution of a liturgical form said to negotiate some kind of middle path between the rite for reconciliation of several penitents with individual confession and absolution and the rite with general confession and absolution only seemed plainly symptomatic of a desire to retain the significant and valued gesture in the former that each penitent physically approach the minister which at the same time supplied an interactive, personal element considered lacking in the latter.[184] Notwithstanding the positive intentions which motivated this adaptation of the official rites, the probability emerged that just as the addition of prayers, optional reading of biblical texts and alternatives in physical arrangements were insufficient to remedy perceptions that the communal value had a more theoretical than practical expression in the reformed rite for reconciliation of individual penitents, then if the sacrament is properly a celebratory action of a community rather than something privately received, the simple introduction of a singular, tersely-worded encounter between each penitent and the minister in a rite for reconciliation of several penitents with general confession was neither necessary nor even appropriate to bring about a richer expression of the personal

---

[183] Some examples of these liturgies are mentioned by Ventura, "Old Wine in New Wineskins," pp. 115-118. There is also some hint in this material that non-conformist attitudes might share in the responsibility for the creation and employment of those diverse liturgical actions.

[184] The interaction between the minister and penitent was usually no more than a general statement of sinfulness, as suggested by Örsy, "The Revival of the Sacrament of Penance," p. 142 and reported by Ventura, "Old Wine in New Wineskins," p. 116 and apparently little or no input from the minister other than the prayer of absolution. In terms of the rite for reconciliation of several penitents with individual confession and absolution, this "solution" was persuasive since it could overcome the sheer impossibility of celebrating this rite according to law when penitents assembled in very large numbers. Without prejudice, however, to the obvious difficulties this approach presented to those conscious of grave sin, it also seems to imply that the personal value of reconciliation is effectively absent when there is no individualized verbal contact between the penitent and minister.

value.[185] At the same time, concentration on efforts to develop or maintain individual elements in such liturgical services suggests that the secondary place given to discussion of the sacrament as a community action in these materials may indicate that for some the rediscovery and renewal of the communal value of reconciliation in theology and pastoral practice had been more or less settled and achieved. Nevertheless, if thinking that the communal value of reconciliation is restored merely by a group of people assembling to undertake a liturgical action in common and the personal value of reconciliation is guaranteed by some form of individualized dialogue between minister and penitent, then it would seem far more study is required to fully understand, appropriate and give concrete, practical expression to these values both in the sacrament and in everyday life.

Given the opportunity this consultation provided for many to make known their experiences, opinions and hopes about reconciliation, other matters relevant to this ministry which concerned or somehow impacted upon the contributors were also submitted as part of the materials gathered for the purposes of information, discussion or comment.[186] One of these expressed the fundamental problem that reflection and debate

---

[185] For the assessment of the rite for reconciliation of individual penitents mentioned here see Osborne, "The Ambiguity of Communal Penance," p. 126 and Ventura, "Old Wine in New Wineskins," p. 113. Perhaps a more appropriate gesture in a rite for reconciliation with general confession and absolution might consist of penitents offering each other a kiss of peace, after which each one comes forward to exchange the same sign with the minister as a vivid expression of their relationship with God, the Church and one another. Conversely, the significance of a private dialogue in the sacramental liturgy of reconciliation is not to create or emphasize an individual "space" in a ritual fundamentally understood as communal in nature. When required, this dialogue permits each penitent to verbalize his or her story of sin, conversion and reconciliation and the minister to instruct, encourage and challenge them as unique persons on a pilgrim journey to the Father. If the rite of general confession and absolution is exercised, this liturgical action must mirror in a general way the private dialogue, so that as participants pray and meditate on their spiritual journey, proclaim that experience in word, gesture and song, and integrate into themselves the message from the scriptures proclaimed and expounded in the homily, their expression of the personal value is no less sufficient and acceptable in terms of the spiritual effects the sacrament is intended to celebrate.

[186] Some of these matters revisited themes already mentioned or examined in this dissertation, including the recommendation that greater efforts were required in catechesis on the sacrament and especially sin (Ventura, "Old Wine in New Wineskins," p. 114 and Örsy, "The Revival of the Sacrament of Penance," pp. 143-144), arguments over the meaning of words (Osborne, "The Ambiguity of Communal Penance," pp. 125-127, 130-133; Örsy, "The Revival of the Sacrament of Penance," p. 139 and Cummings, "Reconciliation and Penance: Some Needed Distinctions," pp. 154-155), the question of certain self-perpetuating myths (Örsy, "The Revival of the Sacrament of Penance," p. 137 and Cummings, "Reconciliation and Penance: Some Needed Distinctions," pp. 148-149), and unresolved pastoral and ecclesiological issues (Ventura, "Old Wine in New Wineskins," pp. 113-114, 119 and Cummings, "Reconciliation and Penance: Some Needed Distinctions, p. 156).

on the subject of reconciliation – especially when directed towards a possible resolution of the perceived ongoing crisis which had apparently drawn the sacrament into a state of impending desuetude in the spiritual life of Christ's faithful – too frequently dwells on what human beings now or should do rather than what God has done and forever gives to humankind. This inordinate emphasis on human effort, more or less a product of arguments which believe the right way to arrest this crisis is uniform and compliant restoration among the faithful of the careful, regular practice of individual confession and absolution taught as official, contemporary Church doctrine and protected by its incorporation into the existing canon law, has implicitly strengthened, as it were, the corresponding claim that liturgical celebrations of the sacrament with general confession and absolution only are somehow deficient, prone to abuse, and cause uncertainty in the minds of faithful about their liceity and validity.[187]

In the persistent search for alternative sacramental forms of reconciliation, a second matter raised in the consultation expressed the need for community celebrations as a kind of remedy to the social dimension of sin, or at least a perceptible sense of collective failure for which no particular member felt directly responsible.[188] At stake here was the credibility not only of the sacrament of reconciliation, but also of the Church itself at an institutional level, since the reality of sin, conversion and reconciliation which the sacrament celebrates both emerges from and in some way defines the internal life of the Church as an organized society and the interactive impact of this structure in the

---

[187] See Ventura, "Old Wine in New Wineskins," p. 121; Osborne, "The Ambiguity of Communal Penance," pp. 129 and 132, and Cummings, "Reconciliation and Penance: Some Needed Distinctions," p. 149. An idea sometimes associated with this argument is D. Bonhoeffer's notion of "cheap grace" mentioned in several comments recorded on pp. 116-117 of Fr Ventura's article. The incongruity of this citation in relation to the supreme gratuity of God's reconciliation is exacerbated when authors quote this saying without its proper context. An essay which affords some clarity is provided by D. Fergusson, "Reclaiming the Doctrine of Sanctification," in *Interpretation*, 53 (1999), where on p. 385 the author explains that the expression "cheap grace" was coined to target a form of religion in which membership in the Church was co-extensive with membership in civil society, ignorant of the costly grace – the blood of Christ given for the redemption of humankind – that summons each one to discipleship as a member of Christ's body in the world, including participation in the sufferings of God within the social and political realm. It would thus seem that the concoction of a dichotomy between general absolution and individual confession, with the former somehow equivalent to "cheap grace," is possibly an academic mischief.

[188] Ventura, "Old Wine in New Wineskins," p. 113 and Örsy, "The Revival of the Sacrament of Penance," p. 141, but see also the apparently contrary view of Cummings, "Reconciliation and Penance: Some Needed Distinctions," p. 149.

world. Accordingly, other authors likewise began to advocate special rituals or times in which the Church might publicly recognize/acknowledge its sinfulness and corresponding need for repentance, although it is difficult to establish from their writing either the purpose and intended outcome of such initiatives or whether the proposed rituals be considered sacramental in nature.[189] Nevertheless, some direction may be observed in these authors' hope that a sinful, vulnerable and repentant Church might show itself a welcoming place where individual members see the relevance of celebrating the sacrament of reconciliation in their own lives.[190]

7.5.4 GENERAL ABSOLUTION: A STONE REJECTED BY THE BUILDERS?

Towards the end of 1998, the bishops of Australia assembled in Rome with other delegates called to celebrate a Synod of Bishops from Oceania as part of the preparations made by the Church throughout the world for the Great Jubilee of the year 2000.[191] On

---

[189] See for example Gallagher, "New Life for a 'Great Sacrament'," pp. 202-204 and W. Walsh, "True to the Gospel: Challenges to the Irish Church," in *The Furrow*, 47 (1996), pp. 332-333, motivated perhaps by a deepening realisation of the serious contemporary effects attributable to situations left unreconciled in the past and more especially the grave injustices perpetrated by Church officials and other members in positions of control, authority and trust which had been exposed at that time in Ireland and several other countries. It is also possible that the suggestions may have been prompted by the thought of Pope John Paul II in his apostolic letter *Tertio millennio adveniente* 33-35, although the Pope carefully distinguished the Church as some kind of separate entity, which cannot sin, from its sinful members. At the same time, the examples he gives of past errors and instances of infidelity, inconsistency and slowness to act are not the responsibility of individual Christians today, making it difficult to imagine how encouraging faithful to beseech Christ's forgiveness and purify themselves through repentance – presumably with the aid of some representative ceremony – could possibly make amends for such fundamental, pervasive and tenacious causes of scandal to the world.

[190] Gallagher, "New Life for a 'Great Sacrament'," pp. 202-203 and Walsh, "True to the Gospel: Challenges to the Irish Church," p. 333.

[191] The Synod commenced on 22 November 1998, the solemnity of Our Lord Jesus Christ, king of the universe and concluded some three weeks later on 12 December. The theme of the Synod was "Jesus Christ and the peoples of Oceania: walking his way, telling his truth, living his life," which became the title of the Synod's final message released at the Vatican on 11 December 1998. Although the Synod was characterized by the frankness of the interventions, its work laboured under the somewhat limited perspectives of the delegates, so that reflection and discussion about Jesus Christ living and present in the midst of humanity seemed overshadowed by concern for ecclesiastical structures. The descriptive quality of the postsynodal apostolic exhortation *Ecclesia in Oceania*, 22 November 2001, <http://www.vatican.va/holy_father/jo.../hf_jp-ii_exh_20011122_ecclesia-in-oceania_en.htm>(23 November 2001), e-mailed by Pope John Paul II from his armchair in the baroque *Sala Clementina*, seems to reiterate this

the occasion of this special assembly, and in connection with their *ad limina* visit held at that time, a significant representation of Australia's bishops and some officials from certain Congregations of the Roman Curia participated in a dialogue "aimed at better understanding the situation of the Church in Australia and at providing an opportunity for a fraternal exchange of views and proposals."[192] Working from the assumption that a crisis of faith and truth currently afflicts human beings on a world-wide scale the *Statement of Conclusions* signed by the bishops and the superiors of the Congregations involved in the dialogue, and published in conjunction with Pope John Paul II's *ad limina* address, outlined several issues and problems in the context of this crisis – both more or less of a universal nature and those characteristic of the Australian psyche – which were seen as serious challenges to the members of the Catholic Church in the Great Southern Land.[193] Among the several major subjects the *Statement of Conclusions* considered was the sacred liturgy and the sacraments, not excluding a judgement on the contemporary practice of general confession and absolution then permitted for the ministry of reconciliation exercised within some particular Churches.

According to the *Statement of Conclusions*, the crisis of faith and truth apparently affecting people living in modern Australia was thought primarily responsible for that decline in the sense of sin regularly proposed over several years by bishops of that place and elsewhere, having in their estimation corresponding grave repercussions for the sacrament of reconciliation.[194] Having stated acceptable responses to this situation, the

---

observation. The comments on the sacrament of reconciliation in no. 41, for example, seem a quite dull and innocuous reflection of the matters raised in the Synod hall and other places.

[192] Interdicasterial Meeting with a Representation of the Australian Bishops, *Statement of Conclusions* 1, 14 December 1998, in *L'Osservatore Romano*, weekly ed. in English, 16 December 1998, published as a special six-page insert.

[193] See *Statement of Conclusions* 4-9. One of the general issues identified in the Statement was a profound paradigmatic change in anthropology, exemplified by an extreme individualism seen especially in a concept of conscience that elevates the individual conscience to the level of an absolute, whilst the tolerance prized as typical of Australian society – and naturally affecting the Church also – could lead to an indifference in relation to diverse opinions and perspectives on the truth.

[194] *Statement of Conclusions* 44, adding that the situation called for a renewed catechesis on the nature of sin as opposed to salvation, "and thus for a focus in sacramental praxis not only on the consolation and encouragement of the faithful, but also on instilling a true sense of contrition, of authentic sorrow for their own sins." Fixing its attention on the person of Jesus, the *Statement of Conclusions* emphatically

Statement of Conclusions next affirmed the canonical norms presently defining the lawful celebration of the sacrament, with the understanding that a certain priority belongs to individual confession and absolution provided on a regular, ready basis for all who desire the traditional, privatised form.[195] Inevitably, the *Statement of Conclusions* simultaneously condemned any unlawful use of general confession and absolution when several penitents had assembled for what it called a communal celebration, with the instruction that the allegedly not infrequent illicit use of the third rite in Australia, "like other abuses in the administration of the sacrament of Penance, [was] to be eliminated."[196] Citing the *Catechism*, the canonical discipline on this subject was repeated by Pope John Paul II in his written remarks to Australian bishops on their *ad limina* visit released the same day as the *Statement of Conclusions*.[197]

The concerns which had prompted these remarks from Pope John Paul and the Roman Curia on the sacrament of reconciliation received a third official response in the form of a letter sent by the responsible Dicastery to Catholic faithful in Australia confirming "the essential conditions for the ordinary and extraordinary celebration of the sacrament in the Latin Church."[198] As an expression of sacramental theology, the letter is remarkable for not only conveying the presumption that a temporal structure can

---

reiterated the need for faithful to understand the fundamental meaning of his death as redemptive sacrifice and worship of the Father effecting the remission of sins and, through their appreciation of this supreme grace, become fully aware of the indispensable role he entrusted to the Church in the reconciliation of sinful members.

[195] *Statement of Conclusions* 45, adding the stipulation for energetic efforts to overcome any risk that this practice fall into disuse and warning that the rite for reconciliation of several penitents with individual confession and absolution – encouraged during the liturgical seasons of Advent and Lent – should not appear to replace an organized schedule offering regular, fixed times when priests were available to celebrate the first form of the sacrament.

[196] *Statement of Conclusions* 45, with a subsequent particular reference to c. 961 §1. At the same time, it required bishops to "exercise renewed vigilance on these matters for the future, aware that departures from the authentic tradition do great wrong to the Church and to individual Catholics."

[197] Pope John Paul II, Address to Australian bishops on their *ad limina* visit, 14 December 1998, in *L'Osservatore Romano*, weekly ed. in English, 16 December 1998, p. 3. In this address, the Pope makes particular reference to the personal nature of sin, conversion, forgiveness and reconciliation which makes general confession and absolution appropriate only in cases of grave necessity.

[198] Congregation for Divine Worship and the Discipline of the Sacraments, Letter, 19 March 1999, included as Appendix four in this dissertation.

somehow exclusively contain and control the sovereign initiative and activity of the Eternal, but also placing the Church's solemn teaching seemingly beyond the influence of the theological reflection, pastoral experience and developments in spirituality which have occurred and continue to emerge diversely among faithful living in the world of today. Accordingly, the particular theological mentality at work in the letter finds a natural complement in certain interpretations of canon law, insofar as what the Congregation calls the divine and irreformable foundation of the sacrament denies the possibility for anyone to modify or derogate from existing canonical norms for any reason.[199] Moreover, in what might be seen as a significant extension of the official understanding of general confession and absolution, the letter concludes with the novel statement that "all deviations from the authentic practice of the Church in this regard constitute a serious and wrongful deprivation [of the grace communicated by the sacrament], also *punishable in accordance with the sacred canons*."[200] Consequently, even though it states what has been done in recent official documents "is to emphasize the dispositions of the law in force," this letter effectively attempts to remove any doctrinal or legal basis for future change in the meaning and practice of the sacrament presently approved and promoted by competent authority.[201]

---

[199] The letter does not seem to specify what it means by "divine and irreformable foundation" in the context of that particular paragraph, although it states in another place that "by divine law it is necessary that penitents confess to a priest all mortal sins as well as specifying moral circumstances that they remember after a careful examination of conscience. Having confessed [one's] sins in this way, the penitent is then absolved from his [or her] sins in the judicial act of the priest's sacramental absolution." The letter also appears to link this foundation to the list of dispositions required of penitents who participate in a rite of general confession and absolution; namely, "individual and personal repentance for sins committed, the resolution to rectify scandal or injuries that may have been caused in relation to those sins, the intention of amending [one's] life, and the intention to make an integral and individual confession as soon as possible of those grave sins from which he [or she] is impeded from confessing [verbally and in a private context to a priest] at that time." The last phrase in parentheses has been added for the sake of accuracy.

[200] A study *of CIC 83* Book VI: Sanctions in the Church suggests reference to c. 1371 2° for the offence in mind, given the provision of c. 978 §2 and the fact that besides the intentions and acts which oblige penitents in the celebration of the sacrament there is according to c. 213 a corresponding right of access to sacramental grace and the spiritual riches of the Church, for which all priests who exercise their ministry reconciling penitents are responsible.

[201] One example relates to the occasional suggestion that the Church's ministry of reconciliation permits a kind of complementary or "symbiotic" relationship between the exercise of the first and third sacramental rites (as practised in some places), to which the letter replies "the fact that the canons acknowledge the right of the faithful to confess their sins on days and at times arranged for their

Notwithstanding their dissatisfaction concerning the impression presented in these documents about the practice of sacramental reconciliation and the methods by which an apparently influential portion of the information grounding this perception had allegedly been gathered in Australia, diocesan bishops acted without delay to confirm or revise where appropriate existing pastoral guidelines for celebrating the sacrament, whilst at the same time calling faithful to return to practice of individual confession and absolution.[202] Meanwhile, throughout 1999 the sacrament of reconciliation remained a prominent subject for reflection, comment and catechesis by Church officials as the formal inception of the jubilee celebrations drew near. Pope John Paul II, for example, spoke on the reality of sin and the process of conversion, rejuvenation of the faith through sacramental participation, and especially the sacrament as an encounter or structure of mediation between sinful human beings and the merciful Father.[203]

In thinking on the first of these themes, Pope John Paul showed how the story of the prodigal son is a parable of everyday life, thereby indicating that the entire process of reconciliation – represented by the young man's distancing, rationalization and return – becomes the experience or matter celebrated in the sacramental liturgy where the Church praises "the superabundant love of the heavenly Father, given in fullness to all humanity

---

convenience (cf. c. 986 §1) cannot be used as a justification for the alternate practice of 'general absolution'."

[202] Extensive reports of this episode were carried in *The Record*, a Catholic newspaper published in the Archdiocese of Perth, Western Australia, weekly editions dated 4 March 1999, pp. 10 and 15; 25 March 1999, pp. 1-2; 8 April 1999, pp. 1-2, 15 and 6 May 1999, p. 3. The pastoral guidelines for the Archdioceses of Perth and Adelaide are included as Appendices two and three respectively in this dissertation. The overall situation sparked by these official documents – especially the *Statement of Conclusions* – was sufficiently serious to warrant a letter from the Australian bishops to the Catholic people of Australia, dated 14 April 1999, and reprinted in the weekly ed. of *The Record* published on 15 April 1999, p. 15. Further interesting reflections on this matter are expressed in an interview given by Cardinal E. Clancy, the then Archbishop of Sydney, to J.L. Allen Jnr and published in the *National Catholic Reporter*, 4 June 1999, p. 11.

[203] Along with several addresses given by Pope John Paul, Bishop D.W. Wuerl of Pittsburgh, USA, issued a pastoral letter on 10 January 1999 published under the title "Reconciliation and the Sacrament of Penance," in *L'Osservatore Romano*, weekly ed. in English, 24 March 1999 pp. 7-8, 11 whilst the letter composed by the Congregation for the Clergy and dated 19 March 1999 entitled *The Priest and the Third Christian Millennium*, also devoted some attention to the sacrament and its relationship with the new evangelization.

in the paschal mystery."[204] Looking forward in hope to the forthcoming jubilee as a year of reconciliation, Pope John Paul also proposed from a more familiar perspective the essential place of the sacrament itself in the great pastoral effort needed to help all members of the Church recover the sense of what sin is in relation to God and live more faithfully God's call to holiness of life.[205] Consequently, notwithstanding the conviction that God freely comes to human beings according to the situation and capacity of each one, Pope John Paul recalled several times the Church's belief that God's will intended the forgiveness of sins and return to divine friendship be *mediated* to humankind, first of all through the historical humanity of Jesus Christ in whom salvation finds its culmination and ultimate meaning and then, since the resurrection of Christ, through the sacramental action of the Church, which is itself a universal sign and instrument of communion with God.[206] Above all, therefore, Pope John Paul urged faithful to rediscover and restore to honour – as the factor uniting the diverse aspects of this catechesis – what he called the "community-ecclesial" dimension of reconciliation, not least in terms of intellectual activity, but moreso in each one exercising a permanent

---

[204] Pope John Paul II, Address, 17 February 1999, in *L'Osservatore Romano*, weekly ed. in English, 24 February 1999, p. 11. According to the Pope, then, this parable "expresses in a simple and profound way the reality of conversion, giving us the most concrete expression of the work of divine mercy in the human world."

[205] Pope John Paul II, Address to the Bishops of Ireland, 26 June 1999, p. 4. The Pope took this opportunity to recall existing official perspectives of doctrine and canon law on the sacrament of reconciliation and its liturgical celebration, with an emphasis on "the uniquely transforming experience that is individual, integral confession and absolution."

[206] See for example the comments in his address to the Apostolic Penitentiary, 13 March 1999, in *L'Osservatore Romano*, weekly ed. in English, 24 March 1999, p. 3, his response at a celebration with youth from the diocese of Rome, 25 March 1999, *in L'Osservatore Romano*, weekly ed. in English, 14 April 1999, p. 5, his address to a general audience, 15 September 1999, p. 11, and an *ad limina* address to the Bishops of Portugal, 30 November 1999, *in L'Osservatore Romano*, weekly ed. in English, 15 December 1999, p. 9. Pope John Paul affirmed a number of conclusions which derive from this understanding of mediation, describing the ecclesial community to the general audience as "the embrace which welcomes the repentant and forgiven sinner and, even before, creates a suitable climate for the journey back to the Father" and rather more pragmatically reiterating to the Apostolic Penitentiary that the forgiveness of sins associated with the concept of perfect contrition and the reception of general absolution is conditioned upon a pre-existing intention to make a verbal statement of grave sinfulness in the context of individual confession and absolution.

disposition to reconciliation with their brothers and sisters in the concrete reality of daily living, as something characteristic of the Church's whole inner being.[207]

Two documents published under the names of other Church officials about the same time as this papal teaching appear unremarkable in their theological content and pastoral application, and in places construe or even subordinate what should be the unique and proper purpose and rich meaning of the sacrament for the sake of other projects, outcomes and interpretations. Presenting its contribution as a collage of basic suggestions on certain obvious practical matters mixed with what sometimes appear only loosely connected and even questionable theoretical observations, the Congregation for the Clergy made the sacrament of reconciliation a kind of functionary in the service of what it called "authentic personal spiritual direction" and thereby, ultimately a key element in the new evangelization already proposed for several years preceding by Pope John Paul II.[208] As if to exemplify the stagnation evident in the theology, canon law and pastoral practice of reconciliation and its sacramental celebration officially being

---

[207] Pope John Paul II, Address, 22 September 1999, in *Notitiæ*, 36 (2000), p. 67. English trans. in *L'Osservatore Romano*, weekly ed. in English, 29 September 1999, p. 11, adding the caution "while maintaining the doctrine on the need for individual confession." It seems puzzling that after many years of reflection, debate and pastoral initiative concerning the sacrament that Pope John Paul could still consider the communal value of reconciliation largely unknown and unappreciated in the lives of Catholic faithful, especially for those where community is such a basic aspect of the socio-political and cultural environment. Indeed, given material accessed by this dissertation, his conclusion begs the question whether, for example, the apparently widespread practice of so-called "communal" liturgies of reconciliation – conducted according to the second or third rites as provided in the 1974 *OP* or some adaptation of either – the consistent, popular attendance and reverent participation at which has been regularly interpreted by clergy and others familiar with the particular spiritual needs and motivations of people at the local level as indicating a recognizable and positive growth in maturity of faith and understanding on this matter among the faithful, has occurred more or less without recognition by certain Church officials or, alternatively, assessed by them as an invalid reception of this essential theological value. The task as circumscribed by Pope John Paul thus seems a difficult one, given the privatised context within which individual confession and absolution is ordinarily experienced by the faithful, and only exacerbated by nearly two decades of apparent official inaction over proposals made at the 1983 Synod of Bishops for new forms of the sacrament that might give better expression to this value as well as other important aspects of reconciliation.

[208] Congregation for the Clergy, Letter *The Priest and the Third Christian Millennium*, 19 March 1999, p. v. Whilst it must be admitted that the letter expresses a degree of mutuality in the relationship between the sacrament and spiritual direction, it may be seen from the text what the Congregation considered primary, given its conclusion that frequent individual confession is essential in arriving at the personal spiritual direction which forms true apostles capable of activating new evangelization in society. Moreover, combined with its utilitarian approach to sacramental practice, the letter reveals an exclusively individualistic understanding of the subject, which seems unhelpful in isolation from more extensive observations proposed in recent times.

proposed at the turn of the millennium, a pastoral letter written by the Bishop of Pittsburgh, USA, reveals the radical discontinuity caused when the so-called "traditional" understanding of the sacrament – essentially judicial and restorative/remedial, externalised and detached from everyday life, emphasizing individual human effort and divine passivity – is not subject to reform by full application of the consequences which emerge from the inspiring and thoughtful introductory presentation it gives on the reconciliation God effected once and for all through the faithfulness of Christ in his paschal mystery.[209] Moreover, although both documents typically emphasize the need for extensive and appropriate catechetical initiatives as a complement to existing pastoral programmes, they also reveal little interest in establishing some method to listen, consider and propose responses to what faithful have been communicating in the postconciliar period with growing spiritual maturity and assurance about models of reconciliation from which they can choose, in accordance with their existential situation, to celebrate sacramentally the reconciliation of God at work in them.[210]

Accordingly, the official interpretation about the signs of the times as a worldwide crisis of faith – naturally reflected in the contemporary life and worship of the Church –

---

[209] Bishop D.W. Wuerl, "Pastoral Letter," 10 January 1999, pp. 7-8. Whereas the bishop writes adequately on the unique and final sacrifice by which Jesus in his humanity made complete atonement for the sins of the world and brought humankind into a relationship of justification with God, his subsequent outline of the nature and purpose of the sacrament for the most part describes something momentary, cyclic, repetitive and purificatory that enables individuals to unload personal guilt and return to innocence before God without reference to their place in the community of faith, rather than an experience evoking that journey of conversion to the Father characteristic of the entire Christian life, which is linear and progressive, an action celebrated to build up the community in the vitality of each member's vocation to holiness.

[210] An adaptation of the rite for reconciliation of several penitents with individual confession and absolution was recently allowed *ad experimentum* in the Archdiocese of Perth, Western Australia. Conducted in several parishes out of pastoral concern for the people, this ceremony involved the presentation of sins written down (prepared during the week preceding) and then burnt as a symbol of forgiveness. Clarification sought from the Congregation for Divine Worship and the Discipline of the Sacraments generated a six-page letter with 33 footnotes which required the immediate cessation of this practice. Admittedly, the initiative involved some irregularity, since it was used in place of the penitential rite during Sunday Eucharist and lacked any verbal acknowledgement of sinfulness to the priest. Nevertheless, the practice proved popular and could have been examined with a view to further adaptation or development. The advent of parishes without a resident priest has also provoked some examples of new and adapted rituals, especially non-sacramental penitential services. The letter from the Congregation, which basically represents a synthesis of familiar quotations, may be found in *Notitiæ*, 36 (2000), pp. 312-319 and is included as Appendix five in this dissertation.

and what is required to successfully engage the complex of issues concerning the sacrament of reconciliation for which this perceived situation was thought more or less responsible, has invariably failed to exhaust discussion and criticism on this fundamental subject among the faithful. Not least is the possibility that the observable decline in the practice of the rite for reconciliation with individual confession and absolution has resulted not from a widespread loss of the sense of sin associated with some global faith crisis, but instead manifests an evolving consciousness of sin led by sustained and even accelerating changes over several decades in the diverse aspects of culture, technology, economics, spirituality and other structures that impact upon human beings who at the same time employ them in their attempts to study, classify and make sense of the world in which they live and interrelate.[211] The argument proceeds that the sense of guilt people felt having done wrong under a moral system of institutionally monitored external rules and standards has been replaced to a significant degree in some places by experiences of shame understood to emerge from a failure of the individual's self-concept in a context dominated by a focus on how one appears to others.[212] Given the impact and extent of this shift and the problems its psychological implications have arguably accentuated concerning the rite for reconciliation with individual confession and absolution, the conclusion some authors have reached is that a liturgy which can place before the community assembled a positive ideal of Christian life and immediate contact with the support and encouragement proper to the vocation they share have provided for many faithful an appropriate and helpful sacramental environment that brings to fruition in a

---

[211] See the comments of Brown, "The Communal Nature of Reconciliation: Moral and Pastoral Reflections," pp. 3-4 and Gleeson, "The Future of the 'Third Rite' of Reconciliation," p. 25. Brown suggests on pp. 4-5 that these changes have affected the status and influence of institutions and authority figures in the social order, the efficacy people attribute to the first rite of reconciliation in their lives, and the role of conscience in the search for a theological balance between rightful personal autonomy and the claims of objective morality.

[212] Brown, "The Communal Nature of Reconciliation: Moral and Pastoral Reflections," pp. 4, 6-7. Consequently, a rite which appears to support and reinforce guilt feelings may find little attraction for those who have embraced a moral system more relational than legal in character. Moreover, whereas it may be possible to liberate, even if only on a temporary basis, an individual labouring under real or imagined guilt by having them verbally disclose the offending action(s) to another in confidence, it seems that shame experiences are difficult to communicate in this way, since in that very act a person is forced to revisit the experience and the pain with which it is associated, causing the negative effect of the shame to increase.

meaningful celebration the whole process of reconciliation they experience with God and their brothers and sisters in the Church and in the world.[213] When the celebration of this Spirit-led process which takes place in the daily life of Christ's faithful becomes identified with the purpose of the sacrament of reconciliation, the myth which in some minds opposes the personal and communal values of reconciliation might be avoided and the true relationship between and integrity of the existing liturgical rites legitimately established.

Informed by a particular tradition of biblical interpretation and theological perspective, and wanting to extinguish what they consider a dubious and even dangerous solution to the apparently widespread infrequent practice of individual confession and absolution, the responsible Church officials have made a pastoral judgement that they do not believe the rite for reconciliation of several penitents with general confession and absolution exercised outside certain well defined cases of grave necessity specified in canon law can either contribute to the reform and renewal of the sacrament embraced and authorized by the Second Vatican Council or provide an acceptable model of a so-called ordinary means by which penitents might celebrate their reconciliation with God and neighbour.[214] Nevertheless, in the mind of Pope John Paul II the recently concluded jubilee year communicated a somewhat mixed message: an encouraging return of Christ's faithful to the sacrament of reconciliation despite what he believes the causes of the crisis affecting its practice not having disappeared, but with a corresponding

---

[213] Brown, "The Communal Nature of Reconciliation: Moral and Pastoral Reflections," pp. 6-7, 9, who regards this conclusion as one way to explain the popularity of general confession and absolution services. He also mentions other reasons, such as "a move away from the trivialized notion of sin (with its propensity to destructively multiply the frequency and number of mortal sins) that confession seemed to engender and towards a more corporate understanding of how whole societies are prone to evil, without, however, denying one's own complicity in it (expressed by the concept of social sin)."

[214] Despite the thoughtful and scholarly contributions of many authors, and not excluding the rich pastoral experience communicated by clerical and lay faithful which would seem to invite a more circumspect and nuanced approach. As a recent example, see the comments of Gleeson in thinking on what he calls the tension between policies enunciated in *CIC 83* for the use of general absolution and the theology to which it gives legal expression and the spiritual or devotional element that has found favour with these liturgies of reconciliation. Following Cardinal Newman, Gleeson shows in his essay "The Future of the 'Third Rite' of Reconciliation," pp. 20-23, that the forces of theology, governance and worship each need the corrective influence of the other two in order to find the truth which can ultimately resolve this problematic aspect in the life and mission of the Church.

recognition that ministers of the sacrament probably need more confidence, creativity and perseverance in presenting and developing appreciation in people for this encounter with the Risen Lord.[215] At the same time, little if anything has been achieved in thinking or decision making about the sacrament from such protracted enterprises as disputing the meaning and/or pastoral application of certain words and phrases employed as technical terms in theology and canon law, or inventing possible benefits or worthwhile uses which more or less extend beyond what the liturgical rites for the reconciliation of penitents are meant to accomplish in the lives of Christian faithful.[216] Consequently, "nothing less than a complete renewal is required at all levels" to the extent that faithful in daily life and sacramental worship personally rediscover through the witness and embrace of their brothers and sisters the one in whom God has reconciled the world to himself and makes known his compassionate heart and comprehend the loving action of the Holy Spirit who works constantly to guide the Church into the fullness of truth.[217]

CONCLUSION

---

[215] Pope John Paul II, Apostolic Letter *Novo millennio ineunte*, 6 January 2001, <http:// www.vatican.va/holy_fa.../hf-jp-ii_apl_20010106_novo-millennio-ineunte_lt.htm>(19 February 2001). English trans. in *L'Osservatore Romano*, weekly ed. in English, 10 January 2001, p. vii. Given this observation, Gleeson seems correct when he states in "The Future of the 'Third Rite' of Reconciliation," p. 30, that "simply ban[ning] the third rite will do nothing to reverse [the] decline [in the practice of individual confession since it is not a cause for this situation nor will it] be enough to re-affirm the rules, and assume all will be well." Accordingly, at least one delegate at the most recent Synod of Bishops held at the Vatican in the autumn of 2001 (Bishop Patrick Dunn, Auckland, NZ) thought such creativity might be assisted through some kind of alternative forum (an idea made by several other delegates) where a smaller but representative number of bishops could debate issues important at a diocesan level, including certain questions concerning the sacrament of reconciliation.

[216] Some of these are mentioned by Gleeson, "The Future of the 'Third Rite' of Reconciliation," pp. 23-24 and 27-29, all of which continue to reveal that discussion at this level is an inexhaustible cause of uncertainty for the future of general confession and absolution. For example, the suggestion is not infrequently encountered "that through celebrations of the third rite people may be drawn back to the practice of the sacraments and, indeed, to a meaningful practice of individual confession," on a large scale recently proposed by the Bishops of England and Wales, Scotland and Ireland as recorded by Kaiser in "Bishops, the Vatican and General Confession," p. 15. Although a commendable and realistic intention, the question remains why general absolution cannot simply be allowed to function as a sacramental rite of reconciliation.

[217] This concluding sentence in part represents a paraphrase combining comments by Gleeson, "The Future of the 'Third Rite' of Reconciliation," p. 31 and Pope John Paul II, *Novo millennio ineunte* 37.

If the published observations submitted in more recent times by a diverse spectrum of commentators are anywhere near accurate, the present official theological position and ordinary ritual forms of sacramental reconciliation in the Latin Church no longer appear to convince or work in the estimation of many faithful having begun to reflect the moral and spiritual maturation that comes from deeper immersion in authentic communal experience of life in Christ.[218] As a common thread linking each subject examined in this chapter, the communal value of reconciliation remains, somewhat ironically, both a persistent source and essential to the solution of problems that check human beings in knowing and accepting the revelation and gift of God's superabundant and merciful love: a value which scholars invariably ponder and discuss, faithful enthusiastically seek and embrace, Church officials acknowledge but thus far have hardly begun to integrate what it means into the contemporary expression of doctrine, law and pastoral practice. The corresponding shift in how men and women in the world of today understand themselves, the true identity and nature of God, and the forms of worship they offer, may similarly suggest what from one perspective has been read as a crisis of faith otherwise indicates an authentic and Spirit-led renewal of human interaction with God, one another and the entire created order.

With his mind on the venue and theme for World Youth Day 2002, Pope John Paul II reminded those assembled for his blessing in a recent address at his summer residence outside Rome how much the world of the third Christian millennium needed young people – in age and, presumably, in heart! – "strong in faith and generous in serving their brothers and sisters ... in love with Christ and his Gospel" and that they "cannot be the 'salt of the earth' and 'light of the world' without aiming for holiness."[219]

---

[218] In addition to the relevant written materials already cited in this dissertation, see as further examples A. Miller, "Anyone for Confession?" in *The Tablet*, 255 (2001), pp. 372-373; J.A. Favazza, "Forum: The Fragile Future of Reconciliation," in *Worship*, 71 (1997), pp. 236-244; M. Nic an Airchinnigh, "I Must Go to Confession," in *The Furrow*, 47 (1996), pp. 678-682; L.S. Maher, "The Neglected Sacrament?" in *Doctrine and Life*, 45 (1995), pp. 445-448 and K.B. Osborne, "Sacramental Life in the Year 1000," in *Chicago Studies*, 37 (1998), who suggests on pp. 252-253 that "the uncertainty of our present situation regarding the sacrament of penance ... mirrors the uncertainty found in the same sacrament at the beginning of the second millennium."

[219] Pope John Paul II, Address, 19 August 2001, in *L'Osservatore Romano*, weekly ed. in English, 22 August 2001, p. 1. Accordingly, with "inhabitants of different origins, cultures and religions," Toronto

Sin radically disrupts the human response instructed by this imperative – which Vatican II Council named the universal call from God – and defines for Christian faithful an obstacle to the encounter with the Lord Jesus and thus live to their full potential in Christ. Examination of the social and personal dimensions of sin shows fundamental concepts in ongoing need of deeper understanding, more lucid formulation, and stronger commitment among those responsible to a consistent policy of authentic inclusion into documents and other modes of communication intended to convey the official teaching of the Church. Moreover, the considerable individualistic emphasis which has long enjoyed a more or less dominant place in formation and catechesis on the moral life and worship of Catholic faithful, remains a significant challenge for contemporary efforts meant to awaken in them the social conscience proper to each member of the human family, build from recent comments on Christian ideas of anthropology a realistic appreciation of personhood, and instil awareness of the interdependence that somehow connects all people – despite and even because of the differences they embody and experience – in mutual responsibility, respect and acceptance. The communal value of reconciliation provides a useful basis from which to explore the broader perspective on moral culpability shaped by the emergence and study of the social dimension of sin and the personal dimension of sin understood primarily in relational terms. In this light, the third rite of reconciliation may represent an appropriate sacramental model for a community to celebrate that transforming encounter between repentant sinners and the risen Lord Jesus which is always uniquely personal yet inherently social in nature and effect.

Sign of authentic conversion into the reconciled world revealed and brought about by God in the life, death and resurrection of the Redeemer, and fruit of the Holy Spirit at work in Christian believers, mature discipleship combines in each member likening to the person and example of Christ and maturation in faith united to daily living that becomes the little one who is greatest in and for whom belongs the kingdom of heaven. Notwithstanding the individual person as the subject in whom the invitation and response that comprise this project are realized and experienced, mature discipleship in Christ has

---

represented for Pope John Paul that "composite and complex reality" [where] one sees immediately how necessary it is for such a bold and effective Christian witness.

a distinctly communal objective, insofar as a Christian community with its own unique fusion of tradition, culture and spirituality is the fundamental context that manifests, shares and celebrates this pilgrimage of growth and transformation. Official exhortation that members embrace such a process, however, has raised a corresponding desire among faithful that the knowledge and responsibility they have begun to assimilate and exercise receive appropriate freedom of expression in the life and mission of the Church. If this freedom stands in healthy tension and dialogue with the mentality and teaching of contemporary Church authority, the postconciliar appeal of general confession and absolution may represent a valid product of mature Christian living and a concrete experience of reconciliation which invites listening and respect from those who serve in positions of leadership within the people of God.

Proposed as the ideal instrument to effect a genuine and enduring social transformation in response to the crisis of values Church officials believe grows stronger in the body of Christ and the world, the new evangelization involves a dynamic, complete and demanding presentation of the Gospel whose message of forgiveness and reconciliation in Christ "must become once again the one yardstick by which to measure our intentions and actions."[220] Without question, therefore, the new evangelization is authenticated and constantly instructed by the Church's own encounter with the Lord, and not only indicates both the presence and vocation of mature Christian communities wherein each member's personal interaction with Jesus is formed and nurtured, but also reiterates the priority of their witness to conversion and holiness of life. Nevertheless, the communal value of reconciliation suggests that the full impact of the new evangelization cannot emerge until the structures and forms of worship, sense and expression of personal responsibility, and deeper faith commitment and understanding desired and/or made known by faithful constituted true and welcome parts of communities permeated and led by the gospel and the spirit of Christ, themselves evangelise the official teaching, policies and legal norms of the Church. Accordingly, the rite for reconciliation of several

---

[220] Congregation for the Clergy, Reflection in light of the letter of the Holy Father John Paul II to priests for Holy Thursday *Priest of God, You Embody the Mystery of Mercy!* 13 May 2001, first instalment in *L'Osservatore Romano*, weekly ed. in English, 8-15 August 2001, p. 8. These comments were directed specifically although presumably not exclusively to priests and complement the document's overall exhortation for them to live according to the way of Christ himself.

penitents with general confession and absolution appears less a weapon of evangelization than a liturgical action for a community to celebrate as the new people who live their faith in Christ with greater conviction and confidence in God's abundant mercy.

The consensus in basic truths that Lutheran-Roman Catholic dialogue has recently discerned in the doctrine of justification affirmed without reservation Jesus' death the eschatological judgement in which God willed to give all people the knowledge and faith that in Christ peace, freedom and new life is already theirs even in the midst or, better, because of human failure and sin, and reveals not only that God's absolutely gratuitous initiative of mercy and liberation precedes any human action, but also intensifies the command to proclaim this good news among the faithful and to the whole world. Notwithstanding the consensus reached to date, however, analysis of the documents published by the dialogue partners indicates that among the topics for further study, thinking on ways to comprehend and explain more intelligently and accurately how human beings relate to God and each other will suffer without due consideration of the social dimension of sin properly instructed by the communal value of reconciliation. Nevertheless, the admission that the consensus did not embrace certain questions about the sacrament of reconciliation suggests that the doctrine of justification now acceptable to both Churches has important even if unspecified implications for the meaning and practice of this sacrament, perhaps not excluding the interpretation, form and legal character of the actions and obligations of minister and penitents in a celebration of general confession and absolution.

Although exhibiting an obvious consistency with issues prominent in scholarly discussion since before Vatican II and which that Council deemed critical to the reform of the sacrament of reconciliation, the dominant feature in the contentious mix of academic study, official teaching and informed observance of Christ's faithful following promulgation of *CIC 83* has been the conflict of opinion diversely observed throughout the Church towards the theological conception, canonical discipline and pastoral practice of the sacrament and how these should be formulated, applied and renewed for the spiritual welfare of all God's people. Notwithstanding the complex of factors reflected in this problem and what seems like a stalemate in progress toward further development and

clarification, Pope John Paul II's frequent reliance on Lk 15:11-32 in thinking on the mystery of reconciliation and his corresponding perception of the sacrament as itself a kind of parable provides a basis whereby the present liturgical rites might fully become celebrations that respectfully embrace the story of reconciliation men and women carry from their experience of active learning in faith whilst at the same time also realizing and inviting faithful more deeply into God's world revealed in the person of Christ. Nevertheless, if liturgical worship is always an act of a community assembled, then this parabolic basis for signification must be augmented and completed with proper integration of essential theological values of reconciliation – especially the communal value – still effectively marginalized in official doctrine, law and pastoral policy of the Church, to be authentically sacramental of the faithful and the experiences they bring to celebrate with the Lord. As the people of God mature in trust of divine mercy through these postconciliar times, the conclusion many faithful have reached and persistently communicate in a spirit of patience and loyalty is the belief that a rite of general confession and absolution can actualise the parable of reconciliation with a meaning and power that enables them to give humble yet confident witness of a reconciled and reconciling life today and into the future.

NOTE TO USERS

Page(s) not included in the original manuscript are unavailable from the author or university. The manuscript was microfilmed as received.

498

This reproduction is the best copy available.

UMI

GENERAL CONCLUSION

Notwithstanding the many elements that identify authentic Christian discipleship and the diverse ways one might reasonably explain the context within which these originated and became normative, from the primitive communities coincidental with the New Testament until the reality faithful make known in the world of today, perhaps the fundamental conclusion to emerge from this study expresses the conviction that *reconciliation is the mission of the Church.* Searching the depths of what God has done in Christ – a loving Father who reconciled the world to himself through the faithfulness of a Son upon whom the Holy Spirit rested – validates this conclusion, having established definitively that in Christ Jesus alone God effected a new reality for human beings universally called to believe and accept this unmerited, free gift and provided them an example to respond in the power of that same Spirit with a surrender of the whole self and enter the way of mutual forgiveness, building a reconciling community and learning to enjoy participation in the holiness of God.

Sent to proclaim and witness reconciliation by him who is sacrament of the Father, liberator of the human race, and model for understanding our human being, faithful discover and propose themselves in accordance with their response a form of that Christian community to which every person has the right to assume his or her unique place, celebrate together as they share in the peace of Christ and benefit from each other's giftedness, inviting the further conclusion that *the whole life of the Church is sacrament.* Practical experiences of repentance, conversion and healing amongst those who imitate in daily life the example, pattern and inspiration of Christ – the first meant to hear his word and keep it – confirms this conclusion, having found their meaning as true signification of the Holy Spirit's ongoing work of reconciliation in human interaction, yet at the same time moving the Church to explore and comprehend more deeply its intrinsic sacramental nature. In this light, for a community intended to embody an alternative and radical new life that is a genuine and credible presence of the humanity of Christ, the question whether structural reform which the Church so earnestly and urgently asks of the world today also applies to its own complex organization seems a logical extension if the Church desires authority and relevance in matters for which it claims a special competence, now and into the future.

Based on the theological insight that by the will of the Father it constitutes in Christ a sacrament of union with God and the unity of all humankind, the Church mediates that grace which the Holy Spirit creatively exercises within the community of faith and in the world – essentially but not in some exclusive or limiting way – through seven structured actions having the power of Christ's redemption, properly understood as the guarantee in visible form of divine blessing that realizes and strengthens the mystery of communion in which faith is evoked, worship given to God and sanctification effected through valid reception, but without prejudice to the conclusion that *sacraments enable a community assembled to celebrate the experienced reality of God's love already revealed and continuously at work in each person.* Belief that in Christ the eschatologically new has once and for all broken into the world of human beings, simultaneously treating them to the first fruits of the Spirit and the hope of a glory not yet attained provides the basis for this conclusion, indicating that anything less than sufficient expression of the personal encounter with the Risen Lord, especially becoming or fully known from tangible experiences of life in the community of faith that can foster, in accordance with the norm of communal celebration, richer sharing in membership of Christ with one another and the Father, has the propensity to reduce the nature and purpose of sacraments to a utilitarian, individualistic exercise in futile abstraction.

One of the more stubborn though sometimes neglected arguments this study kept in view has suggested, despite a modicum of detachment at official levels from rather simplistic doctrinal presentations, that the typically functional reasons with which Catholic faithful have been fed to comprehend sacraments and their effects are primarily responsible for what some interpret as a crisis of belief and participation that asks in practical terms why a sacrament of reconciliation? Although perhaps more or less historically monopolised by theories in sympathy with the notion of an evangelical and ecclesial response to the experience of sin, essentially explaining together with a judicial aspect the emphasis on confession and its integral nature and expression in modern ritual forms, alternative thinking that the value and even necessity of this sacrament should depend on some prior existential process of reconciliation defined by the unique love revealed in Christ as the initiative of God drawing penitent faithful back to himself, subverting the traditional emphasis to become a celebration of the real change and growth

their relations with God and others has taught them or the ritual itself made clear. so that the crisis derives ultimately from apparent stagnation in contemporary official theology and the pastoral approach of the Church's central teaching authority, culminates in the conclusion that *the sacrament desperately needs a coherent. extensive and consistent theological vision.*

Symptomatic of this situation is the reductionist notion that describes the purpose of the sacrament as a means to regain something lost or return to a previous state of innocence and begin over again new life in Christ. so that the ritual looks like a retrospective, cyclic exercise of repetitive purification infatuated with the work of human beings in its negative dimension. whereas it could signify. in harmony with the superabundant grace that belongs to the gift of reconciliation. that positive fruit of the Holy Spirit active in the penitential life proper to all Christian faithful. reflecting a shift in attitude and focus that asks what does the sacrament really accomplish? Understood as the instrumental sign Christ entrusted to the Church that connects human desire with divine response to effect an unique moment of forgiveness and healing, the first and principal purpose of the sacrament combines simultaneous reconciliation of the penitent with God and the self. leading to further reconciliations with the Church and others. but as celebration of an assembled community already forgiven through the power of God working in the Spirit of Christ. to realise in them more deeply their life in the Church and the world, formal reconciliation with the Church straightway appears the primary result of the sacrament, which also serves – in anticipation of full reintegration into the faith community through a share in the Eucharist – to signify. declare and enrich the penitents God has reconciled. restored or strengthened in relationship with himself and their fellow human beings. prompting the conclusion that *the purpose of the sacrament must become identified with the entire Spirit-led process of reconciliation.*

The immediacy God enjoys with human beings necessarily precludes any claim that the sacramental ritual equals the reconciling activity of God or represents some exclusive source of his forgiveness but symbolizes through the appropriate use of diverse and credible elements the total ongoing interactive experience of divine mercy with the human family. Nevertheless. the communal dimension accepted by Vatican II Council as the key theological value to further unlock the meaning of the nature and effect of the

sacrament has since revealed to study and pastoral practice not only the success of this project fundamentally dependent upon every faithful being part of a mature Christian community where the gift of reconciliation is fervently proclaimed and lived with complete honesty but also the inherent complexity of such basic issues as sin, anthropology and justification, suggesting that in the present difficulty and even failure of penitents to succinctly articulate the measure of their openness to the Spirit lies the question how to obtain the integrity of confession? Assuming the merit of the broader and rather ambivalent context proposed, an integral confession requires that penitent and minister move beyond what seems a clinical exchange designed to elicit a full verbal specification or, when circumstances dictate, some other acceptable acknowledgement of at least grave sinfulness and its remedy to become a more comprehensive expression in word and gesture of that personal journey of sin, conversion and forgiveness realizing true reconciliation among human beings as the product and sign of the reconciling love God works in them. Observe, however, the frustration of this outcome, perhaps initially and still on account of a certain theological ambiguity retained in the *prænotanda* and rites of the 1974 *OP* and the characteristic sameness of these ritual forms in both structure and theoretical outlook, but subsequently to greater effect by the policies of the Church's central authority, whose interpretation of the sacrament and its exercise has opposed what seems a reasonable and popular case for doctrinal and pastoral development with a desire to preserve at the considerable cost of general and regular participation the rite for reconciliation of individual penitents as the sole mode in unexceptional circumstances to accommodate the needs and expectations of faithful bringing their experiences of reconciliation for celebration with the Church, preferring the conclusion that the *postconciliar reform visited upon the sacrament has ultimately failed in purpose and execution.*

As one of the sacrifices offered to pragmatism by the subcommission that revised the canons regulating the sacrament of reconciliation, the text of c. 959 illustrates well what this study has concluded in its unconvincing synthesis of materials derived from quite different perspectives, when the opportunity existed to attempt a completely new methodology and present a harmonious theological summary of this sacrament written in the form of an intelligent and insightful response to modern theory and practice without

loss of any authentic elements preserved in the tradition. A suitable basis to challenge and correct the restrictive parameters that determined the composition and content of the norm in force and instruct an adequate substitute text appears the five essential theological values this study has identified to establish important characteristics of reconciliation necessary to the structure, meaning and exercise of its sacramental expression, not only to impress the worthy nature of these values – which have acquired at least some recognition in official teaching – but also enable a community of faith to know and appropriate them for their mutual upbuilding, maturity of discipleship and deeper communion and thus the life and mission of the entire Church. If reconciliation is a Spirit-led process or journey of personal commitment and surrender into the joy of experiencing God as Father and conformity with the exemplary Son in the radical forgiveness of one another, which the Church can effectively symbolize and mediate as community making Christ present and whose seal and climax is full participation in the Eucharistic sacrifice of praise, then c. 959 must comprehensively translate into canonical language what the approved rites for reconciliation properly represent of this mystery that begins and ends with the daily life of human beings, without some realization already of which a penitent has nothing he or she might bring to celebrate in the sacrament.

Nevertheless, there seems little gain for the spiritual welfare of faithful when Church officials talk about the importance of, say, process and communal dimensions of reconciliation and their urgent recovery, yet rather than embrace the proposition carefully established from diverse perspectives for sacramental rites structured for the minister and penitents to express and engage such values in an efficacious and practical way whilst varied and flexible enough to provide them some options to choose a particular rite and plan its celebration, resolutely maintain the exclusive character of individual confession and absolution – with or without a common preparation – in which these values enjoy a more or less theoretical presence that begs the question why consider this form the sole ordinary mode of the sacrament? Aware of the sensitive issues involved and the possible consequences any change in policy could precipitate, the central teaching authority of the Church has interpreted its stance on individual confession and absolution – including the relevant norms and spiritual exercises and their loyal observance among affected members – as an example of loving fidelity to the will of Christ and an expression of

ecclesial communion. Accordingly, recent more extensive appeals to divine law and the obedience expected of faithful have also given this authority reason to claim its thinking on individual confession and absolution the perfection of something called a progressive personalization of the sacramental form – apparently completed in time for the Council of Trent – that allegedly not only lends this mode an irreformable quality; in the integral confession of grave sins it also provides the best way to elicit the personal aspect of reconciliation and gives penitents compensation for their efforts such as peace of conscience and a guarantee they have fulfilled the law. Although invested with considerable doctrinal weight and persuasive power, the unity of this argument cracks under the comparatively substantial theory that the teaching and canons agreed at the Council of Trent neither deny the possibility to distinguish the principle of integrity – without which the sacrament cannot be an authentic celebration of reconciliation – and how penitents might signify this definitive element during the ceremony itself, nor discredit the postconciliar developments that both prove and transcend the false dichotomy between personal and communal values associated with official policy making the sacrament an isolated exception to the liturgical norms preferred by Vatican II Council, inspiring the conclusion *that the Church owns the freedom, right (and obligation!) to provide more than one mode of the sacrament for normal, regular exercise by the faithful.*

Consistent with official policy for a sacrament universally regarded in need of renewal, the text of c. 960 holds the belief that forms which include individual confession and absolution represent the liturgical rites which can properly contribute to the successful delivery of this outcome, not only because the central authority thinks they ensure the right of faithful and of Christ himself to encounter each other personally and provide penitents access to the most fruitful experience of sacramental grace, but also in their effect to oppose and classify any other means of reconciliation as inherently extraordinary and appropriate solely in response to circumstances defined by certain excusing causes. Whether or not the expertise was then available, lack of any reference to the communal value of reconciliation meant this canon ultimately reflected the desire Church officials have communicated in a string of documents issued since the 1970s to preserve and promote the individual rite and (consequently) emphasize the unique power

and role of the ministerial priesthood, whereas, if having listened and understood, the responsible officials included this dimension of life and worship, the canon could also address, for example, the will and capacity faithful manifest for greater responsibility in their spiritual journey and the message from pastoral creativity about the difficulties faithful encounter expressing their personal experiences of the reconciliation process restricted to a single form only, so that the principle of integrity and the blessing of sacramental grace can be realized as ecclesial rights of truly *universal* proportion.

Presently one of the "other means" to celebrate reconciliation, the contemporary rite for several penitents with general confession and absolution originally emerged in the period immediately preceding the first global conflict ot the twentieth century as an exercise of the special pastoral care the Church keeps for those in danger of death. Subsequently extended to accommodate situations of grave necessity and eventually conceded a place in the official *Rite of Penance* that constituted part of the postconciliar liturgical reform, this mode of sacramental reconciliation soon became entangled in what seems an unfinished and occasionally indiscreet exchange of views about doctrinal principles, legal concepts and pastoral issues proposed in the context of a sacrament where the ordinary mode practised at critically low levels simultaneously remains for some a component for which a complementary or substitute ordinary form can neither exist nor be developed to nourish the programme of renewal they think behoves the entire Church. If pastoral experience and theological study, however, can find some intrinsic value in general confession and absolution like giving faithful contact with communal solidarity, the universal nature of the call to holiness, or the source of their justification and peace, gathered together as one in community to praise and worship Father, Son and Holy Spirit, then why does the central authority of the Church specify the purpose and application of this sacramental mode under such restrictive terms of reference?

Perhaps best exemplified in official reaction against the decisions of individual bishops and even conferences of bishops to authorize general confession and absolution ceremonies either for the purpose of evangelization – often as an intermediate step for the lapsed or otherwise practical members to frequent the individual rite – or in response to occasions when Church policy draws large assemblies to celebrate the sacrament, the central authority has in recent years repeatedly stated, with an attitude both defensive and

intolerant towards change, its thinking on this mode as a concession in law attracting strict interpretation, based on the assumption such a rite can merely anticipate the individual confession and absolution for which penitents were disposed at the time general absolution was imparted to them. According to this mentality, norms regulating general confession and absolution represent a special discipline in some way of divine law firmly under papal mandate and the direction of central authority, meaning that any exercise of this rite apart from the cases allowed in the law – and then only if all the conditions listed are judged present simultaneously – became an abuse it demands promptly eliminated, thereby indicating that diocesan bishops have no authority or reason to determine personal criteria or permit the celebration of this mode beyond what now seems a last resort in times of real emergency. Whilst this approach has disquieted faithful about the efficacy and integrity of general confession and absolution, not least when diocesan bishops determine grave necessity more broadly or ministers celebrate the rite in apparently ordinary circumstances, by pretending this mode lacks some elementary feature or that Christ Jesus somehow did not intend its use as a regular pastoral option, the opportunity this rite offers participants to authentically construct the parable of reconciliation through a positive ideal of Christian life discerned and accompanied in community which can provide an encounter with Christ no less personal than the individual rite albeit with different symbols, anchors the conclusion that *general confession and absolution fully effects reconciliation with the Church as the sign of reconciliation with God and one another*.

Visible immediately from its negative introductory formula, the text of c. 961 expresses what the central authority of the Church thought necessary to correct and tighten the discipline of general confession and absolution against real or imagined abuses, with the expectation that faithful adherence to the letter and spirit of this law would consequently maximise access to sacramental grace yet at the same time both remove any possibility for adaptation and development beyond the limits it carefully defined and arrest the decline in the practice of the individual mode. Official interpretations of this new canon have also confirmed its provision about the judgement whether or not the conditions exist for a diocesan bishop to authorize general confession and absolution an exception to the autonomy such a one normally enjoys in *CIC 83* with

respect to the conference of which he is a member, presumably to cultivate an aura of uniformity in making decisions that avoids possible scandal caused by wide divergence in pastoral practice of the sacrament, but also to allow central authority room to exercise the control it claims over the discipline through lawful review of any criteria a particular conference of bishops might establish. Nevertheless, official subscription to an unique kind of grave necessity apart from danger of death, strategic changes about who exercises the requisite discernment and authority, selective appreciation of liturgical principles and impractical responses to pastoral realities – driven by the dual imperative to stamp out abuses and stifle discussion, study and trial of certain questions and insights of theology and canon law – has not confused the better grasp faithful enjoy of what it means for them to *assemble* and the value of their *communal worship*, the impact of *culture* and importance of each one's *spiritual welfare*, inviting at least the proper application of general confession and absolution to complement the individual rite of reconciliation, but moreso to consider the benefit of ceremonies carefully planned by the participants in situations beyond those stipulated by the mentality that now supervises and interprets this aspect of life and sacrament.

Among the more important emphases in its overall policy on the penitential discipline and the rite of general confession and absolution in particular, the central authority of the Church has never failed to promote catechetical instruction as a fundamental component of the ministry that helps properly dispose penitents for the fruitful celebration of the sacrament and living the penance that converts to reconciliation. Contemporary scholarship, pastoral programmes and official documents have dealt exhaustively with the several and interrelated topics thought necessary parts of this catechesis, such as the many and arguably still unfolding dimensions of sin, the rich and quite complex perspectives that together break open the meaning of conversion, and the new evangelization at the service of mature faith development.

One of the tougher aspects identified in the catechesis proper to general confession and absolution seems the difficulty convincing faithful about the necessity and merit of the strict residual obligation penitents incur when, in accordance with what the discipline requires for validity at the time such absolution was imparted to them, each one intends to make a verbal statement of the grave sinfulness of which they were then

conscious in a subsequent celebration of individual confession and absolution. Inevitably, the one who presides, either over the ceremony at which he imparts a general absolution or the later individual celebration, himself shoulders the primary burden to properly understand what rationale and purpose lies behind this obligation – something that the central authority of the Church has inadvertently or even deliberately blurred in their more recent communications – and carefully hand on to penitent faithful by means of homily or counsel, perhaps most effectively in the context of the conversion they are expected to continue and deepen, whether the obligation is of divine or ecclesiastical law. It seems an obvious conclusion, given the materials this study has examined, that *any success in this difficult project remains doubtful until catechesis can better address and present the connection between individual and community*, having found and established this from the experiential and theological continuum which links all historical models of the sacrament that must also become realized in each of its contemporary rites.

Inspired by official thinking that individual confession and absolution represents an inviolable and inalienable right of faithful Christ the Lord intended the Church exercise precisely as the means of grace and salvation to obtain forgiveness and the remission of grave sins committed after baptism, the text of c. 962 makes the intention of a subsequent individual confession for validity as a way to indicate the existence of a common standard which applies to all affected members, affirm the serious nature of the residual obligation and reiterate the importance attached to the catechesis that urges each penitent duly complete what the law requires. At the same time, however, the kind and execution of the reform agenda and the particular theological vision with which it was associated and justified, effectively condemned this canon also to ineluctably embody and operate according to a simply collective notion of the liturgical assembly – a group of like minded individuals who otherwise might enjoy only limited connection – which not only elaborates thinking on the nature and use of general confession and absolution as unsatisfactory and unable to fully signify all essential theological values of reconciliation, but may even reflect a deeper ongoing problem of the Church's formal relationship with the world and modernity, that needs liberation into something truly communal in harmony with the reality apparently already begun to matter in the knowledge and experience of many local Churches.

Similarly, the supplementary obligation conveyed in the text of c. 963 indicating when penitents, if applicable, must attend to the individual statement of grave sinfulness having participated in a celebration of general confession and absolution, reiterates the serious regard held for the primary requirements and their interpretation as parts of the personal dimension intrinsic to the sacrament, but with enough pastoral sensitivity not to stir up unwarranted spiritual anxiety among faithful. Nevertheless, and perhaps in effect a summary of the above reflections, this canon illustrates what can happen when legal drafting labours under the weight of a comprehensively negative attitude towards some enterprise in the field of pastoral practice and apparently responsible and even compelling theological insights, allowing the desire to eliminate abuses take priority over proper respect for the person to disturb the balance between the several obligations specified of faithful in the penitential discipline and further disadvantage those already without what remains the normal sacramental procedure.

Amid the excitement, fervour and anticipation of renewal that marked Vatican II Council and the immediate postconciliar period, the rite for reconciliation of several penitents with general confession and absolution became for many a sign of the future and even an example of what might emerge from the reform of the liturgy and canon law Church officials had commissioned and subsequently initiated. The new *Rite of Penance* at least appeared to acknowledge and arguably inscribe expectations for its broad application through probable theological development, but it seems difficult to escape the thinking this institute of the law was interpreted during the revision process and expressed in the relevant canons of *CIC 83* without any such foundation, suggesting the conclusion that *general confession and absolution represents a straw man set up and progressively deconstructed ever since the Code was promulgated.* Now effectively held in a state of suspended animation by an official policy of strict containment that seems preoccupied with recovering a mythical golden age characterized by frequent reception of the first or second sacramental forms, general confession and absolution appears likely to remain an attractive if irregular pastoral option but essentially useless in the mind of central authority until theological investigation concentrates on what God has done for humankind, its continuation in the activity of the Holy Spirit, and the ecclesial responses faithful think best engage their experiences of reconciliation in the world of today.

APPENDIX ONE

CRITERIA FOR GENERAL ABSOLUTION ESTABLISHED BY THE CCCB

The Canadian Conference of Catholic Bishops (CCCB) affirms that individual confession is the ordinary form of the Sacrament of Reconciliation.

Therefore, the bishops intend to favour access to this sacramental form for the faithful. They also want to promote high quality celebrations of this Sacrament by every means at their disposal, in conformity with the Rite of Penance. In particular, they draw pastors' attention to their duty to promote individual confessions by the faithful, determining the daily hours during which they can have ready access to the Sacrament of Penance (Canon 986 §1).

A) It is the view of the bishops of the Canadian Conference, in conformity with Can 961, §2, that general absolution can be justified only when a grave necessity can be verified, i.e., when all the conditions of this Canon occur simultaneously: a large number of penitents – not enough available confessors – within an appropriate time so that penitents are not deprived of sacramental grace or of Holy Communion for a lengthy period of time.

There may indeed arise situations that require recourse to general absolution.

Across the country, these situations can arise only when there is a great number of faithful attending a religious ceremony, far beyond the number who can be heard by available confessors, either because this was unforeseeable, or because rigorous winter weather conditions and great distances prevent the presence of confessors, or because the number of priests in a region or diocese does not allow them to respond adequately in their normal working hours to several sessions of confessions in local Christian communities.

If there were only individual confessions in such circumstances, many penitents, through no fault of their own, would be deprived of sacramental grace or of Holy Communion for a long time.

B) Each time general absolution is to be conducted, appropriate precautions shall be taken to ensure that this manner of proceeding is not seen as an equivalent

to individual confession. Penitents will be reminded of the obligations mentioned under Canons 962, §1, and 963. They must also be reminded that absolution is impossible for those who, having sinned gravely, do not have the will to repair the damage caused or change their style of living, for example, persons guilty of grave injustices, couples living together without marriage, or divorced couples who are remarried.

C) Recourse to general absolution in the case of grave necessity should not conflict with the mission of training children for individual confession.

Taking into account the above-mentioned criteria, it is up to the diocesan bishop to judge cases of "grave necessity" which justify general absolution, including cases unforeseen by the criteria established in common by the Conference of Bishops.

March, 1988.

These Norms have been approved by the Congregation for Bishops (letter from the Pro-Nuncio, dated March 9, 1988, N. 21150).

APPENDIX TWO

Archdiocese of Perth

GUIDELINES FOR USE OF THE THIRD RITE OF RECONCILIATION
(General Absolution)

1. It is the ancient tradition of the Church that the ordinary way in which sinners are reconciled with God and with the Church is through the individual and integral confession of sins with individual absolution.

   These elements are contained in the First and Second Rite of Reconciliation.

2. In cases of grave need the Third Rite may be used. The obligation remains on penitents to make an individual confession of serious sins before having recourse to another general absolution.

3. The Third Rite may be used in the following circumstances –

   (a) in danger of death

   (b) when the number of penitents is such that "confessors are not available to hear individual confessions within a suitable time so that the penitents are forced to be deprived of sacramental grace or Holy Communion for a long time through no fault of their own." *Canon 961(2).*

4. If individual confession is readily available in a parish, a large crowd for a special feast day is not in itself sufficient justification. It would be necessary to give reasons why the people could not avail themselves of individual confession at this time.

   Evidently the Third Rite cannot be advertised in advance. It is against the spirit of *Canon 961.*

5. Penitents receiving general absolution in the Third Rite are to be carefully instructed as to its meaning and their obligation to confess serious sins in individual confession at a later time.

6. On each occasion that the need for the Third Rite appears to be present, the priest is to contact the Archbishop or his Vicars General for permission. It is up to the Bishop of the Diocese to make the judgement as to whether the necessary conditions are fulfilled or not.

   Should contact be impossible, the priest is to inform the Archbishop after the event of the action taken.

Most Rev B J Hickey
Archbishop of Perth
17th December 1991.

APPENDIX THREE

Archdiocese of Adelaide

PASTORAL GUIDELINES FOR THE CELEBRATION OF THE SACRAMENT OF PENANCE

I. INTRODUCTION

1. For a Christian, the Sacrament of Penance is the ordinary way of obtaining forgiveness and the remission of serious sins committed after Baptism. The Sacrament involves on the part of the penitent a sincere and complete confession of sins. (cf Apostolic Exhortation, *Reconciliation and Penance*, 31.I)

2. The confession of sins must ordinarily be individual not collective, just as sin is a deeply personal matter. Individual confession is a sign of the person's revealing of self as a sinner in the sight of God and the Church, of facing his or her own sinful condition in the eyes of God. The confession of sins is an act of honesty and courage like that of the Prodigal Son who returns to his Father and is welcomed by him with the kiss of peace. It is an act of entrusting oneself, beyond sin, to the mercy that forgives. (cf Apostolic Exhortation, *Reconciliation and Penance*, 31.III)

3. The *Order of Penance* provides three rites which, while always keeping intact the essential elements, makes it possible to adapt the celebration of the Sacrament of Penance to particular pastoral circumstances.

   The first form is that of the reconciliation of individual penitents. It is the only normal and ordinary way of celebrating the Sacrament.

   The second form is that of the reconciliation of a number of penitents with individual confession and absolution. Even though it helps to give greater emphasis to the community aspects of the Sacrament, it is the same as the first form in the culminating sacramental act, namely individual confession and absolution of sin. It can be regarded as equal to the first form as regards the normality of the rite.

   The third form is that of the reconciliation of a number of penitents with general confession and absolution. This form is exceptional in character. It is therefore not left to free choice but is regulated by a special discipline. (cf Apostolic Exhortation, *Reconciliation and Penance*, 32)

II. THE RITE OF RECONCILIATION OF INDIVIDUAL PENITENTS (1st Form)

1. "Individual and integral confession and absolution constitute the sole ordinary means by which a member of the faithful who is conscious of grave sin is reconciled with God and with the Church. Physical or moral impossibility alone excuses from such confession in which cases reconciliation may be attained by other means also." (*Code of Canon Law*, 960)

2. "The elements of this form of celebration are ordinarily these: a greeting and blessing from the priest, reading the Word of God to illuminate the conscience and elicit contrition, and an exhortation to repentance; the confession, which acknowledges sins and makes them known to the priest; the imposition and acceptance of a penance; the priest's absolution; a prayer of thanksgiving and praise and dismissal with the blessing of the priest." (*Catechism of the Catholic Church*, 1480)

3. "This first rite makes possible a highlighting of the more personal and essential aspects which are included in the penitential process. The dialogue between the penitent and the confessor, the sum of the elements used (the biblical texts, the choice of the forms of sacramental penance) makes this sacramental celebration correspond more closely to the situation of the penitent." (Apostolic Exhortation, *Reconciliation and Penance*, 32)

4. The faithful are "to be invited to encounter anew the saving mystery of the Father's love and mercy through that uniquely profound and transforming human experience that is individual, integral confession and absolution." (Pope John Paul II, *Address to the Australian Bishops*, 14 December 1998, 5)

5. Priests are urged to give a priority to this ministry. This will involve spending the time necessary with the penitents so that this form of the Rite of Reconciliation is properly celebrated according to the liturgical norms contained in the *Introduction to the Rite of Penance* Nos. 15-21.

6. Appropriate and adequate times should be provided for the faithful so that they can easily approach this form of the Sacrament. (*Code of Canon Law* 986 § 1)

III. RITE OF RECONCILIATION OF SEVERAL PENITENTS WITH INDIVIDUAL CONFESSION AND ABSOLUTION (2nd Form)

1. "Communal celebration of the Sacrament of Penance shows more clearly the ecclesial nature of penance. The faithful listen together to the word of God, which proclaims his mercy and invites them to conversion; at the same time they examine the conformity of their lives with that word of God and help each other through common prayer. After each person has confessed his sins and received absolution, all praise

God together for his wonderful deeds on behalf of the people he has gained for himself through the blood of his Son. (*Introduction* 22)

2. The widespread celebration of the Sacrament of Penance in the Second Form throughout the Archdiocese is strongly encouraged.

3. There are occasions and situations when this Second Form would be most appropriate. Some are:

a) "The season of Lent is most appropriate for celebrating the Sacrament of Penance. Already on Ash Wednesday the people of God have heard the solemn invitation 'Turn away from sin and believe the good news'. It is therefore fitting to have several penitential celebrations during Lent so that all the faithful may have an opportunity to be reconciled with God and their neighbour and so be able to celebrate the paschal mystery in the Easter triduum with renewed hearts." (*Introduction* 13)

b) Advent is another suitable time for such celebrations when the message of John the Baptist, "Make straight the way of the Lord" echoes through our Liturgy.

c) For class, school and other catechetical groups. In this way a deeper spiritual and liturgical celebration of the sacrament will provide a fruitful experience and lead to a more conscious active participation. It will help children and youth gradually to understand and appreciate the social aspect of their sins, and also God's all embracing love which is celebrated in the sacrament.

d) In special gatherings of people for the purpose of celebrating the Sacrament of Penance. These can be most valuable pastoral opportunities for reaching people who are somewhat careless or alienated from the sacramental life of the Church and for providing catechesis in addition to the celebration of the sacrament.

4. In the celebration of the Sacrament of Penance in the Second Form, priests are encouraged to be generous with their time in preparing the celebration.

   Priests are asked to assist their brother priests in other parishes and situations by being available to hear the individual confessions which are part of this form.

5. "The criteria for deciding which of the first two forms of celebration to use should be dictated not by situational and subjective reasons but by a desire to secure the true spiritual good of the faithful, in obedience to the penitential discipline of the Church." (Apostolic Exhortation, *Reconciliation and Penance*, 32)

IV. RITE OF RECONCILIATION OF SEVERAL PENITENTS WITH GENERAL CONFESSION AND ABSOLUTION (3rd Rite)

1. "The personal nature of sin, conversion, forgiveness and reconciliation is the reason why ... general confession and general absolution are appropriate only in cases of grave necessity, clearly determined by liturgical and canonical norms." (Pope John Paul II, *Address to the Australian Bishops*, 14 December 1998, 5)

2. "General absolution, without prior individual confession, cannot be given to a number of penitents together unless danger of death threatens and there is not time for the priest or priests to hear the confessions of the individual penitents." (*Code of Canon Law*, 961, § 1, 1°)

3. "General absolution, without prior individual confession, cannot be given to a number of penitents together unless there exists a grave necessity; that is, given the number of penitents there are not enough confessors available properly to hear the individual's confessions within an appropriate time, so that without fault of their own the penitents are deprived of the sacramental grace or of Holy Communion for a lengthy period of time." (*Code of Canon Law*, 961, §1, 2°)

4. "It is for the diocesan Bishop to judge whether the conditions required are present; mindful of the criteria agreed with the other members of the Bishops' Conference he can determine the cases of such necessity." (*Code of Canon Law*, 961, §2)

   Therefore, in the Archdiocese of Adelaide every request for the celebration of the Third Form of the Sacrament of Penance with general confession and absolution must be made to the Archbishop.

   "A sufficient necessity is not considered to exist when confessors cannot be available merely because of a great gathering of penitents, such as can occur on some major feastday or pilgrimage." (*Code of Canon Law*, 961, §1, 2°)

5. In cases where a general absolution is to be given the following matters are to be clearly and fully explained to those present:

a) "That to benefit validly from a sacramental absolution given to a number of people simultaneously it is required not only that he or she be properly disposed, but also that he or she be at the same time personally resolved to confess in due time each of the grave sins which cannot for the moment be confessed." (*Code of Canon Law*, 962, §1)

b) Being properly disposed means that each should be sorry for his or her sins, to resolve to avoid committing them again, and to intend to repair any scandal or harm caused. (cf *Introduction to the Rite of Penance*, 33)

c) That "a person whose grave sins are forgiven by a general absolution, is as soon as possible, when the opportunity occurs, to make an individual confession before receiving another general absolution, unless a just reason intervenes." (*Code of Canon Law*, 963)

V. CATECHESIS

A revised catechesis regarding Penance and Reconciliation will be undertaken following the words of our Holy Father, Pope John Paul II: "In preparing and celebrating the forthcoming Great Jubilee as a time of conversion and reconciliation, there is also ample room for a great catechising effort in relation to the Sacrament of Penance."

VI. LITURGICAL VESTMENTS

1. For the celebration of individual confessions in the Church, I prescribe, wherever possible, the wearing of the soutane or alb with a suitable purple stole.

2. For the celebration of the Second and Third Forms, I prescribe the wearing of the alb and purple stole, or soutane surplice and purple stole. The cope may also be worn.

To take effect
18th May, 1999.

Leonard A. Faulkner
Archbishop of Adelaide

CONGREGATIO DE CULTU DIVINO
ET DISCIPLINA SACRAMENTORUM

Prot. N. 697/99/L

SACRAMENT OF PENANCE

In fidelity to the mission entrusted to the Church by our Saviour Jesus Christ, when he gave to his Apostles and to their successors the power to forgive or to retain sins (Jn 20:19-23), the Church "has never failed to call men from sin to conversion through the celebration of penance to show the victory of Christ over sin" (Sacred Congregation for Divine Worship, *Ordo Pœnitentiæ*, 1).

In recent years, in spite of repeated clarifications given by the Holy See on the necessary conditions for the valid and licet administration of the Sacrament of Penance, there has been an increasing demand for the indiscriminate use of "general absolution." It is perhaps important to recall that the recent *Statement of Conclusions* signed by the Superiors of six Congregations of the Roman Curia as well as a representation of Australian Bishops, did not revoke anything permitted by the dispositions of the law concerning "general absolution." What has been done is to emphasize the dispositions of law in force. In the hope of removing any remaining doubt or confusion regarding this matter, this Congregation has considered it opportune to bring to the attention of the Catholic faithful in Australia, the essential conditions for the ordinary and extraordinary celebration of the sacrament in the Latin Church.

The norms in force are found in particular in the *Ordo Pœnitentiæ* of the *Rituale Romanum* and in the *Codex Iuris Canonici* (cfr. cann. 959-991, and cann. 960-962, in particular) and are based on the constant doctrine of the Church, as well as the traditional practice of the Latin Church, and therefore, it is not possible to modify them or to derogate from them for any reason. Consequently, "Rite III" must be understood to be of an "altogether exceptional character" (Pope Paul VI, Allocution to the Bishops of the region of New York in the United States of America, 20 April 1978: *Acta Apostolicæ Sedis* 70 (1978) 331) and is in no way an "ordinary" rite equitable with "Rite I" and "Rite II." To present "Rite III" as an acceptable alternative to individual and integral

confession is contrary to the clear and certain canonical dispositions laid down for the common good of the Church.

Specifically, it is the Church's solemn teaching that for an integral and complete pardon of sins, three acts are required of the penitent as parts of the sacrament: contrition, confession, and satisfaction. By divine law, it is necessary that penitents confess to a priest all mortal sins as well as specifying moral circumstances that they remember after a careful examination of conscience. Having confessed his sins in this way, the penitent is then absolved from his sins in the judicial act of the priest's sacramental absolution (cf. Conc. Oecum. Flor., sessio VIII, *Bulla unionis Armenorum*: Denzinger-Schönmetzer 1323; Conc. Oecum. Trid. sessio XIV, cap. III et V: Denz.-Schön. 1673-1675, 1679-1683; sessio XIV, *Canones de sacramento pœnitentiæ*, cann. 4, 6-9: Denz.-Schön. 1704, 1706-1709; Sacred Congregation for the Doctrine of the Faith, *Sacramentum Pœnitentiæ*, (16 June 1972): *Acta Apostolicæ Sedis* 64 (1972) 510-514; can. 988, §1).

For this reason the *Codex Iuris Canonici* states clearly that "***integral*** and ***individual*** confession and absolution is the sole, ordinary means by which a member of the faithful who is conscious of grave sin is reconciled with God and with the Church. Physical or moral impossibility alone excuses from such confession..." (can. 960).

Due to the "altogether exceptional character" of "general absolution," it may not be administered except in two difficult situations of serious need on the part of the faithful: (1) imminent danger of death in which there is not time for the priest or priests to hear the confessions of the penitents individually; (2) certain well-defined situations where there exists a grave necessity that would deprive the faithful of sacramental grace or of Holy Communion for a lengthy period of time (cf. can. 961, §1, 1°-2°).

If in the opinion of the confessor there is a case of grave necessity that could permit "general absolution," it is to be submitted to the judgement of the Diocesan Bishop with whom lies the responsibility for deciding whether the necessary conditions are indeed present (cf. can. 961); without such a decision, "general absolution" may not be conferred. Moreover, as the canon itself points out, "sufficient necessity is not considered to exist when confessors cannot be available merely because of a great gathering of penitents, such as can occur on some major feastday or pilgrimage" (can. 961, §1, 2°). The authorization given to Diocesan Bishops does not permit them "to change the required conditions, to substitute other conditions for those given, or to determine grave necessity according to their personal criteria however worthy" (Pope Paul VI, Allocution to the Bishops of the region of New York in the United States of America, 20 April 1978: *Acta Apostolicæ Sedis* 70 (1978) 330). The Diocesan Bishop "makes this judgement *graviter onerata conscientia*, and with full respect for the law and practice of the Church" (Pope John Paul II, Apostolic Exhortation *Reconciliatio et Pœnitentia*, 2 December 1984, n. 33: *Acta Apostolicæ Sedis* 77 (1985) 270). Furthermore, the fact that the canons acknowledge the right of the faithful to confess their sins on days and at times arranged for their convenience (cf. can. 986, §1) cannot be used as a justification for an alternative practice of "general absolution."

In this context it is of great importance to remember that even when the sacrament is received by means of a collective absolution, it nevertheless requires, as a result of its divine and irreformable foundation, that each penitent have the necessary dispositions for the reception of this sacrament, namely, individual and personal repentance for sins

committed, the resolution to rectify scandal or injuries that may have been caused in relation to those sins, the intention of amending his life, and the intention to make an integral and individual confession as soon as possible of those grave sins from which he is impeded from confessing at the time. Each of these dispositions must be present in order that the sacramental absolution be received validly (cf. Conc. Oecum. Trid., sessio XIV, cap. IV: Denz-Schön. 1676-1677: sessio XIV, *Canones de sacramento pœnitentiæ*, can. 5: Denz.-Schön. 1705: can. 987: Sacred Congregation for the Doctrine of the Faith, *Sacramentum Pœnitentiæ*, (16 June 1972): *Acta Apostolicæ Sedis* 64 (1972) 512; cann. 962, §1, 963, 988, §1: Pope John Paul II. Apostolic Exhortation *Reconciliatio et Pœnitentia*, 2 December 1984, n. 31: *Acta Apostolicæ Sedis* 77 (1985) 260-261).

Nor should the importance of the act of satisfaction be passed over. This final act of the penitent "crowns the sacramental sign of Penance" (Pope John Paul II, Apostolic Exhortation *Reconciliatio et Pœnitentia*, 2 December 1984, n. 31: *Acta Apostolicæ Sedis* 77 (1985) 263). Hence, the confessor is to impose salutary and appropriate penances, in proportion to the kind and number of sins confessed, taking into account, however, the condition of the penitent. The penitent, for his part, is bound personally to carry out these penances (cf. can. 981).

All priests who exercise their ministry reconciling penitents are reminded that these obligations of the faithful are concomitant with a corresponding right for them to be given sacramental grace and the spiritual riches of the Church in individual confession (cf. can. 213). Therefore, priests are bound to adhere faithfully to the teaching of the Magisterium and to the norms established by the competent authority (cf. can. 978, §2). To this end, local Ordinaries are asked to promote a thorough catechesis on the authentic nature and requisites of the Sacrament of Penance.

The grace of the sacrament is the communication of the indescribable mercy of God through the ministry of the Church which touches the Christian in the depths of his being as well as in his relationship with God, with the Church, with others of the faithful, and with all his fellow men. As a consequence, all deviations from the authentic practice of the Church in this regard constitute a serious and wrongful deprivation, also punishable in accordance with the sacred canons.

19 March 1999
Solemnity of St. Joseph

The Congregation for Divine Worship
and the Discipline of the Sacraments

APPENDIX FIVE

CONGREGATIO DE CULTU DIVINO
ET DISCIPLINA SACRAMENTORUM

Prot. N. 700/00/L

CIRCULAR LETTER CONCERNING THE INTEGRITY OF THE SACRAMENT OF PENANCE

Through a mysterious sharing in the victory of our Lord Jesus Christ on the Cross, the Sacrament of Penance overcomes the division between man and God caused by sin. In this precious sacrament the repentant sinner receives, as a gracious gift of the Father, by the power of the Holy Spirit and through the ministry of the Church, that reconciliation, which is "concentrated in Christ himself, the Lamb without blemish offered for our sins (1 *Pt* 1: 19; *Rv* 5: 6; 12: 11)," whose "pain and abandonment is thus turned into an inexhaustible source of compassionate and reconciling love."[1]

For this reason, on the occasion of the *ad limina* visit to Rome in 1998 of the Bishops of Australia, the Holy Father himself and this Congregation for Divine Worship and the Discipline of the Sacraments made several observations concerning the authentic discipline of the Sacrament of Penance, in particular concerning the altogether exceptional situations apart from which "general absolution" may never be administered.

Since this Great Jubilee of the Year 2000 "implies a rediscovery of the Sacrament of Penance in its profound meaning as an encounter with the One who forgives us through Christ in the Spirit,"[2] this Dicastery has considered it opportune to promote a deepening of an authentic understanding of the sacramental discipline, as well as a correct application of the rite as clearly determined by liturgical and canonical norms. To that end, and after having attentively studied the matter, this Dicastery wishes to state that:

---

[1] Pope John Paul II, General Audience, 22 September 1999, no. 3: *L'Osservatore Romano* (23 sett. 1999) p. 6.

[2] Pope John Paul II, General Audience, 15 September 1999, no. 1: *L'Osservatore Romano* (16 sett. 1999) p. 4. Cf. Apostolic letter, *Tertio millennio adveniente*, 10 November 1994: *Acta Apostolicæ Sedis* 87 (1995) pp. 5-41, here no. 50, p. 36.

1. The norms in force concerning the Sacrament of Penance are found in the Rite of Penance of the Roman Ritual and in the *Code of Canon Law.*[3] and are based on divine law, the constant doctrine of the Church and her traditional practice. This Circular Letter recalls those very norms, and therefore, it does not constitute an innovation, nor a modification to the law in force. It does not revoke anything permitted by the dispositions of law in force concerning the Sacrament of Penance. Rather, it recalls those norms concerning the authentic discipline of the Sacrament of Penance which the Holy See, in the Rite of Penance, the *Code of Canon Law* and several discourses of the Holy Father has already repeatedly expressed. Therefore, it should be clearly stated that there may be no "graduality" in the application of the norm of law. The Congregation for Divine Worship itself has no faculty to deviate from the legislation in force: indeed, its responsibility is to safeguard and promote these norms and, additionally, to assist Bishops in the exercise of their pastoral ministry.

2. The divine constitution of the Sacrament of Penance requires each penitent to confess to a priest all mortal sins, as well as any specifying moral circumstances that he remembers after a diligent examination of conscience.[4] For this reason the *Code of Canon Law* states clearly that "*individual* and *integral* confession and absolution is the sole ordinary means by which a member of the faithful who is conscious of mortal sin is reconciled with God and with the Church. Physical or moral impossibility alone excuses from such confession."[5] In specifying this obligation, the Church has insistently reiterated that "all the faithful who have reached the age of discretion are bound faithfully to confess their mortal sins at least once a year."[6] "Energetic efforts are to be made to avoid any risk that this traditional practice of the Sacrament of Penance fall into disuse."[7] Indeed, in this Jubilee Year Catholics are called in a particular way "to encounter anew the uniquely transforming experience that is individual, integral confession and absolution."[8] In accord with the law and practice of the Church, the faithful must orally confess their sins (*auricular* confession),[9] except in cases of true

---

[3] Cf. *Code of Canon Law*, cann. 959-991.

[4] Cf. *Code of Canon Law*, can. 988, §1; *Catechism of the Catholic Church*, nos. 1454, 1456.

[5] *Code of Canon Law*, can. 960.

[6] *Code of Canon Law*, can. 989. Cf. Also Conc. Oecum. Trid., sessio XIV, cap. IV: Denzinger-Schönmetzer 1683; sessio XIV, *Canones de sacramento pœnitentiæ*, can. 8: Denz.-Schön. 1708; *Catechism of the Catholic Church*, 1457.

[7] *Statement of Conclusions*: Final Declaration of the Interdicasterial meeting of the Roman Curia with a representation of the Bishops of the Episcopal Conference of Australia, 14 December 1998, no. 45.

[8] Pope John Paul II, Allocution to the Bishops of Ireland, 26 June 1999: *Acta Apostolicæ Sedis* 91 (1999) 1065-1072, here no. 8, p. 1072.

[9] Cf. Conc. Oecum. Flor., sessio VIII, *Bulla unionis Armenorum*: Denz.-Schön. 1323.

physical or moral impossibility (e.g., extreme illness or physical condition inhibiting speech, speech impediment, etc.). This disposition would exclude communal celebrations of the sacrament in which penitents are invited to present a written list of sins to the priest confessor. It should be noted that such innovations also risk compromising the inviolable seal of sacramental confession.

3. In giving consideration to the authentic discipline of the Church concerning "general absolution," the recent interdicasterial meeting of the Roman Curia with a representation of Bishops of the Episcopal Conference of Australia noted that:

... communal celebrations have not infrequently occasioned an illegitimate use of general absolution. This illegitimate use, like other abuses in the administration of the Sacrament of Penance, is to be eliminated.

The teaching of the Church is reflected in precise terms in the requirements of the *Code of Canon Law* (cf. esp. canons 959-964). In particular it is clear that "A sufficient necessity is not ... considered to exist when confessors cannot be available merely because of a great gathering of penitents, such as can occur on some major feastday or pilgrimage" (canon 961, § 1, 2°).

The bishops will exercise renewed vigilance on these matters for the future, aware that departures from the authentic tradition do great wrong to the Church and to individual Catholics.[10]

4. With respect to the administration of "general absolution," the exclusive authority enjoyed by Diocesan Bishops to determine whether a grave necessity is truly present in a given case in their diocese[11] does not permit them "to change the required conditions, to substitute other conditions for those given, or to determine grave necessity according to their personal criteria however worthy."[12] Indeed, the Diocesan Bishop makes "this judgement *graviter onerata conscientia*, and with full respect for the law and practice of the Church."[13]

5. Local Ordinaries and priests, to the degree that it applies to them, have an obligation in conscience to ensure that penitents have regular and frequent scheduled opportunities for individual and integral confession of sins in all parish churches and

---

[10] *Statement of Conclusions*, no. 45.

[11] Cf. *Code of Canon Law*, cann. 961, §1, 2°; 961, §2.

[12] Pope Paul VI, Allocution to the Bishops of the region of New York in the United States of America, 20 April 1978: *Acta Apostolicæ Sedis* 70 (1978) p. 330.

[13] Pope John Paul II, Apostolic Exhortation *Reconciliatio et Pœnitentia*, 2 December 1984: *Acta Apostolicæ Sedis* 77 (1985) 185-275, here no. 33, p. 270.

insofar as possible in other pastoral centres.[14] In addition, priests are called upon to be generous in making themselves available outside of those scheduled times to celebrate individual and integral confession whenever the faithful would reasonably ask for it.[15] "Other works, for lack of time, may have to be postponed or even abandoned, but not the confessional."[16]

6. The Holy Father has pointed to the personal nature of sin, conversion, forgiveness and reconciliation[17] as the reason why the Rite of Reconciliation of several penitents with individual confession and absolution "demands the personal confession of sins and individual absolution."[18] Since individual and integral confession of sins is not only an obligation "but also an inviolable and inalienable right"[19] of the faithful, any innovation which would interfere with their fulfillment of this obligation, such as when penitents are invited or otherwise encouraged to name just one sin or to name a representative sin, is to be eliminated.

7. As an aid to a more fruitful reception of the Sacrament of Penance and in the hope of fostering the spirit and virtue of penance among the faithful, the Rite of Penance includes material for "Penitential celebrations," which are described as gatherings of the people of God to hear the proclamation of God's word.[20] "Care should be taken that the faithful do not confuse these celebrations with the celebration of the Sacrament of Penance,"[21] in particular, by making clear to them that such celebrations are preparatory in nature and do not include the sacramental forgiveness of sins. It is to be borne in mind that such penitential celebrations may not make use of the sacramental formula of absolution, nor should they employ the concluding formula from the

---

[14] Cf. *Code of Canon Law*, can 986, §1; Sacred Congregation for the Doctrine of the Faith, *Normæ pastorales circa absolutionem sacramentalem generali modo impertiendam*, 16 June 1972: *Acta Apostolicæ Sedis* 64 (1972) pp. 510-514, here no. IV, p. 512.

[15] Cf. *Code of Canon Law*, can. 986, §1; *Catechism of the Catholic Church*, no. 1464.

[16] Pope Paul VI, Allocution to the Bishops of the region of New York in the United States of America, 20 April 1978: *Acta Apostolicæ Sedis* 70 (1978) pp. 328-332, here p. 331.

[17] Cf. *Catechism of the Catholic Church*, no. 1484.

[18] Pope John Paul II, Allocution to the Bishops of Australia, 14 December 1998: *Acta Apostolicæ Sedis* 91 (1999) pp. 580-586, here no. 5, p. 584. Cf. also Pope John Paul II, Allocution to the Bishops of Ireland, no. 8: *Acta Apostolicæ Sedis* 91 (1999) p. 1072.

[19] Pope John Paul II, Apostolic Exhortation *Reconciliatio et Pœnitentia*, no. 33: *Acta Apostolicae Sedis* 77 (1985) p. 271.

[20] Cf. Rite of Penance, no. 36; Appendix II.

[21] Rite of Penance, no. 37. Cf. also Sacred Congregation for the Doctrine of the Faith, *Normæ pastorales circa absolutionem sacramentalem generali modo impertiendam*, no. X: *Acta Apostolicæ Sedis* 64 (1972) pp. 513-514.

Penitential Rite at Mass, nor any other formula which could be misconstrued to be an absolution from sin.

8. Neither the Rite of Reconciliation of several penitents with individual confession and absolution, nor the aforementioned Penitential celebrations may be integrated into the celebration of the Mass.[22] In addition to the unauthorized innovation[23] in the celebration of the respective rites and of the Mass that this practice would represent, it must be noted, in particular, that such abuses run the risk of creating confusion in the minds of the faithful as to whether a sacramental absolution may or may not have taken place.

9. It is to be recalled that the "Eucharist is not ordered to the forgiveness of mortal sins - that is proper to the Sacrament of Reconciliation. The Eucharist is properly the sacrament of those who are in full communion with the Church."[24] At the same time, since the sacrifice of Christ and the sacrifice of the Eucharist are *one single sacrifice*, whenever the faithful receive the Body and Blood of Christ worthily, they are strengthened in charity, "which tends to be weakened in daily life; and this living charity *wipes away venial sins*."[25] By the same charity that it enkindles in us, the Eucharist *preserves us from future mortal sins*."[26]

10. Diocesan Bishops are reminded of "the importance of the necessary pastoral care for instilling a greater appreciation of the sacrament in the People of God, so that the message of reconciliation, the path of conversion and the very celebration of the sacrament can more deeply touch the hearts of the men and women of our day."[27] In response to God's sacramental gift:

> It would ... be foolish, as well as presumptuous, to wish arbitrarily to disregard the means of grace and salvation which the Lord has provided and, in the specific case, to claim to receive forgiveness while doing without the sacrament which was instituted by Christ precisely for forgiveness.[28]

---

[22] Cf. Rite of Penance, no. 13.

[23] Cf. *Sacrosanctum Concilium*, no. 22, §3.

[24] *Catechism of the Catholic Church*, no. 1395.

[25] *Catechism of the Catholic Church*, nos. 1367, 1394.

[26] *Catechism of the Catholic Church*, no. 1395.

[27] Pope John Paul II, General Audience, 15 September 1999, no. 5.

[28] Pope John Paul II, Apostolic Exhortation *Reconciliatio et Paenitentia*, 2 December 1984, no. 31: *Acta Apostolicæ Sedis* 77 (1985) p. 258. Cf. also Pope John Paul II, Allocution to the Bishops of Portugal, 30 November 1999, no. 4: *L'Osservatore Romano* (1 dic. 1999) p. 4.

Since "reconciliation in Christ is achieved in a pre-eminent way in the celebration of the Sacrament of Penance,"[29] Diocesan Bishops are to recommend strongly the frequent reception of the Sacrament of Penance, even in those cases when, after a diligent examination of conscience, penitents remain unaware of any mortal sins, both by promoting this teaching themselves and by reminding confessors to counsel the faithful that "the regular confession of our venial sins helps us form our conscience, fight against evil tendencies, let ourselves by healed by Christ and progress in the life of the Spirit."[30] In the pursuit of that authentic "rediscovery" of the Sacrament of Penance to which the Holy Father calls the Church, "a careful rereading of the *Ordo Pœnitentiæ* ("Rite of Penance") will be a great help during the Jubilee for deepening our understanding of the essential elements of this sacrament."[31] Especially in this Holy Year, " 'when Jesus' invitation to conversion makes itself more deeply felt'[32] *may one of the fruits of the Great Jubilee of the Year 2000 be the general return of the Christian faithful to the sacramental practice of Confession.*"[33]

Rome, from the offices of the Congregation for Divine Worship and the Discipline of the Sacraments, 20 March, the Solemnity of Saint Joseph in the Great Jubilee of the Year 2000.

Jorge A. Card. Medina Estévez
Prefect

+Francesco Pio Tamburrino
Archbishop Secretary

---

[29] Pope John Paul II, General Audience, 22 September 1999, no. 5.

[30] *Catechism of the Catholic Church*, no. 1458. Cf. also *Code of Canon Law*, *can.* 988, §2.

[31] Pope John Paul II, General Audience, 15 September 1999, no. 4.

[32] Pope John Paul II, Bull *Incarnationis mysterium*, 29 November 1998: *Acta Apostolicæ Sedis* 91 (1999) pp. 129-143, here no. 5, p. 133.

[33] Pope John Paul II, Allocution to the Bishops of Portugal, 30 November 1999, no. 4.

BIBLIOGRAPHY

1. SOURCES

Acta Apostolicæ Sedis, Typis polyglottis Vaticanis, 1909-, 91 vols. published to date.

Acta Sanctæ Sedis, Romæ, Typographia polyglotta, 1865-1908, 41 vols.

AUSTRALIAN CONFERENCE OF CATHOLIC BISHOPS. *Common Wealth for the Common Good: A Pastoral Statement on the Distribution of Wealth in Australia*. North Blackburn, Victoria, Collins Dove, 1992, xiv, 198 p.

BIELER, L. (ed.), *The Irish Penitentials*, Dublin, The Dublin Institute for Advanced Studies, 1963, x, 367 p.

THE BISHOPS OF SOUTHERN AFRICA, "Pastoral Letter," 10 September 1988, in *L'Osservatore Romano*, weekly ed. in English, 3 May 1989, pp. 6–9.

CANADIAN CONFERENCE OF CATHOLIC BISHOPS, "Commentary on the Pastoral Norms for the Administration of General Sacramental Absolution," 13 October 1972, in *National Bulletin on Liturgy*, 6 (1973), pp. 96-98 and *La Documentation catholique*, 69 (1972), pp. 1124-1125.

The Canon Law Digest: Officially Published Documents Affecting the Code of Canon Law, by T.L. Bouscaren, J.I. O'Connor and E.G. Pfnausch, Milwaukee, WI, Bruce Pub. Co., 1934-, 11 vols. published to date.

CAPRILE, G., *Il Sinodo dei Vescovi: sesta assemblea generale*, La Civiltà cattolica, [n.d.], xiii, 868 p.

CARLEN, C. (ed.), *The Papal Encyclicals*, Wilmington, NC, McGrath Pub. Co., 1981, 5 vols.

Catechismus Catholicæ Ecclesiæ, Libreria editrice Vaticana, editio typica, 1997, x, 949 p. English language version *Catechism of the Catholic Church*, Ottawa, Canadian Conference of Catholic Bishops, 1994, 698 p.

Codex canonum Ecclesiarum Orientalium, auctoritate Ioannis Pauli PP. II promulgatus, fontium annotatione auctus, Libreria editrice Vaticana, 1995, xxx, 617 p.

Codex iuris canonici, Pii X Pontificis Maximi iussu digestus, Benedicti Papæ XV auctoritatæ promulgatus, Romæ, Typis polyglottis Vaticanis, 1933, xlvii, 786 p.

Codex iuris canonici, auctoritate Ioannis Pauli PP. II promulgatus, fontium annotatione et indice analytico-alphabetico auctus, Libreria editrice Vaticana, 1989, xxxii, 669 p.

The Code of Canon Law in English Translation, prepared by The Canon Law Society of Great Britain and Ireland, in association with the Canon Law Society of Australia and New Zealand and The Canadian Canon Law Society. London, Harper Collins, 1997, xvi, 508 p.

Common Declaration between the Catholic Church and the Armenian Apostolic Church, 13 December 1996, in *L'Osservatore Romano*, weekly ed. in English, 18-25 December 1996, p. 2.

CONFERENCE OF SWISS BISHOPS. "Al servizio della riconciliazione." 7 November 1974, in A. Fontana et al., *La penitenza: studi biblici, teologici e pastorali. Il nuovo rito della riconcilazione*, Leumann, Torino, Elle Di Ci, 1976, pp. 384-391.

CONGREGATION FOR THE CLERGY. Letter *The Priest and the Third Christian Millennium: Teacher of the Word, Minister of the Sacraments and Leader of the Community*, 19 March 1999, in *L'Osservatore Romano*, weekly ed. in English, 21 July 1999, special insert comprising pp. i-viii.

------, Reflection *Priest of God, You Embody the Mystery of Mercy!* 13 May 2001, first instalment in *L'Osservatore Romano*, weekly ed. in English, 8-15 August 2001, pp. 7-8.

CONGREGATION FOR DIVINE WORSHIP AND THE DISCIPLINE OF THE SACRAMENTS. Letter, 19 March 1999, (private), [n.p.], printed as Appendix four herein.

------, Letter, 20 March 2000, in *Notitiæ*, 36 (2000), pp. 312-319 and printed as Appendix five herein.

CONGREGATION FOR THE DOCTRINE OF THE FAITH AND THE PONTIFICAL COUNCIL FOR THE PROMOTION OF CHRISTIAN UNITY. "Official Catholic Response to Joint Declaration." in *Origins*, 28 (1998-1999), pp. 130-132.

CONSILIUM AD EXSEQUENDAM CONSTITUTIONEM DE SACRA LITURGIA. "Decima sessio plenaria «Consilii»." in *Notitiæ*, 4 (1968), pp. 180-184.

The Didascalia Apostolorum in Syriac I. Chapters I-X, trans. by A. Vööbus, Louvain, Secrétariat du Corpus S.C.O., 1979, 118 p.

Documents on the Liturgy 1963-1979: Conciliar, Papal, and Curial Texts, pub. for the International Commission on English in the Liturgy, Collegeville, MN, The Liturgical Press, 1982, xv, 1496 p.

FLANNERY, A. (gen. ed.). *Vatican Council II: The Conciliar and Postconciliar Documents*, Vatican Collection, 1, new rev. ed., Dublin, Dominican Publications; Newtown, NSW, Dwyer, 1992, xxiv, 1036 p.

------, *Vatican Council II: More Postconciliar Documents*, Vatican Collection, 2, Northport, NY, Costello Pub. Co., 1982, xxi, 920 p.

FUNK, F.X. (ed.), *Doctrina Duodecim Apostolorum*, Tubingæ, H. Laupp, 1887, lxvii, 116 p. English trans. "The Teaching of the Twelve Apostles," in *Ancient Christian Writers: The Works of the Fathers in Translation*, 6, trans. by J.A. Kleist, Westminster, MD, The Newman Press, 1948, vi, 235 p.

The Gelasian Sacramentary: *Liber sacramentorum Romanæ Ecclesiæ*, ed. with introduction, critical notes and appendix by H.A. Wilson, Oxford, Clarendon Press, 1894, lxxviii, 400 p.

Insegnamenti di Giovanni Paolo II, Città del Vaticano, Libreria editrice Vaticana, 1979-, 19 vols. published to date.

Insegnamenti di Paolo VI, Città del Vaticano, Tipografia poliglotta Vaticana and Libreria editrice Vaticana, 1963-1978, 16 vols.

INTERDICASTERIAL MEETING WITH A REPRESENTATION OF THE AUSTRALIAN BISHOPS, *Statement of Conclusions*, 14 December 1998, in *L'Osservatore Romano*, weekly ed. in English, 16 December 1998, special insert comprising pp. i-vi.

INTERNATIONAL THEOLOGICAL COMMISSION, Report, English trans. published under the title "Penance and Reconciliation," in *Origins*, 13 (1983-1984), pp. 513, 515-524.

JOHN PAUL II, Address, 17 November 1978, in *Insegnamenti di Giovanni Paolo II*, I (1978), pp. 169-174.

------, Address, 26 April 1979, in *AAS*, 71 (1979), pp. 663-667.

------, Address, 5 October 1979, in *The Pope Speaks*, 24 (1979), pp. 347-357.

------, Address, 23 February 1981, in *AAS*, 73 (1981), pp. 405-410.

------, Address, 15 February 1982, in *Insegnamenti di Giovanni Paolo II*, V, part 1 (1982), pp. 465-467.

------, Address, 1 April 1982, in *La Documentation catholique*, 79 (1982), pp. 438-441. English trans. in *The Pope Speaks*, 27 (1982), pp. 289-296.

JOHN PAUL II, Address, 6 December 1982, in *Insegnamenti di Giovanni Paolo II*, V, part 3 (1982), pp. 1531-1534.

------, Address, 21 January 1983, in *La Documentation catholique*, 80 (1983), pp. 193-195.

------, Address, 10 February 1983, in *Insegnamenti di Giovanni Paolo II*, VI, part 1 (1983), pp. 377-382. English trans. in *L'Osservatore Romano*, weekly ed. in English, 7 March 1983, pp. 7-8.

------, Address, 15 April 1983, in *The Pope Speaks*, 28 (1983), pp. 233-237.

------, Address, 15 June 1983, in *Insegnamenti di Giovanni Paolo II*, VI, part 1 (1983), pp. 1503-1505. English trans. in *L'Osservatore Romano*, weekly ed. in English, 20 June 1983, p. 3.

------, Address, 15 August 1983, in *Insegnamenti di Giovanni Paolo II*, VI, part 2 (1983), pp. 214-217. English trans. in *L'Osservatore Romano*, weekly ed. in English, 22-29 August 1983, pp. 5-6.

------, Address, 9 September 1983, in *Insegnamenti di Giovanni Paolo II*, VI, part 2 (1983), pp. 420-425.

------, Address, 23 September 1983, in *Insegnamenti di Giovanni Paolo II*, VI, part 2 (1983), pp. 611-616.

------, Address, 29 October 1983, in *AAS*, 76 (1984), pp. 281-289. English trans. published under the title "Closing Address of Pope John Paul II to Synod," in *Origins*, 13 (1983-1984), pp. 376-379.

------, Address, 11 April 1984, in *Insegnamenti di Giovanni Paolo II*, VII, part 1 (1984), pp. 981-983. English trans. in *The Pope Speaks*, 29 (1984), pp. 321-322.

------, Address, 6 July 1986, in *Insegnamenti di Giovanni Paolo II*, IX, part 2 (1986), pp. 198-206. English trans. in *L'Osservatore Romano*, weekly ed. in English, 8 September 1986, pp. 7-9.

------, Address, 5 November 1986, in *Insegnamenti di Giovanni Paolo II*, IX, part 2 (1986), pp. 1340-1345. English trans. in *L'Osservatore Romano*, weekly ed. in English, 10 November 1986, pp. 1 and 20.

------, Address, 10 December 1988, in *L'Osservatore Romano*, weekly ed. in English, 2 January 1989, pp. 10-11.

------, Address, 11 March 1989, in *Insegnamenti di Giovanni Paolo II*, XII, part 1 (1989), pp. 535-540.

JOHN PAUL II, Address, 25 June 1989, in *Insegnamenti di Giovanni Paolo II*, XII, part 1 (1989), pp. 1744-1749. English trans. in *L'Osservatore Romano*, weekly ed. in English, 24 July 1989, pp. 3-4.

------, Address, 29 September 1989, in *Insegnamenti di Giovanni Paolo II*, XII, part 2 (1989), pp. 696-704. English trans. in *L'Osservatore Romano*, weekly ed. in English, 20 November 1989, pp. 3-4.

------, Address, 31 March 1990, in *Insegnamenti di Giovanni Paolo II*, XIII, part 1 (1990), pp. 798-800. English trans. in *L'Osservatore Romano*, weekly ed. in English, 9 April 1990, pp. 1 and 6.

------, Address, 18 February 1994, in *Insegnamenti di Giovanni Paolo II*, XVII, part 1 (1994), pp. 510-517. English trans. in *L'Osservatore Romano*, weekly ed. in English, 2 March 1994, pp. 3-4.

------, Address, 25 June 1994, in *Insegnamenti di Giovanni Paolo II*, XVII, part 1 (1994), pp. 1226-1233. English trans. in *L'Osservatore Romano*, weekly ed. in English, 6 July 1994, pp. 2-3.

------, Address, 10 September 1994, in *Insegnamenti di Giovanni Paolo II*, XVII, part 2 (1994), pp. 275-280. English trans. in *L'Osservatore Romano*, weekly ed. in English, p. 3.

------, Address, 14 December 1998, in *L'Osservatore Romano*, weekly ed. in English, 16 December 1998, pp. 3 and 6.

------, Address, 17 February 1999, in *L'Osservatore Romano*, weekly ed. in English, 24 February 1999, p. 11.

------, Address, 1 March 1999, in *L'Osservatore Romano*, weekly ed. in English, 10 March 1999, p. 5.

------, Address, 13 March 1999, in *L'Osservatore Romano*, weekly ed. in English, 24 March 1999, p. 3.

------, Address, 26 June 1999, in *L'Osservatore Romano*, weekly ed. in English, 30 June 1999, pp. 3-4.

------, Address, 25 August 1999, in *L'Osservatore Romano*, weekly ed. in English, 1 September 1999, p. 7.

------, Address, 15 September 1999, in *L'Osservatore Romano*, weekly ed. in English, 22 September 1999, p. 11.

JOHN PAUL II, Address, 22 September 1999, in *Notitiæ*, 36 (2000), pp. 65-68. English trans. in *L'Osservatore Romano*, weekly ed. in English, 29 September 1999, p. 11.

------, Address, 30 November 1999, in *L'Osservatore Romano*, weekly ed. in English, 15 December 1999, pp. 9-10.

------, Address, 19 August 2001, in *L'Osservatore Romano*, weekly ed. in English, 22 August 2001, pp. 1-2.

------, Allocution, 30 January 1981, in *Communicationes*, 13 (1981), pp. 16-20. English trans. in *CLD*, 9 (1978-1981), pp. 592-597.

------, Allocution, 9 March 1986, in *Insegnamenti di Giovanni Paolo II*, IX, part 1 (1986), pp. 644-645. English trans. in *L'Osservatore Romano*, weekly ed. in English, 11 March 1986, p. 4.

------, Allocution, 16 March 1986, in *Insegnamenti di Giovanni Paolo II*, IX, part 1 (1986), pp. 717-718. English trans. in *L'Osservatore Romano*, weekly ed. in English, 24 March 1986, p. 11.

------, Apostolic Constitution *Sacræ disciplinæ leges*, 25 January 1983, in *AAS*, 75, II (1983), pp. vii-xiv. English trans. published under the title "Promulgation of the New Code," in *The Pope Speaks*, 28 (1983), pp. 164-169.

------, Apostolic Exhortation *Catechesi tradendæ*, 16 October 1979, in *AAS*, 71 (1979), pp. 1277-1340. English trans. in *The Pope Speaks*, 25 (1980), pp. 34-86.

------, Apostolic Exhortation *Christifideles laici*, 30 December 1988, in *AAS*, 81 (1989), pp. 393-521. English trans. in *Origins*, 18 (1988-1989), pp. 561, 563-595.

------, Apostolic Exhortation *Ecclesia in America*, 23 January 1999, in *AAS*, 91 (1999), pp. 737-815. English trans in *Origins*, 28 (1998-1999), pp. 565, 567-592.

------, Apostolic Exhortation *Ecclesia in Oceania*, 22 November 2001, <http://www.vatican.va/holy_father/jo.../hf_jp-ii_exh_20011122_ecclesia-in-oceania_en htm>(23 November 2001).

------, Apostolic Exhortation *Familiaris consortio*, 22 November 1981, in *AAS*, 74 (1982), pp. 81-191. English trans. in *The Pope Speaks*, 27 (1982), pp. 1-77.

------, Apostolic Exhortation *Reconciliatio et pœnitentia*, 2 December 1984, in *AAS*, 77 (1985), pp. 185-275. English trans. published under the title "Apostolic Exhortation on Reconciliation and Penance," in *Origins*, 14 (1984-1985), pp. 432, 434-458.

JOHN PAUL II, Apostolic Letter *Novo millennio ineunte*, 6 January 2001, <http://www.vatican.va/holy_fa.../hf-jp-ii_apl_20010106_novo-millennio-ineunte_lt.htm> (19 February 2001). English trans. in *L'Osservatore Romano*, weekly ed. in English, 10 January 2001, special insert comprising pp. i-xii.

------, Apostolic Letter *Tertio millennio adveniente*, 10 November 1994, in *AAS*, 87 (1995), pp. 5-41. English trans. in *Origins*, 24 (1994-1995), pp. 401, 403-416.

------, Bull *Aperite portas Redemptori*, 6 January 1983, in *AAS*, 75 (1983), pp. 89-106. English trans. in *The Pope Speaks*, 28 (1983), pp. 152-163.

------, Discourse to the plenary session of the Congregation for the Sacraments, 17 April 1986, in *Communicationes*, 18 (1986), pp. 39-42. English trans. in *L'Osservatore Romano*, weekly ed. in English, 5 May 1986, p. 12.

------, Discourse to the participants in a study week sponsored by the Pontifical Academy of Sciences, 27 October 1989, in *Insegnamenti di Giovanni Paolo II*, XII, part 2 (1989), pp. 1046-1051.

------, Encyclical Letter *Centesimus annus*, 1 May 1991, in *AAS*, 88 (1991), pp. 793-867. English trans. in *Centesimus Annus*, Homebush, NSW, St Paul Publications, 1991, 123 p.

------, Encyclical Letter *Dives in misericordia*, 30 November 1980, in *AAS*, 72 (1980), pp. 1177-1232. English trans. in *The Pope Speaks*, 26 (1981), pp. 20-58.

------, Encyclical Letter *Dominum et Vivificantem*, 18 May 1986, in *AAS*, 78 (1986), pp. 809-900. English trans. in *L'Osservatore Romano*, weekly ed. in English, 9 June 1986, pp. 1-16.

------, Encyclical Letter *Redemptor hominis*, 4 March 1979, in *AAS*, 71 (1979), pp. 257-324. English trans. in *Origins*, 8 (1978-1979), pp. 625, 627-643.

------, Encyclical Letter *Redemptoris missio*, 7 December 1990, in *AAS*, 83 (1991), pp. 249-340. English trans. in *Origins*, 20 (1990-1991), pp. 541, 543-568.

------, Encyclical Letter *Sollicitudo rei socialis*, 30 December 1987, in *AAS*, 80 (1988), pp. 513-586. English trans. in *Origins*, 17 (1987-1988), pp. 641, 643-660.

------, Encyclical Letter *Veritatis splendor*, 6 August 1993, in *AAS*, 85 (1993), pp. 1133-1228. English trans. in *Veritatis Splendor: Certain Fundamental Questions of the Church's Moral Teaching*, Homebush, NSW, St Pauls, 1993, 177 p.

------, Homily, 30 May 1982, in *Insegnamenti di Giovanni Paolo II*, V, part 2 (1982), pp. 1990-1994.

JOHN PAUL II, Homily, 29 September 1983, in *Insegnamenti di Giovanni Paolo II*, VI, part 2 (1983), pp. 672-677. English trans. published under the title "Reconciliation and Penance in the Church's Mission," in *Origins*, 13 (1983-1984), pp. 305, 307-308.

------, Homily, 7 February 1986, in *Insegnamenti di Giovanni Paolo II*, IX, part 1 (1986), pp. 361-367.

------, Homily, 9 March 1986, in *Insegnamenti di Giovanni Paolo II*, IX, part 1 (1986), pp. 653-658. English trans. in *L'Osservatore Romano*, weekly ed. in English, 17 March 1986, p. 5.

------, Homily, 17 September 1989, in *Insegnamenti di Giovanni Paolo II*, XII, part 2 (1989), pp. 544-549. English trans. in *L'Osservatore Romano*, weekly ed. in English, 2 October 1989, pp. 3-4.

------, Homily, 12 October 1989, in *AAS*, 82 (1990), pp. 169-175.

------, Homily, 26 November 1989, in *Insegnamenti di Giovanni Paolo II*, XII, part 2 (1989) pp. 1370-1373. English trans. in *L'Osservatore Romano*, weekly ed. in English, 18-26 December 1989, p. 7.

------, Homily, 4 March 1990, in *Insegnamenti di Giovanni Paolo II*, XIII, part 1 (1990), pp. 600-605. English trans. in *L'Osservatore Romano*, weekly ed. in English, 2 April 1990, p. 5.

------, Homily, 11 March 1990, in *Insegnamenti di Giovanni Paolo II*, XIII, part 1 (1990), pp. 619-624. English trans. in *L'Osservatore Romano*, weekly ed. in English, 26 March 1990, p. 5.

------, Homily, 13 March 1994, in *Insegnamenti di Giovanni Paolo II*, XVII, part 1 (1994), pp. 678-680. English trans. in *L'Osservatore Romano*, weekly ed. in English, 30 March 1994, p. 10.

------, Homily, 13 April 1997, in *Insegnamenti di Giovanni Paolo II*, XX, part 1 (1997), pp. 675-680. English trans. published under the title "Symbol of the 20th Century," in *Origins*, 26 (1996-1997), pp. 717-719.

------, Letter, 25 January 1983, in *Insegnamenti di Giovanni Paolo II*, VI, part 1 (1983), pp. 208-214. English trans. published under the title "The Holy Year and the Synod," in *Origins*, 12 (1982-1983), pp. 614-616.

------, Letter, 16 March 1986, in *Insegnamenti di Giovanni Paolo II*, IX, part 1 (1986), pp. 726-742. English trans. in *L'Osservatore Romano*, weekly ed. in English, 24 March 1986, pp. 1-3.

JOHN PAUL II, Letter, 29 June 1990, in *AAS*, 83 (1991), pp. 22-45. English trans. in *Origins*, 20 (1990-1991), pp. 208-216.

------, Letter, 25 March 2001, in *L'Osservatore Romano*, weekly ed. in English, 4 April 2001, pp. 1-2.

------, Response, 25 March 1999, in *L'Osservatore Romano*, weekly ed. in English, 14 April 1999, pp. 5-6.

Leges Ecclesiæ post Codicem iuris canonici editæ, Roma, Commentarium pro religiosis, 1966-, 9 vols. published to date.

LUTHERAN-CATHOLIC DIALOGUE, *Joint Declaration on the Doctrine of Justification*, 25 June 1998, in *Origins*, 28 (1998-1999), pp. 120-127.

------, *Official Common Statement, Annex and Press Conference Statements*, 11 June 1999, in *Origins*, 29 (1999-2000), pp. 85, 87-92.

MANSI, G.D. (ed.), *Sacrorum conciliorum nova et amplissima collectio*, Paris, H. Welter, 1901-1927, 53 vols.

MARTÍN DE AGAR, J.T., *Legislazione delle conferenze episcopali complementare al C.I.C.*, Milano, A. Guiffrè editore, 1990, xii, 768 p.

MEGIVERN, J.J. (comp.), *Worship & Liturgy*, Official Catholic Teachings, 6, Wilmington, NC, McGrath Pub. Co., 1978, xxi, 504 p.

MIGNE, J.-P. (ed.), *Patrologiæ cursus completus, Series græca*, Paris, 1857-1866, 161 vols.

------, *Patrologiæ cursus completus, Series latina*, Paris, 1844-1864, 221 vols.

NATIONAL CONFERENCE OF CATHOLIC BISHOPS OF THE UNITED STATES OF AMERICA, "Economic Justice for All," 13 November 1986, in *Origins*, 16 (1986-1987), pp. 409-455.

PAUL VI, Address, 19 July 1972, in *Insegnamenti di Paolo VI*, X (1972), pp. 762-764. English trans. published under the title "The Importance of Individual Confession," in *The Pope Speaks*, 17 (1972), pp. 272-274.

------, Address, 3 April 1974, in *Insegnamenti di Paolo VI*, XII (1974), pp. 309-312. English trans. in *The Teachings of Pope Paul VI*, 7 (1974), pp. 41-44.

------, Address, 1 March 1975, in *Insegnamenti di Paolo VI*, XIII (1975), pp. 190-192. English trans., dated 5 March 1975, in *The Teachings of Pope Paul VI*, 8 (1975), pp. 29-31.

PAUL VI, Address, 12 March 1975, in *Insegnamenti di Paolo VI*, XIII (1975), pp. 221-223. English trans. in *The Teachings of Pope Paul VI*, 8 (1975), pp. 32-34.

------, Address, 23 March 1977, in *Insegnamenti di Paolo VI*, XV (1977), pp. 258-260. English trans. in *The Teachings of Pope Paul VI*, 10 (1977), pp. 34-36.

------, Address, 17 November 1977, in *Insegnamenti di Paolo VI*, XV (1977), pp. 1063-1071. English trans. in *The Teachings of Pope Paul VI*, 10 (1977), pp. 486-493.

------, Address, 20 April 1978, in *The Teachings of Pope Paul VI*, 11 (1978), pp. 169-173.

------, Apostolic Constitution *Indulgentiarum doctrina*, 1 January 1967, in *AAS*, 59 (1967), pp. 5-24. English trans. in *DOL*, pp. 995-1009.

------, Apostolic Constitution *Pœnitemini*, 17 February 1966, in *AAS*, 58 (1966), pp. 177-198. English trans. in Flannery (gen. ed.), *More Postconciliar Documents*, pp. 1-12.

------, Apostolic Constitution *Regimini Ecclesiæ universæ*, 15 August 1967, in *AAS*, 59 (1967), pp. 885-928. English trans. in *The Pope Speaks*, 12 (1967), pp. 393-420.

------, Letter to the Bishops of the United States on the Occasion of the American Bicentennial, 6 June 1976, in *The Pope Speaks*, 21 (1976), pp. 239-246.

PIUS XII, Address to the International Congress on Pastoral Liturgy and the Liturgical Movement, 22 September 1956, in *AAS*, 48 (1956), pp. 711-725. English text in Megivern (comp.), *Worship & Liturgy*, pp. 161-177.

------, Encyclical Letter *Mystici corporis Christi*, 29 June 1943, in *AAS*, 35 (1943), pp. 193-248. English trans. in Carlen (ed.), *The Papal Encyclicals 1939-1958*, pp. 37-63.

PONTIFICAL COUNCIL FOR THE PROMOTION OF CHRISTIAN UNITY, *Directoire pour l'application des principes et des normes sur l'oecuménisme*, 25 March 1993, in *AAS*, 85 (1993), pp. 1039-1119. English trans. in *Directory for the Application of Principles and Norms on Ecumenism*, 25 March 1993, Vatican City, Libreria editrice Vaticana; Ottawa, Canadian Conference of Catholic Bishops, 100 p.

PONTIFICAL COUNCIL FOR THE INTERPRETATION OF LEGISLATIVE TEXTS, Response, 8 November 1996, in *Communicationes*, 28 (1996), pp. 177-181.

Pontificale romanum, "Concerning the Reconciliation of Penitents Which Occurs on the Thursday of the Lord's Supper," in *Resonance*, 2 (1966), pp. 120-127.

PONTIFICIA COMMISSIO CODICI IURIS CANONICI RECOGNOSCENDO, *Codex iuris canonici: schema novissimum iuxta placita patrum Commissionis emendatum atque Summo Pontifici præsentatum*. Typis polyglottis Vaticanis, 1982, xviii, 308 p.

------, *Codex iuris canonici: schema Patribus Commissionis reservatum*. Libreria editrice Vaticana, 1980, xxiii, 382 p.

------, "Opera consultorum in apparandis canonum schematibus I." in *Communicationes*, 7 (1975), pp. 47-85.

------, *Relatio complectens synthesim animadversionem ab Em.mis atque Exc.mis Patribus Commissionis ad novissimum schema Codicis iuris canonici exhibitarum, cum responsionibus a secretaria et consultoribus datis*. Typis polyglottis Vaticanis, 1981, 358 p.

------, *Schema documenti pontificii quo disciplina canonica de sacramentis recognoscitur*, Typis polyglottis Vaticanis, 1975, 95 p. English trans. in Pontifical Commission for the Code of Canon Law, *Schema on the Sacraments*, [n.p.], 1975, 87 p.

------, "De schemate documenti Pontificii quo disciplina canonica de sacramentis recognoscitur," in *Communicationes*, 10 (1978), pp. 27-40.

The Rites of the Catholic Church 1, study ed., English trans. prepared by the International Commission on English in the Liturgy, Collegeville, MN, The Liturgical Press, 1990, xvi, 1118 p.

Rituale Romanum ex decreto Sacrosancti Oecumenici Concilii Vaticani II instauratum, auctoritate Pauli PP. VI promulgatum: Ordo pœnitentiæ, ed. typica, Typis polyglottis Vaticanis, 1974, 119 p. *The Rite of Penance*, trans. prepared by the International Commission on English in the Liturgy, New York, Catholic Book Pub. Co., 1975, 228 p.

The Roman Ritual in Latin and English with Rubrics and Plainchant Notation, trans. and ed. with introduction and notes by P.T. Weller, 2nd rev. ed., Milwaukee, WI, Bruce Pub. Co., 1952, 3 vols.

SACRED APOSTOLIC PENITENTIARY, Declaration, 6 February 1915, in *AAS*, 7 (1915), p. 72.

------, Declaration, 29 May 1915, in *AAS*, 7 (1915), p. 282. English trans. in *CLD*, 1 (1917-1933), pp. 411-412.

------, Decree, 30 August 1939, in *Leges Ecclesiæ*, 1 (1917-1941), no. 1494, cols 1934-1935.

SACRED APOSTOLIC PENITENTIARY. *Dubium*. 10 December 1940. in *AAS*. 32 (1940), p. 571. English trans. in *CLD*. 2 (1933-1942). p.146.

------, Instruction *Ut dubia*. 25 March 1944. in *AAS*. 36 (1944). pp. 155-156. English trans. in *CLD*, 3 (1942-1953), pp. 377-379.

SACRED CONGREGATION FOR THE CLERGY. General Catechetical Directory *Ad normam Decreti*. 11 April 1971. in *AAS*. 64 (1972). pp. 97-176. English trans. in Flannery (gen. ed.). *More Postconciliar Documents*. pp. 529-605.

SACRED CONGREGATION OF THE COUNCIL. Decree *Sacra Tridentina Synodus*. 20 December 1905. in *Acta Sanctæ Sedis*. 38 (1905), pp. 400-406.

SACRED CONGREGATION FOR THE DISCIPLINE OF THE SACRAMENTS. Decree *Quam singulari*. 8 August 1910. in *AAS*. 2 (1910). pp. 577-583.

SACRED CONGREGATION FOR DIVINE WORSHIP. Decree *Reconciliationem*. 2 December 1973. in *Rituale Romanum ex decreto Sacrosancti Oecumenici Concilii Vaticani II instauratum. auctoritate Pauli PP. VI promulgatum: Ordo pœnitentiæ*. pp. 5-7. English trans. in *The Rite of Penance*. pp. 7-9.

SACRED CONGREGATION FOR THE DOCTRINE OF THE FAITH. Declaration *Persona humana*. 29 December 1975. in *AAS*. 68 (1976), pp. 77-96. English trans. in Flannery (gen. ed.). *More Postconciliar Documents*. pp. 486-499.

------, Letter. 24 July 1966. in *AAS*. 58 (1966). pp. 659-661. English trans. in *CLD*. 6 (1963-1967), pp. 260-264.

------, Letter. 14 January 1977. (private). in *CLD*. 8 (1973-1977). pp. 554-556.

SACRED CONGREGATION FOR THE DOCTRINE OF THE FAITH. Pastoral Norms *Sacramentum pœnitentiæ*. 16 June 1972. in *AAS*. 64 (1972). pp. 510-514. English trans. in *CLD*. 7 (1968-1972). pp. 667-673.

------, Reply, 11 July 1968. (private). in *CLD*. 7 (1968-1972). p. 664.

------, Reply, 20 January 1978. (private). in *Notitiæ*. 14 (1978). pp. 6-7 and *CLD*. 9 (1978-1981), pp. 598-599.

SACRED CONGREGATION OF THE HOLY OFFICE. Instruction *Ecclesia numquam*. 16 May 1943, in *Leges Ecclesiæ*. 2 (1942-1958). no. 1749. cols 2174-2175. English trans. in *CLD*, 3 (1942-1953). pp. 379-383.

SACRED CONGREGATION FOR THE PROPAGATION OF THE FAITH. Decree. 25 August 1966, in *Leges Ecclesiæ*. 3 (1959-1968). no. 3461. col. 5022.

SACRED CONGREGATION FOR RITES. Instruction *Eucharisticum mysterium*, 25 May 1967, in *AAS*, 59 (1967), pp. 539-573. English trans. in Flannery (gen. ed.), *The Conciliar and Postconciliar Documents*, pp. 100-125.

------, Reply, 9 April 1968, in *Commentarium pro religiosis*, 51 (1970), pp. 82-83. English trans. in *CLD*, 7 (1968-1972), pp. 26-27.

SACRED CONGREGATION FOR THE SACRAMENTS AND DIVINE WORSHIP. Letter, 25 March 1977, (private), in *CLD*, 8 (1973-1977), pp. 556-558.

------, "Variationes in novas editiones librorum liturgicorum ad normam Codicis iuris canonici nuper promulgati introducendæ." 12 September 1983, in *Notitiæ*, 19 (1983), pp. 540-561.

SACRED CONSISTORIAL CONGREGATION. Decree, 22 February 1919, in *AAS*, 11 (1919), p. 74. English trans. in *CLD*, 1 (1917-1933), p. 416.

------, *Index facultatum*, 8 December 1939, in *AAS*, 31 (1939), pp. 710-713. English trans. in *CLD*, 2 (1933-1942), pp. 141-145.

SECRETARIAT FOR THE PROMOTION OF CHRISTIAN UNITY. Directory *Ad totam Ecclesiam*, 14 May 1967, in *AAS*, 59 (1967), pp. 574-592. English trans. in *CLD*, 6 (1963-1967), pp. 716-734.

SYNOD OF BISHOPS, *Instrumentum laboris*, 25 January 1983. English text published under the title *Reconciliation and Penance in the Mission of the Church*. Unofficial Translation of the Working Document for the Sixth General Assembly, Synod of Bishops, 1983, Ottawa, Canadian Conference of Catholic Bishops, 1983, viii, 75 p.

SYNOD OF BISHOPS, *Lineamenta*, 28 January 1982. English text published under the title "Reconciliation and Penance in the Mission of the Church," in *Origins*, 11 (1981-1982), pp. 565, 567-580.

------, Message, 27 October 1983, in Caprile, *Il Sinodo dei Vescovi: sesta assemblea generale*, pp. 802-804. English trans. published under the title "The Statement of the 1983 Synod of Bishops," in *Origins*, 13 (1983-1984), pp. 369 and 371.

------, *La pénitence et la réconciliation dans la mission de l'Église*, Paris, Éditions du Centurion, 1984, 239 p.

------, *Propositiones*, 29 October 1983. English trans. of the summary published under the title "Report on the 63 Propositions Given the Pope," in *Origins*, 13 (1983-1984), pp. 371-373.

------, Synodal Document *De iustitia in mundo*, 30 November 1971, in *AAS*, 63 (1971), pp. 923-942. English trans. in *Justice in the World*, Boston, MA, St Paul Editions, 1971, 24 p.

TANNER, N.P. (ed.), *Decrees of the Ecumenical Councils*, original text established by G. Alberigo et al., London, Sheed & Ward: Washington, DC, Georgetown University Press, 1990, 2 vols.

The Teachings of Pope Paul VI, Città del Vaticano, Libreria editrice Vaticana, 1968-1978, 11 vols.

2. BOOKS

ABBO, J.A. and J.D. Hannan, *The Sacred Canons: A Concise Presentation of the Current Disciplinary Norms of the Church*, St Louis, MO: London, B. Herder Book Co., 1952, 2 vols.

AMBE, J.B., *Meaningful Celebration of the Sacrament of Reconciliation in Africa*, Eldoret, Kenya, Amecea Gaba Publications, 1992, x, 100 p.

AMBROSE, St., *Letters*, The Fathers of the Church: a New Translation, 26, trans. by M.M. Beyenka, New York, Fathers of the Church, 1954, xviii, 515 p.

ANCIAUX, P., *The Sacrament of Penance*, New York, Sheed & Ward, 1962, 190 p.

ARNOLD, J., *The Quality of Mercy: A Fresh Look at the Sacrament of Reconciliation*, Middlegreen, Slough, England: Kildare, Ireland, St Paul's, 1993, 128 p.

AUGUSTINE, C., *A Commentary on the New Code of Canon Law*, rev. ed, St Louis, MO; London, B. Herder Book Co., 1925-1936, 8 vols.

AUGUSTINE, St., *Expositions on the Book of Psalms*, vol. III, psalms 53-75, A Library of the Fathers of the Holy Catholic Church, 30, trans. by T. Scratton, Oxford, J.H. Parker, 1849, 533 p.

BASIL, St., *Letters*, vol. 2 (186-368), The Fathers of the Church: A New Translation, 28, trans. by A.C. Way, New York, Fathers of the Church, 1955, xvii, 369 p.

BECK, H.-G. et al., *From the High Middle Ages to the Eve of the Reformation*, Handbook of Church History, IV, trans. by A. Biggs, Freiburg, Herder; Montréal, Palm Publishers, 1970, xxiv, 776 p.

BRASWELL, M.F., *The Medieval Sinner: Characterization and Confession in the Literature of the English Middle Ages*, Rutherford, NJ, Fairleigh Dickenson University Press, 1983, 160 p.

BROWN, R., *The Gospel According to John*, Anchor Bible, 29a, Garden City, NY, Doubleday, 1970, 2 vols.

BUGNINI, A., *The Reform of the Liturgy 1948-1975*, trans. by M.J. O'Connell, Collegeville, MN, The Liturgical Press, 1990, xxxiii, 974 p.

The Canon Law Letter & Spirit: A Practical Guide to the Code of Canon Law, prepared by The Canon Law Society of Great Britain and Ireland in association with The Canadian Canon Law Society, editorial board: G. Sheehy et al., consultant ed. F.G. Morissey, Collegeville, MN, The Liturgical Press, 1995, xxv, 1060 p.

THE CANON LAW SOCIETY OF AMERICA, *Task Force Critiques of the Initial Schemata for the Revision of the Code of Canon Law*, The Canon Law Society of America, [n.d.], various pagings.

THE CANON LAW SOCIETY OF GREAT BRITAIN AND IRELAND, *Report on the Schema documenti pontificii quo disciplina canonica de sacramentis recognoscitur*, [n.p.], 1975, vi, 93 p.

CAPARROS, E., M. THÉRIAULT and J. THORN (eds), *Code of Canon Law Annotated*, Latin-English edition of the *Code of Canon Law* and English-language translation of the 5th Spanish-language edition of the commentary prepared under the responsibility of the Instituto Martín de Azpilcueta, Montréal, Wilson & Lafleur, 1993, 1631 p.

CAPPELLO, F.M., *Tractatus canonico-moralis de sacramentis*, 2, *De poenitentia*, 7th ed., Romæ, Marietti, 1962, xii, 729 p.

THE CATHOLIC THEOLOGICAL SOCIETY OF AMERICA, *Committee Report: The Renewal of the Sacrament of Penance*, Washington, DC, The Catholic Theological Society of America, 1975, 106 p.

CHAPPELL, A.B., *Regular Confession: An Exercise in Sacramental Spirituality*, New York, P. Lang, xi, 202 p.

CHENEY, C.R., *Medieval Texts and Studies*, Oxford, Clarendon Press, 1973, viii, 371 p.

CHIAPPETTA, L., *Il Codice di diritto canonico*, Napoli, Edizioni Dehoniane, 1988, 2 vols.

CHODOROW, S., *Christian Political Theory and Church Politics in the Mid-Twelfth Century: The Ecclesiology of Gratian's Decretum*, Berkeley, CA, University of California Press, 1972, xi, 300 p.

CONNELL, J.E., *Invalidating and Incapacitating Laws in the Code of Canon Law*, J.C.D. Dissertation, Ottawa, Saint Paul University, 1994, x, 224 leaves.

CORIDEN, J.A., T.J. GREEN and D.E. HEINTSCHEL (eds), *The Code of Canon Law: A Text and Commentary*, commissioned by The Canon Law Society of America, New York, Mahwah, NJ, Paulist Press, 1985, xxvi, 1152 p.

COUGHLAN, P., *The Hour of the Laity: Their Expanding Role*, Newtown, NSW, Dwyer, 1989, xix, 197 p.

CREMIN, P.F., *Penance: 1. Reserved Sins and Censures; 2. The Integrity of Confession*. Dublin, Clonmore & Reynolds, 1958, 64 p.

CRICHTON, J.D., *Christian Celebration: The Sacraments*, London and Dublin, G. Chapman, 1973, 240 p.

------, *The Ministry of Reconciliation: A Commentary on the Order of Penance*, London and Dublin, G. Chapman, 1974, 167 p.

CUSCHIERI, A., *The Sacrament of Reconciliation: A Theological and Canonical Treatise*, Lanham, MD, University Press of America, 1992, 353 p.

CYPRIAN, St., *Letters (1-81)*, The Fathers of the Church: A New Translation, 51, trans. by R.B. Donna, Washington, DC, The Catholic University of America Press, 1964, xxvi, 358 p.

DALLEN, J., *The Reconciling Community: The Rite of Penance*, New York, Pueblo Pub. Co., 1986, xi, 446 p.

DIONYSIUS the PSEUDO-AEROPAGITE, *The Ecclesiastical Hierarchy*, trans. and annotated by T.L. Campbell, Washington, DC, The University Press of America, 1981, v, 230 p.

DUDLEY, M. and G. ROWELL (eds), *Confession and Absolution*, London, SPCK, 1990, xii, 212 p.

DUNS SCOTUS, J., *Opera omnia*, vol. 18, Paris, Apud Ludovicum Vivès, 1894, 830 p.

EHIEM, C.M., *The Problems and Prospects Confronting the Church in her Reconciliatory Mission*, Romæ, Pontificia Universitas Urbaniana, 1992, ix, 272 p.

FALLON, F.T., *2 Corinthians*, New Testament Message, 11, Wilmington, DE, M. Glazier, 1980, viii, 117 p.

FALSINI, R., *La penitenza: commento al rito e schemi di catechesi*, Milano, Edizione OR, 1990, 166 p.

FAVAZZA, J.A., *The Order of Penitents: Historical Roots and Pastoral Future*, Collegeville, MN, The Liturgical Press, 1988, xxxvi, 303 p.

FERNÁNDEZ, D., *The Father's Forgiveness: Rethinking the Sacrament of Reconciliation*, trans. by P. Olmedo, Collegeville, MN, The Liturgical Press, 1991, xiii, 87 p.

FINK, P.E., *Alternative Futures for Worship 4: Reconciliation*. Collegeville, MN, The Liturgical Press, 1987. 170 p.

FINK, P.E. (ed.), *The New Dictionary of Sacramental Worship*. Collegeville, MN, The Liturgical Press, 1990. 1352 p.

FITZGERALD, A., *Conversion Through Penance in the Italian Church of the Fourth and Fifth Centuries: New Approaches to the Experience of Conversion from Sin*. Studies in the Bible and Early Christianity, 15. New York, E. Mellen Press, 1988. 565 p.

FLEMING, T.L., *The Second Vatican Council's Teaching on the Sacrament of Penance and the Communal Nature of the Sacrament*. Roma, Pontificia Studiorum Universitas a S. Thoma Aq. In Urbe, 1981. 249 p.

FRANSEN, P.F., *Hermeneutics of the Councils and Other Studies*. collected by H.E. Mertens and F. de Graeve, Leuven, Leuven University Press, 1985. 543 p.

FRANTZEN, A.J., *The Literature of Penance in Anglo-Saxon England*. New Brunswick, NJ, Rutgers University Press, 1983. xiv, 238 p.

FREBURGER, W. (ed.), *Repent and Believe: The Celebration of the Sacrament of Penance*, Notre Dame, IN, Ave Maria Press, 1972. 96 p.

GALTIER, P., *Sin and Penance*. Catholic Library of Religious Knowledge, 21, trans. by B. Wall, London, Sands, [n.d.]. 259 p.

GANT, R.W., *The Divine Work of the Sacrament of Penance and the Consequent Qualities of a Good Confessor According to the Second Vatican Council*. Roma, Pontifica Studiorum Universitas a S. Thoma Aq. In Urbe, 1983. iv, 200, viii p.

GULA, R.M., *To Walk Together Again: The Sacrament of Reconciliation*. New York, Paulist Press, 1984, v, 310 p.

HADDAN, A.W. and W. STUBBS (eds), *Councils and Ecclesiastical Documents Relating to Great Britain and Ireland*, ed. after Spelman and Wilkins, vol. II, Oxford, Clarendon Press, 1873-1878. xxiv, 361 p.

HAMELIN, L., *Reconciliation in the Church: A Theological and Pastoral Essay on the Sacrament of Penance*, trans. by M.J. O'Connell, Collegeville, MN, The Liturgical Press, 1980, 111 p.

HANSON, A.T., *The Pastoral Epistles*, New Century Bible Commentary, 32, Grand Rapids, MI, W.B. Eerdmans, 1982. xviii, 206 p.

HÄRING, B., *The Law of Christ: Moral Theology for Priests and Laity*, trans. by E.G. Kaiser, Cork, Ireland, The Mercier Press, 1961-1967, 3 vols.

HARRINGTON, D.J., *The Gospel of Matthew*, Sacra Pagina Series, 1, Collegeville, MN, The Liturgical Press, 1991, xiii, 429 p.

HEBBLETHWAITE, M. and K. DONOVAN, *The Theology of Penance*, Theology Today, 20, Butler, WI, Clergy Book Service, 1979, 115 p.

HEFELE, C.J., *A History of the Councils of the Church from the Original Documents*, trans. and ed. by W.R. Clark, Edinburgh, T. & T.Clark, 1883-1896, 5 vols.

HEGGEN, F.J., *Confession and the Service of Penance*, trans. by P. Tomlinson, London and Melbourne, Sheed and Ward, 1967, xi, 176 p.

HELLWIG, M.K., *Sign of Reconciliation and Conversion: The Sacrament of Penance for Our Times*, Message of the Sacraments, 4, Wilmington, DE, M. Glazier, 1982, x, 152 p.

HOPE-MONCRIEFF, A.R., *Romance and Legend of Chivalry*, London, Gresham Pub. Co., [n.d.], xii, 439 p.

HUELS, J.M., *Disputed Questions in the Liturgy Today*, Chicago, IL, Liturgy Training Publications, 1988, vi, 125 p.

------, *The Pastoral Companion: A Canon Law Handbook for Catholic Ministry*, second, rev. ed., Quincy, IL, Franciscan Press, 1995, xvii, 432 p.

HUIZINGA, J., *The Autumn of the Middle Ages*, trans. by R.J. Payton and U. Mammitzsch, Chicago, The University of Chicago Press, 1996, xxii, 467 p.

JOHN CHRYSOSTOM, St., *On the Incomprehensible Nature of God*, The Fathers of the Church: A New Translation, 72, trans. by P.W. Harkins, Washington, DC, The Catholic University of America Press, 1982, xiv, 357 p.

JUNGMANN, J.A., *Die lateinischen Bussriten in ihrer geschichtlichen Entwicklung*, Innsbruck, F. Rauch, 1932, xii, 338 p.

------, *The Mass of the Roman Rite: Its Origins and Development*, trans. by F.A. Brunner, New York, Benziger, 1951, 2 vols.

Justification: A Common Statement of the Australian Lutheran – Roman Catholic Dialogue, Adelaide, South Australia, [n.p.], 1998, 11 p.

KARRIS, R.J., *The Pastoral Epistles*, New Testament Message, 17, Wilmington, DE, M. Glazier, 1979, xix, 126 p.

KASPER, W., *Theology and Church*, trans. by M. Kohl, New York, Crossroad, 1989, x, 231 p.

KEIFER, R. and F.R. McMANUS (eds), *Understanding the Document*, The Rite of Penance: Commentaries, 1, Washington, DC, The Liturgical Conference, 1975, vi, 132 p.

KENNEDY, R.J. (ed.), *Reconciliation: The Continuing Agenda*, Collegeville, MN, The Liturgical Press, 1987, xviii, 284 p.

KIM, P.H.N., *La penitenza: il sacramento della conversione e riconciliazione*, Romæ, Pontificia Universitas Urbaniana, Facultas Theologiæ, 1991, 212 p.

LaVERDIERE, E., *Luke*, New Testament Message, 5, Wilmington, DE, M. Glazier, 1980, xiv, 294 p.

LEEMING, B., *Principles of Sacramental Theology*, 2nd ed., London, Longmans; Westminster, MD, The Newman Press, 1960, lviii, 720 p.

LEO THE GREAT, St., *Letters*, The Fathers of the Church: A New Translation, 34, trans. by E. Hunt, New York, Fathers of the Church, 1957, 312 p.

L'HUILLIER, P., *The Church of the Ancient Councils: The Disciplinary Work of the First Four Ecumenical Councils*, Crestwood, NY, St Vladimir's Seminary Press, 1996, xii, 340 p.

LONGENECKER, R.N., *Galatians*, Word Biblical Commentary, 41, Dallas, TX, Word Books, 1990, cxix, 323 p.

LUBAC, H. de., *Catholicism: A Study of Dogma in Relation to the Corporate Destiny of Mankind*, trans. by L.C. Sheppard, London, Burns, Oates and Washbourne, 1950, xiv, 283 p.

McKEEVER, P.E., *The Necessity of Confession for the Sacrament of Penance*, Studies in Sacred Theology, 2nd ser., no. 77, Washington, DC, The Catholic University of America Press, 1953, xvii, 225 p.

McNAMARA, K. (ed.), *The Church: A Theological and Pastoral Commentary on the Constitution on the Church*, Dublin, Veritas, 1983 reprint of 1968 ed., 437 p.

McNEILL, J.T. and H.M. GAMER, *Medieval Handbooks of Penance: A Translation of the Principal* libri poenitentiales *and Selections from Related Documents*, New York, Columbia University Press, 1938, xiv, 476 p.

MARTIMORT, A.G., *The Signs of the New Covenant*, Collegeville, MN, The Liturgical Press, 1963, xiv, 320 p.

MARTIN, R.P., *2 Corinthians*, Word Biblical Commentary, 40, Waco, TX, Word Books, 1986, lxiii, 527 p.

MARTOS, J., *Doors to the Sacred: A Historical Introduction to the Sacraments of the Catholic Church*, Garden City, NY, Doubleday, 1981, xiii, 531 p.

MARZOA, A., J. MIRAS and R. RODRÍGUEZ-OCAÑA (eds), *Comentario exegético al Código de derecho canónico*, second ed., Pamplona, Ediciones Universidad de Navarra, 1997, 5 vols.

MEIER, J.P., *Matthew*, New Testament Message, 3, Wilmington, DE, M. Glazier, 1980, xii, 377 p.

METZ, R., *Le nouveau droit des Églises orientales catholiques*, Paris, Les Éditions du Cerf, 1997, 239 p.

MICK, L.E., *Understanding the Sacraments Today*, Collegeville, MN, The Liturgical Press, 1987, 148 p.

MITCHELL, N. (ed.), *Background and Directions*, The Rite of Penance: Commentaries, 3, Washington, DC, The Liturgical Conference, 1978, vi, 122 p.

MORRISEY, F.G., *The Revision of Sacramental Canon Law According to the Schema "Sacramentorum celebratio"*, Ottawa, Saint Paul University, 1975, 36 p.

MURPHY-O'CONNOR, J., *1 Corinthians*, New Testament Message, 10, Wilmington, DE, M. Glazier, 1979, xiv, 161 p.

NEDUNGATT, G., *A Companion to the Eastern Code: For a New Translation of the Codex canonum Ecclesiarum orientalium*, Kanonika, 5, Rome, Pontificio Instituto Orientale, 1994, 368 p.

O'KEEFE, M., *Becoming Good, Becoming Holy*, Mahwah, NJ, 1995, vi, 185 p.

------, *What Are They Saying About Social Sin?* New York, NY; Mahwah, NJ, Paulist Press, 1990, 118 p.

ORIGEN, *Homilies on Leviticus 1-16*, The Fathers of the Church: A New Translation, 83, trans. by G.W. Barkley, Washington, DC, The Catholic University of America Press, 1990, xviii, 294 p.

ÖRSY, L., *The Evolving Church and The Sacrament of Penance*, Denville, NJ, Dimension Books, 1978, 211 p.

OSBORNE, K.B., *Reconciliation and Justification: The Sacrament and Its Theology*. New York, Paulist Press, 1990. vi, 304 p.

PALMER, P.F. (ed.), *Sacraments and Forgiveness: History and Doctrinal Development of Penance, Extreme Unction and Indulgences*. Westminster, MD, The Newman Press, 1959, xxii, 410 p.

PAUL, J.J., *The Recipient of the Sacrament of Penance*. Ann Arbor, MI, University Microfilms International, reprint 1990, ix, 280 p.

POSCHMANN, B., *Penance and the Anointing of the Sick*, trans. and rev. by F. Courtney, Montréal, Palm Publishers, 1964, xi, 257 p.

POSPISHIL, V.J., *Eastern Catholic Church Law*, rev. and augmented ed., Staten Island, NY, Saint Maron Publications, 1996, liv, 938 p.

POWICKE, F.M. and C.R. CHENEY (eds), *Councils and Synods, with Other Documents Relating to the English Church*, II, *AD 1205-1313*, part I: *1205-1265*, Oxford, Clarendon Press, 1964, liv, 723 p.

RAHNER, K., *The Church and the Sacraments*, Quæstiones disputatæ, 9, Freiburg, Herder; Montréal, Palm Publishers, 1963, 117 p.

------, *Penance in the Early Church*, Theological Investigations, XV, trans. by L. Swain, New York, Crossroad, 1982, xii, 451 p.

RAHNER, K. (ed.), *Encyclopedia of Theology: The Concise Sacramentum mundi*, New York, Crossroad, 1991, xiv, 1841 p.

RIGA, P.J., *Sin and Penance: Insights Into the Mystery of Salvation*, Milwaukee, WI, Bruce Pub. Co., 1962, xv, 187 p.

ROGERS, E.F., *Peter Lombard and the Sacramental System*, Merrick, NY, Richmond Publishing Co., reprinted 1976, 250 p.

SABOURIN, L., *The Gospel According to St Matthew*, Bombay, St Paul Publications, 1982-1983, 2 vols.

SCHARSCH, P., *Confession as a Means of Spiritual Progress*, trans. by F.A. Marks, ed. by A. Preuss, 2nd ed., St Louis, MO; London, B. Herder Book Co., 1931, 241 p.

SCHILLEBEECKX, E., *Christ the Sacrament of Encounter With God*, London and New York, Sheed and Ward, 1963, xix, 276 p.

SCHMITZ, H.J., *Die Bussbücher und das kanonische Bussverfahren: nach handschriftlichen Quellen dargestellt* II. Graz. Akademische Druck-Verlagsanstalt, 1958. xii, 741 p.

SCHNACKENBERG, R., *The Gospel According to St John*. trans. by D. Smith and G.A. Kon, New York. Crossroad, 1982. 3 vols.

SPEYR, A. von, *Confession: The Encounter With Christ in Penance*, trans. by A.V. Littledale, Freiburg, Herder; Montréal. Palm Publishers, 1964, 235 p.

TALLEY, T.J., *The Origins of the Liturgical Year*. New York. Pueblo Pub. Co., 1986. xii, 254 p.

TETTAMANZI, D., *Riconciliazione e penitenza: prospettive pastorali*. Roma. Edizione Piemme, 1983, 157 p.

THOMAS AQUINAS, St., *Summa theologiæ*. Latin text. English trans., Cambridge. Blackfriars in conjunction with Eyre & Spottiswoode. 1964-1981. 61 vols.

VORGRIMLER, H., *Sacramental Theology*. trans. by L.M. Maloney. Collegeville. MN. The Liturgical Press. 1992. xii. 329 p.

WATKINS, O.D., *A History of Penance*. New York. B. Franklin. 1961. 2 vols.

WOESTMAN, W.H., *Sacraments: Initiation, Penance, Anointing of the Sick*, Ottawa. Faculty of Canon Law. Saint Paul University. 1992. xiii. 348 p.

3. ARTICLES AND PARTS OF BOOKS

ADNÈS, P., "Penance and Reconciliation in Vatican II." in R. Latourelle (ed.), *Vatican II: Assessment and Perspectives*. 2. trans. by L. Wearne. New York. Mahwah. Paulist Press, 1988-1989, pp. 100-120.

ALLARD, H., "*Reconciliatio et pœnitentia*: A Comment." in *The Clergy Review*. 70 (1985), pp. 200-203.

ALLEN Jnr, J.L., "Interview with Cardinal E. Clancy." in *National Catholic Reporter*. 4 June 1999, p. 11.

ALSZEGHY, Z., "Problemi dogmatici della celebrazione penitenziale comunitaria," in *Gregorianum*, 48 (1967), pp. 577-587.

------, "Reform of the Rite of Penance." in *Theology Digest*. 23 (1975), pp. 100-105.

BARTELS, L., "Reconciliation and Penance: A View From Ethiopia." in *African Ecclesial Review*, 25 (1983), pp. 220-225.

BAUM, G., "Structures of Sin," in G. Baum and R. Ellsberg (eds), *The Logic of Solidarity: Commentaries on Pope John Paul II's Encyclical "On Social Concerns,"* Maryknoll, NY, Orbis Books, 1989, xv, 232 p.

BERGH, E., "Absolution collective," in *Nouvelle revue théologique*, 67 (1945), pp. 943-950.

BERNADIN, J.L., Intervention to the 1983 Synod of Bishops, 5 October 1983, published under the title "New Rite of Penance Suggested," in *Origins*, 13 (1983-1984), pp. 324-326.

------, "What the Church Teaches About General Absolution," in *Origins*, 6 (1976-1977), pp. 435-436.

BOILLON, P., "La position des congrégations romaines sur les problèmes poses par les sacrements de pénitence et de mariage," in *La Documentation catholique*, 75 (1978), pp. 244-245.

BOROBIO, D., "The Tridentine Model of Confession in its Historical Context," trans. by P. Burns, in *Concilium*, no. 190 (1987), pp. 21-37.

BOYACK, K., "What is 'New' in the New Evangelization," in *The Living Light*, 29 (1993), pp. 3-8.

BRAXTON, E.K., "The New Rite of Reconciliation in American Culture," in *Chicago Studies*, 15 (1976), pp. 185-198.

BROWN, N., "The Communal Nature of Reconciliation: Moral and Pastoral Reflections," in *The Australasian Catholic Record*, 77 (2000), pp. 3-9.

BRULIN, M., "Orientations pastorales de la pénitence dans divers pays," in *La Maison-Dieu*, no. 117 (ler trimestre 1974), pp. 38-62.

CARR, A.M., "About General Absolution," in *The Homiletic and Pastoral Review*, 75 (Aug.-Sept. 1975), pp. 84-85.

------, "Communal Penance," in *The Homiletic and Pastoral Review*, 70 (1970), pp. 309-313.

------, "Communal Penance: Wave of the Future?" in *The Homiletic and Pastoral Review*, 70 (1970), pp. 636, 640-641.

------, "General Absolution," in *The Homiletic and Pastoral Review*, 77 (April 1977), pp. 71-75.

------, "General Absolution – Revisited," in *The Homiletic and Pastoral Review*, 77 (June 1977), pp. 60-61.

CARR, A.M., "The New Rite of Penance," in *The Homiletic and Pastoral Review*, 76 (Dec. 1975), pp. 70-73.

------, "Penance as 'Celebration' and as Sacrament," in *The Homiletic and Pastoral Review*, 68 (1968), pp. 442-444.

------, "Sacrament of Penance," in *The Homiletic and Pastoral Review*, 76 (Oct. 1975), pp. 72-74.

CARR, E. and D. ETIENNE, "The Rite of Public Reconciliation of Penitents in the Roman Pontifical," in *Resonance*, 2 (1966), pp. 15-34.

CASSIDY, E., "Press Conference Statement," in *Origins*, 28 (1998-1999), pp. 128-130.

"The Church in the World," in *The Tablet*, 239 (1985), p. 251.

COFFY, R., "Why a Reform of the Sacrament of Penance?" in *The Furrow*, 26 (1975), pp. 259-269.

CONGAR, Y., "Points d'appui doctrinaux pour une pastorale de la pénitence," in *La Maison-Dieu*, no. 104 (4e trimestre 1970), pp. 73-87.

CONNELL, F.J., "The Reception of Penance by a Group," in *The American Ecclesiastical Review*, 153 (Jul.-Dec. 1965), pp. 115-118.

COOKE, B., "The Social Aspect of the Sacrament of Penance," in *Proceedings of the Catholic Theological Society of America*, 22 (1967), pp. 173-183.

COOPER, E.J., "The Notion of Sin in Light of the Theory of the Fundamental Option," in *Louvain Studies*, 9 (1983), pp. 363-382.

CORDES, P.J., "Private Confession and the Community Celebration of Penance," in *The Laity Today*, 29 (1983), pp. 117-133.

COSGRAVE, W., "What Are Theologians Now Saying About Sin?" in *Doctrine and Life*, 50 (2000), pp. 287-295.

COURTNEY, F., "The Administration of Penance I. Ancient Public Penance," in *The Clergy Review*, 46 (1961), pp. 10-27.

------, "The Administration of Penance II. The Development of Private Penance," in *The Clergy Review*, 46 (1961), pp. 85-98.

CULLINANE, P.J., Intervention to the 1983 Synod of Bishops, 3 October 1983, published under the title "Signs, Countersigns and Human Understanding," in *Origins*, 13 (1983-1984), pp. 340-341.

CUMMINGS, O.F., "Reconciliation and Penance: Some Needed Distinctions," in *Chicago Studies*, 34 (1995), pp. 145-157.

CURRAN, C.E., "The Sacrament of Penance Today I," in *Worship*, 43 (1969), pp. 510-531.

------, "The Sacrament of Penance Today II," in *Worship*, 43 (1969), pp. 590-619.

------, "The Sacrament of Penance Today III," in *Worship*, 44 (1970), pp. 2-19.

DALLEN, J., "Catechesis for Conversion and Pastoral Strategies," in *National Bulletin on Liturgy*, 29 (Summer 1996), pp. 107-113.

------, "Church Authority and the Sacrament of Penance: The Synod of Bishops," in *Worship*, 58 (1984), pp. 194-214.

------, "Reconciliatio et pænitentia: The Postsynodal Apostolic Exhortation," in *Worship*, 59 (1985), pp. 98-116.

------, "Reconciling Individuals and Reconciling Groups," in *National Bulletin on Liturgy*, 29 (Summer 1996), pp. 100-106.

------, "Rituals and Ministries of Reconciliation," in *National Bulletin on Liturgy*, 29 (Summer 1996), pp. 93-99.

DE BHALDRAITHE, E., "Another Look at General Absolution," in *The Clergy Review*, 72 (1987), pp. 45-53.

DE CLERCK, P., "Celebrating Penance or Reconciliation," trans. and adapted by J.C. Nuttall, in *The Clergy Review*, 68 (1983), pp. 310-321.

DENIS, L., "Cas de conscience I," in *Revue du clergé africain*, 20 (1965), pp. 424-430.

DESDOUITS, M., "L'absolution collective," in *Esprit et vie*, 83 (1973), pp. 103-108.

------, "Absolutions collectives," in *Esprit et vie*, 82 (1972), pp. 9-11.

------, "Problèmes de l'absolution collective," in *Esprit et vie*, 86 (1976), pp. 161-166.

DOHERTY, D., "The Sacrament of Penance: Pastoral Considerations," in *Resonance*, 2 (1966), pp. 106-119.

DONNELLY, D., "The Problem With Penance," in *America*, 128 (1973), pp. 324-327.

DONOVAN, K., "The New *Ordo Pœnitentiæ*," in *The Clergy Review*, 59 (1974), pp. 660-671.

DOOLEY, C., "The 1983 Synod of Bishops and the 'Crisis of Confession'," in *Concilium*, no. 190 (1987), pp. 11-20.

DOOLEY, K., "From Penance to Confession: The Celtic Contribution," in *Bijdragen*, 43 (1982), pp. 390-411.

DOOLEY, M., "Communal Absolution and Confessional Rooms," in *The Furrow*, 29 (1978), pp. 425-431.

DOZIER, C.T., "Bishop Dozier's Homily: Forgiveness," in *Origins*, 6 (1976-1977), pp. 434-435.

------, "Letter of the Ordinary of the Diocese of Memphis," 26 April 1977, (private), in *CLD*, 8 (1973-1977), pp. 559-561.

DULLES, A., "John Paul II and the New Evangelization," in *America*, 166 (1992), pp. 52-59, 69-71.

FAHEY, P., "Reconciliation: Retrospect and Prospect," in *Angelicum*, 62 (1985), pp. 168-193.

FAVAZZA, J.A., "Forum: The Fragile Future of Reconciliation," in *Worship*, 71 (1997), pp. 236-244.

FERGUSSON, D., "Reclaiming the Doctrine of Sanctification," in *Interpretation*, 53 (1999), pp. 380-390.

FERREIRO, A., "*Linguarum Diversitate*: Babel and Pentecost in Leander's Homily at the Third Council of Toledo," in *Concilio III de Toledo: XIV centenario 589-1989*, Toledo, Arzobispado de Toledo, 1991, pp. 237-248.

FINK, P.E., "Communal Penance: An Update," in *America*, 124 (1971), p. 202.

------, "Investigating the Sacrament of Penance: An Experiment in Sacramental Theology," in *Worship*, 54 (1980), pp. 206-220.

FINNERTY, J.D., "The Role of General Absolution," in *America*, 134 (1976), pp. 286-287.

FORDE, G.O., "Justification by Faith Alone: The Article by Which the Church Stands or Falls?" in J.A. Burgess (ed.), *In Search of Christian Unity: Basic Consensus / Basic Differences*, Minneapolis, MN, Fortress Press, 1991, pp. 64-76.

FRANSEN, P.F., "Réflexions sur L'anathème au Concile de Trente," in *Ephemerides theologicæ Lovanienses*, 29 (1953), pp. 657-672.

------, "Unity and Confessional Statements: Historical and Theological Inquiry of R.C. Traditional Conceptions," in *Bijdragen*, 33 (1972), pp. 2-38.

FRANTZEN, A.J., "The Significance of the Frankish Penitentials," in *The Journal of Ecclesiastical History*, 30 (1979), pp. 409-421.

FUNKE, F., "Survey of Published Writings on Confession over the Past Ten Years," trans. by S. and E. Young, in *Concilium*, vol. 7, no. 1 (Jan. 1971), pp. 120-132.

GALLAGHER, R., "New Life for a 'Great Sacrament'," in *The Furrow*, 47 (1996), pp. 199-205.

GALLEN, J. "General Sacramental Absolution: Pastoral Remarks on Pastoral Norms," in *Theological Studies*, 34 (1973), pp. 114-121.

------, "A Pastoral-Liturgical View of Penance Today," in *Worship*, 45 (1971), pp. 132-150.

GARAFALO, R.C., "Reconciliation and Celebration: A Pastoral Case for General Absolution," in *Worship*, 63 (1989), pp. 447-456.

GARCÍA, E., "First Norms on General Absolution," in *Boletín eclesiástico de Filipinas*, 68 (1992), pp. 209-215.

------, "General Absolution in the New Codex," in *Boletín eclesiástico de Filipinas*, 68 (1992), pp. 463-466, 571-578 and 675-678.

GEEST, C. van der, "Die Generalabsolution in Papua-New Guinea," in *Liturgisches Jahrbuch*, 21 (1971), pp. 174-176.

GERVAIS, M.A., Intervention to the 1983 Synod of Bishops, 5 October 1983, published under the title "Complementarity of the Three Forms," in *National Bulletin on Liturgy*, 17 (1984), pp. 55-58.

GERVAIS, P., "L'Exhortation apostolique «Reconciliatio et pænitentia»," in *Nouvelle revue théologique*, 108 (1986), pp. 192-217.

GILBERT, J.R., "The Reconciliation Service: A Reflection on Pastoral Experience as a Theological Source," in *Worship*, 59 (1985), pp. 59-65.

GLEESON, G., "The Future of the 'Third Rite' of Reconciliation," in *The Australasian Catholic Record*, 77 (2000), pp. 20-31.

------, "The Moral Life as Christian Vocation," in A. Murray (ed.), *The New Catechism: Analysis and Commentary*, Sydney, Catholic Institute of Sydney, 1994, pp. 69-78.

GÓMEZ, F., "The New Testament on Reconciliation," in *East Asian Pastoral Review*, 21 (1984), pp. 294-302.

------, "The Sixth Assembly of the Synod of Bishops," in *East Asian Pastoral Review*, 21 (1984), pp. 4-20.

GRASAR, W.E. and J. BREWER, "Pastoral Letter of the Bishop[s] of Shrewsbury (England) on Penance," in *The Furrow*, 27 (1976), pp. 247-249.

GREEN, T.J., "The Church's Sanctifying Office: Reflections on Selected Canons in the Revised Code," in *The Jurist*, 44 (1984), pp. 357-411.

------, "The Revision of Sacramental Law: Perspectives on the Sacraments other than Marriage," in *Studia canonica*, 11 (1977), pp. 261-327.

GREGORY THAUMATURGOS, *Canonical Epistle*, in *Ante Nicene Fathers: Translations of the Fathers Down to AD 325*, 6, American Reprint of the Edinburgh edition revised by A. Cleveland Coxe, Buffalo, NY, The Christian Literature Co., 1886, pp. 18-20.

GRILLMEIER, A., "Penance as Obligation or as Grace? The Decisive Developments in the Church's Practice of Penance," in *The Laity Today*, 29 (1983), pp. 134-145.

------, "The People of God," trans. by K. Smyth, in H. Vorgrimler (gen. ed.), *Commentary on the Documents of Vatican II*, 1, Freiburg, Herder and Herder; Montréal, Palm Publishers, 1967, pp. 153-185.

GUZIE, T.W., "Comments on the New Form of Confession," in M.J. Taylor (ed.), *The Sacraments: Readings in Contemporary Sacramental Theology*, New York, Alba House, 1981, pp. 205-215.

HANCOCK, R. and R. WILLIAMS, "The Scholastic Debate on the Essential Moment of Forgiveness," in *Resonance*, 2 (1966), pp. 63-74.

HATER, R.J., "Sin and Reconciliation: Changing Attitudes in the Catholic Church," in *Worship*, 59 (1985), pp. 18-31.

HEADLEY, D., "Sin and Reconciliation in the Consciousness of Christians," in *Chicago Studies*, 34 (1995), pp. 158-171.

HEARNE, B., "A 'Not Yet' Theology of Penance," in *African Ecclesial Review*, 26 (1984), pp. 151-153.

------, "Synod 1983: Initial Document on Reconciliation," in *African Ecclesial Review*, 25 (1983), pp. 2-5.

HEBBLETHWAITE, P., "The Demand for General Absolution," in *The Tablet*, 237 (1983), pp. 1016-1017.

HEBGA, M., "Reconciliation and African Culture," in *African Ecclesial Review*, 25 (1983), pp. 347-355.

HEGGEN, F., "The Service of Penance: A Description and Appreciation of Some Models," in *Concilium*, vol. 7, no. 1 (Jan. 1971), pp. 134-154.

HELLWIG, M.K., "Penance and Reconciliation," in M.J. Walsh (ed.), *Commentary on the Catechism of the Catholic Church*, Collegeville, MN, The Liturgical Press, 1999, pp. 274-287.

------, "Theological Trends: Sin and Sacramental Reconciliation I," in *The Way*, 24 (1984), pp. 217-223.

------, "Theological Trends: Sin and Sacramental Reconciliation II," in *The Way*, 24 (1984), pp. 305-311.

HERMAS, *The Shepherd*, in *The Apostolic Fathers*, The Fathers of the Church: A New Translation, I, trans. by J.M.-F. Marique, New York, Cima Pub. Co., 1947, pp. 225-350.

HEUSCHEN, L., "The Sacraments and the Care of Souls," trans. by R. Cunningham, in W. Baraúna (ed.), *The Liturgy of Vatican II* 2, English edition ed. by J. Lang, Chicago, IL, Franciscan Herald Press, 1966, pp. 153-185.

"Historical Background," in *National Bulletin on Liturgy*, 9 (Jan.-Feb. 1976), pp. 4-13.

HOOVER, R., "Openness of Heart and the Sacrament of Penance: A New Look at Integrity," in *Chicago Studies*, 25 (1986), pp. 198-223.

HUFTIER, M., "Du sacrement de la pénitence et de la confession," in *Esprit et vie*, 92 (1982), pp. 188-192.

HUGHES, G.J., "Our Human Vocation," in M.J. Walsh (ed.), *Commentary on the Catechism of the Catholic Church*, Collegeville, MN, The Liturgical Press, 1999, pp. 336-356.

HUMPHREYS, N., "Thoughts on Penance," in *The Furrow*, 36 (1985), pp. 742-746.

HURLEY, F.T., "General Absolution: Anatomy of a Decision," in *America*, 127 (1972), pp. 203-206.

IGNATIUS OF ANTIOCH, St., *Letter to the Ephesians*, in *The Apostolic Fathers*, The Fathers of the Church: A New Translation, 1, trans. by G.G. Walsh, pp. 87-95.

IRWIN, K., "Liturgical Method: Issues for the Third Millennium," in *Theology Digest*, 44 (1997), pp. 43-54.

JEDIN, H., "La nécessité de la confession privée selon le Concile de Trente," in *La Maison-Dieu*, no. 104 (4e trimestre 1970), pp. 88-115.

JEGEN, C.F., "Book Two: Celebrating the Christian Mystery," in *Chicago Studies*, 33 (1994), pp. 28-37.

JEROME, St., *The Dialogue Against the Luciferians*, in *A Select Library of Nicene and Post Nicene Fathers of the Christian Church*, 6, trans. by W.H. Fremantle, et al., Oxford, Parker: New York, The Christian Literature Co., 1893, pp. 320-334.

JOHNSTONE, B.V., "Sin is Healed by Grace, but Church Must Help Sinner Acknowledge Guilt," in *L'Osservatore Romano*, weekly ed. in English, 2 February 1999, p. 10.

JOUNEL, P., "La liturgie de la réconciliation," in *La Maison-Dieu*, no. 117 (1er trimestre 1974), pp. 7-37.

KAISER, R.B., "Bishops, the Vatican and General Absolution," in *Doctrine and Life*, 50 (2000), pp. 13-19.

KASPER, W., "Confession Outside the Confessional?" trans. by S. King, in *Concilium*, vol. 3, no. 4 (Apr. 1967), pp. 17-22.

KAVANAGH, A., "The Nature of Christian Penance: Metanoia and Reconciliation," in *Resonance*, 2 (1966), pp. 8-14.

KELLEHER, M.M., "Sacraments and the Ecclesial Mediation of Grace," in *Louvain Studies*, 23 (1998), pp. 180-197.

KELLY, D.F., "Aspects of Sin in Today's Theology," in *Louvain Studies*, 9 (1982-1983), pp. 191-197.

KELLY, G., "The Catechism, the Seven Sacraments and the Reception of Vatican II," in A. Murray (ed.), *The New Catechism: Analysis and Commentary*, Sydney, Catholic Institute of Sydney, 1994, pp. 59-68.

KILIROOR, M., " 'Social Doctrine' In Sollicitudo Rei Socialis," in *The Month*, 249 (1988), pp. 711-714.

KIRK, A., "Reconciliation in Memphis: A Diocese Prepared," in *America*, 136 (1977), pp. 146-148.

KIRK, D., "Penance in the Eastern Churches," in *Worship*, 40 (1966), pp. 148-155.

LAGHI, P., Letter to Bishop J.W. Malone, 19 September 1984, in *CLD*, 11 (1983-1985), pp. 243-244.

LECLERCQ, J. "Confession and Praise of God," in *Worship*, 42 (1968), pp. 169-176.

LEHMANN, K., "General Absolution, Private Confession, Penitential Liturgy," in *International Catholic Review*, 1 (1972), pp. 319-322.

LEIJSSEN, L., "The Sacramental Economy of Salvation in the *Catechism of the Catholic Church*," in *Questions liturgiques*, 77 (1996), pp. 229-239.

LIGIER, L., "Dimension personnelle et dimension communautaire de la pénitence en Orient," in *La Maison-Dieu*, no. 90 (2e trimestre 1967), pp. 155-188.

LINLEY, P., "The Falling Number of Confessions: Development or Deviation?" in *New Blackfriars*, 51 (1970), pp. 388-395, 433-442.

McCAULEY, G., "The Ecclesial Nature of the Sacrament of Penance," in *Worship*, 36 (1961), pp. 212-222.

McCORMICK, R.A., "Notes on Moral Theology. Penance," in *Theological Studies*, 28 (1967), pp. 769-776.

McCUE, J.F., "Penance as a Separate Sacramental Sign," in *Concilium*, vol. 7, no. 1 (Jan. 1971), pp. 55-64.

McDONNELL, K., "Lutherans and Catholics on Justification," in *America*, 149 (1983), pp. 345-347.

------, "The *Summæ Confessorum* on the Integrity of Confession as Prolegomena for Luther and Trent," in *Theological Studies*, 54 (1993), pp. 405-426.

McKENNA, J.H., "The Possibility of Social Sin," in *The Irish Theological Quarterly*, 60 (1994), pp. 125-140.

McMANUS, F., "The Sacraments of the Church," in *Chicago Studies*, 15 (1976), pp. 349-371.

McNAMARA, K., "Penance: Sacrament of Reconciliation," in *The Furrow*, 36 (1985), pp. 3-17.

MAHER, L.S., "The Neglected Sacrament?" in *Doctrine and Life*, 45 (1995), pp. 445-448.

MAHONY, R., "Pastoral Letter," 2 February 1986, in *L'Osservatore Romano*, weekly ed. in English, 8 September 1986, pp. 10-12.

MAIDA, A.J., "Rights in the Church," in *Chicago Studies*, 15 (1976), pp. 255-267.

MALONE, R.K., "General Absolution and Pastoral Practice," in *Chicago Studies*, 24 (1985), pp. 47-58.

MANNING, F.V., "Private Confession: Pros and Cons," in *Pastoral Life*, 13 (1965), pp. 227-230.

MANNION, F.M., "Penance and Reconciliation: A Systemic Analysis," in *Worship*, 60 (1986), pp. 98-118.

MANUEL, G.M., "Group Process and the Catholic Rites of Reconciliation," in *Journal of Religion and Health*, 30 (1991), pp. 119-129.

MANZANARES, J., "De absolutione sacramentali generali in casu gravis necessitatis considerationes," in *Periodica*, 76 (1987), pp. 121-159.

MARCINIAK, E., "The Sacrament of Penance: A Report From the Pews," in *America*, 149 (1983), pp. 25-27.

MARREVEE, W., "The New 'Order of Penance': Is It Adequate?" in *Église et théologie*, 7 (1976), pp. 119-137.

MARTÍN de AGAR, J.T., "La celebración del sacramento de la penitencia: aspectos canónicos," in *Revista española de derecho canónico*, 48 (1991), pp. 9-30.

------, "Note sul diritto particolare delle conferenze episcopali," in *Ius Ecclesiæ*, 2 (1990), pp. 593-632.

MARTYN, J.L., "The Apocalyptic Gospel in Galatians," in *Interpretation*, 54 (2000), pp. 246-266.

MATERA, F.J., "Galatians in Perspective: Cutting a New Path Through Old Territory," in *Interpretation*, 54 (2000), pp. 233-245.

MATTAM, J., "The Sacrament of Reconciliation," in *African Ecclesial Review*, 34 (1992), pp. 293-322.

MEDINA, J., "Un nuevo documento de la S. Sede sobre el sacramento de la penitencia," in *Teologia y vida*, 13 (1972), pp. 107-117.

MENAMPARAMPIL, T., "What is New About the New Evangelization? I," in *Vidyajyoti*, 61 (1997), pp. 361-371.

MILLER, A., "Anyone for Confession?" in *The Tablet*, 255 (2001), pp. 372-373.

MIRANDA, V., "Reconciliation in the New Testament," in *East Asian Pastoral Review*, 21 (1984), pp. 290-294.

MOLONEY, R., "Communal Penance and General Absolution," in *The Furrow*, 41 (1990), pp. 292-297.

------, "The Liturgy of Penance Reviewed," in *The Furrow*, 35 (1984), pp. 165-170.

MORRISEY, F.G., "The Renewal of Sacramental Canon Law After the Second Vatican Council," in *Église et théologie*, 5 (1974), pp. 347-373.

MORRISON, D., "Confession and the New Code," in *The Furrow*, 20 (1969), pp. 525-541.

MUELLER, P. and E. SENIOR, "Canonical Legislation on Mandatory Confession in the Western Church," in *Resonance*, 2 (1966), pp. 75-96.

MUKASA, A., "The Synod of Bishops," in *Doctrine and Life*, 34 (1984), pp. 22-31. Also published under the title "Penance and Reconciliation: The 1983 Synod of Bishops," in *African Ecclesial Review*, 26 (1984), pp. 132-143.

MURPHY, T.J., "Sin and Reconciliation in a Time of Confusion," in *Chicago Studies*, 17 (1978), pp. 371-383.

MURPHY, T.P. and M. RANKIN, "The Practice of Celtic Penance," in *Resonance*, 2 (1966), pp. 35-47.

MYNATTY, H., "The Concept of Social Sin," in *Louvain Studies*, 16 (1991), pp. 3-26.

NAIDOO, S., "Impressions of the 1983 Synod of Bishops," in *Studia moralia*, 22 (1984), pp. 3-15.

NEWNS, B., "General Absolution: Tradition and Recent Trends," in *The Clergy Review*, 62 (1977), pp. 62-68.

NIC an AIRCHINNIGH, M., "I Must Go to Confession," in *The Furrow*, 47 (1996), pp. 678-682.

NICHOLS, V., "Preparing for the Synod: Reconciliation and Penance in the Mission of the Church," in *The Clergy Review*, 68 (1983), pp. 41-49.

NICOLAS, A., "Reconciliation: The Courage to Create a New Future," in *East Asian Pastoral Review*, 19 (1982), pp. 344-364.

------, "The Sacrament of Reconciliation: Theological Considerations," in *East Asian Pastoral Review*, 21 (1984), pp. 303-329.

NIEDERGESES, J., "General Absolution and Reconciliation," in *Origins*, 6 (1976-1977), pp. 432-433.

NIKOLASCH, F., "The Sacrament of Penance: Learning from the East," trans. by M. Hollebone, in *Concilium*, vol. 7, no. 1 (Jan. 1971), pp. 65-75.

NISSIM, G.-M., "Communal Penance: A Liturgical Commentary and Catechesis," in *Theology Digest*, 16 (1968), pp. 30-34.

NOCENT, A., "L'acte penitential du nouvel 'Ordo Missæ': sacrement ou sacramental?" in *Nouvelle revue théologique*, 91 (1969), pp. 956-976.

------, "Réflexions pour un Synode," in *Nouvelle revue théologique*, 105 (1983), pp. 345-357.

O'CALLAGHAN, D., "The Theology of Penance in the New Ordo," in *The Furrow*, 26 (1975), pp. 401-407.

O'CALLAGHAN, D.F., "Communal Penitential Services," in *The Irish Ecclesiastical Record*, 108 (1967), pp. 336-343.

O'CONNELL, T.E., "The Question of Grundentscheidung," in *Philosophy and Theology*, 10 (1997), pp. 143-168.

------, "Reconciliation Renewal: Healing for Today's Church," in *Chicago Studies*, 32 (1993), pp. 114-126.

O'GRADY, J.F., "Paul and Justification," in *Chicago Studies*, 31 (1992), pp. 66-79.

O'KEEFE, B. and T.J. BOYER, "The Impact of Celtic Penance on the Continent," in *Resonance*, 2 (1966), pp. 48-62.

O'KEEFE, M., "The Heart of Christian Life: Conversion," in *The Living Light*, 31 (1995), pp. 3-15.

O'NEILL, K., "An Introduction to Moral Theology: Reflections on the *Catechism of the Catholic Church*," in *The Living Light*, 31 (1995), pp. 49-57.

O'NEILL, T., "General Absolution," in *African Ecclesiastical Review*, 15 (1973), pp. 97-109.

ORIGEN, *Prayer*, in *Origen: Prayer; Exhortation to Martyrdom*, Ancient Christian Writers: The Works of the Fathers in Translation, 19, trans. by J.J. O'Meara, Westminster, MD, The Newman Press; London, Longmans, Green, 1959, pp. 15-140.

O'RIORDAN, S., "The Synod of Bishops, 1983," in *The Furrow*, 34 (1983), pp. 745-757.

------, "Towards a New Evangelization of Europe?" in *The Furrow*, 43 (1992), pp. 131-138.

ÖRSY, L., "Communal Penance: Some Preliminary Questions on Sin and Sacrament," in *Worship*, 47 (1973), pp. 338-345.

------, "General Absolution: New Law, Old Traditions, Some Questions," in *Theological Studies*, 45 (1984), pp. 676-689.

------, "Integrated Interpretation: or, the Role of Theology in the Interpretation of Canon Law," in *Studia canonica*, 22 (1988), pp. 245-264.

------, "The Relationship Between Values and Laws," in *The Jurist*, 47 (1987), pp. 471-483.

------, "The Revival of the Sacrament of Penance: A Proposal," in *Chicago Studies*, 34 (1995), pp.136-144.

------, "The Sacrament of Penance: Problem Areas and Disputed Questions," in *CLSA Proceedings*, 1986, pp. 29-45.

OSBORNE, K.B., "The Ambiguity of Communal Penance," in *Chicago Studies*, 34 (1995), pp. 123-135.

------, "Sacramental Life in the Year 1000," in *Chicago Studies*, 37 (1998), pp. 245-256.

PAGÉ, R., "L'absolution collective au Canada," in *Studia canonica*, 29 (1995), pp. 493-508.

PALMER, P.F., "Communal Penance: What Are the Options?" in *America*, 124 (1971), pp. 64-66.

"A Pastoral Letter of the Bishops of Holland," in *Worship*, 40 (1966), pp. 276-280.

"Pastoral Letter of the Bishops of Uganda," in *L'Osservatore Romano*, weekly ed. in English, 1 September 1986, pp. 3-10.

PERALES, J., "The Service of the *Indulgentia*: Light on the Rite of General Confession and Absolution," in *Worship*, 62 (1988), pp. 138-153.

PETER, C.J., "Auricular Confession and the Council of Trent," in *The Jurist*, 28 (1968), pp. 280-297.

------, "Dimensions of Jus Divinum in Roman Catholic Theology," in *Theological Studies*, 34 (1973), pp. 227-250.

------, "Integral Confession and the Council of Trent," in *Concilium*, vol. 7, no. 1 (Jan. 1971), pp. 99-109.

------, "Integrity Today?" in *Communio*, 1 (1974), pp. 60-82.

------, "The New Norms for Communal Penance: Will They Help?" in *Worship*, 47 (1973), pp. 2-10.

------, "Renewal of Penance and the Problem of God," in *Theological Studies*, 30 (1969), pp. 489-497.

------, "A Roman Catholic Response," in J.A. Burgess (ed.), *In Search of Christian Unity: Basic Consensus / Basic Differences*, Minneapolis, MN, Fortress Press, 1991, pp. 77-85.

PETER OF ALEXANDRIA, St., *The Canonical Epistle*, in *Ante Nicene Fathers: Translations of the Fathers Down to AD 325*, 6, pp. 269-279.

PETER CHRYSOLOGUS, St., *Sermon 108*, in *Saint Peter Chrysologus, Selected Sermons and Saint Valerian, Homilies*, The Fathers of the Church, 17, trans. by G.E. Ganss, New York, Fathers of the Church, 1953, pp. 166-170.

POLYCARP, St., *The Epistle to the Philippians*, in *Ancient Christian Writers: The Works of the Fathers in Translation*, 6, pp. 69-82.

POWER, D.N., "The Sacramentalization of Penance," in *The Heythrop Journal*, 18 (1977), pp. 5-22.

PROVENCHER, N., "Le sacrement de la réconciliation selon l'*Ordo pœnitentiæ*," in *Studia canonica*, 9 (1975), pp. 267-276.

PUTHANANGADY, P., "The Sacrament of Penance and Reconciliation," in *Vidyajyoti*, 47 (1983), pp. 17-33.

QUINN, J., "The Lord's Supper and Forgiveness of Sin," in K.R. Seasoltz (ed.), *Living Bread, Saving Cup: Readings on the Eucharist*, Collegeville, MN, The Liturgical Press, 1982, pp. 231-241.

RAHNER, K., "Forgotten Truths Concerning the Sacrament of Penance," in *Man in the Church*, Theological Investigations, II, trans. by K.-H. Kruger, Baltimore, MD, Helicon Press, 1964, pp. 135-174.

------, "Penance as an Additional Act of Reconciliation with the Church," in *Writings of 1965-1967*, 2, Theological Investigations, X, trans. by D. Bourke, New York, Herder and Herder, 1973, pp. 125-149.

------, "Reflections on the Concept of 'ius divinum' in Catholic Thought," in *Later Writings*, Theological Investigations, V, trans. by K.-H. Kruger, Baltimore, MD, Helicon Press; London, Darton, Longman & Todd, 1966, pp. 219-243.

------, "Theology and the Church's Teaching Authority After the Council," in *Writings of 1965-1967*, 1, Theological Investigations, IX, trans. by G. Harrison, New York, Herder and Herder, 1972, pp. 83-100.

RAMOS-REGIDOR, J., " 'Reconciliation' in the Primitive Church and its Lessons for Theology and Pastoral Practice Today," in *Concilium*, vol. 7, no. 1 (Jan. 1971), pp. 76-88.

RATZINGER, J., "The Celebration of the Sacrament with General Absolution," in *L'Osservatore Romano*, weekly ed. in English, 12 August 1985, p. 11.

------, Intervention to the 1983 Synod of Bishops, 6 October 1983, published under the title "Les normes pastorales du sacrement de pénitence," in Synode des évêques, *La pénitence et la réconciliation dans la mission de l'Église*, pp. 180-187.

RIGA, P.J., "Communal Penance," in *The Priest*, 26 (1970), pp. 44-53.

------, "The Roman Liturgical Rite and Prayers of Reconciliation of the Fifth Century," in *The American Ecclesiastical Review*, 167 (1973), pp. 196-207.

RINALDI, G., "La confessione comunitaria," in *Vita religiosa*, 16 (1970), pp. 279-291.

ROMITA, F., "La «Caritas» e il sacramento del perdono," in *Monitor ecclesiasticus*, 99 (1974), pp. 18-51.

RYAN, L., "Faith Under Survey," in *The Furrow*, 34 (1983), pp. 3-15.

SAMWAY, P., "Faith and Communal Penance," in *Worship*, 43 (1969), pp. 290-303.

SCHALLER, J.G., "The Order of Penitents: Theological and Pastoral Directions," in *Worship*, 64 (1990), pp. 207-224.

SCHINDLER, D.L., "Reorienting the Church on the Eve of the Millennium: John Paul II's 'New Evangelization'," in *Communio*, 24 (1997), pp. 728-779.

SCHLICK, R. and R. STALTER, "La pluralité de la pratique pénitentielle face à la législation canonique," in *Praxis juridique et religion*, 1 (1984), pp. 214-243.

SHAW, R., "The Synod in Search of a Subject," in *America*, 149 (1983), pp. 325-328.

SIEDLECKI, E., "Renewing the Sacraments 2," in *Chicago Studies*, 8 (1969), pp. 3-15.

SIEVERNICH, M., " 'Social Sin' and its Acknowledgement," trans. by J.G. Cumming, in *Concilium*, no. 190 (1987), pp. 52-61.

SMIAR, N.P., "Notes on Byzantine Penance," in *Resonance*, 2 (1966), pp. 97-105.

SMITH, P.D.G., "General Sacramental Absolution," in *Studia canonica*, 12 (1978), pp. 225-263.

SOCRATES, *Ecclesiastical History*, in *A Select Library of the Nicene and Post Nicene Fathers of the Christian Church*, 2, trans. by A.C. Zenos, Oxford, Parker; New York, The Christian Literature Co., 1891, pp. 1-178.

SOTTOCORNOLA, F., "Les nouveaux rites de la pénitence: commentaire," in *Questions liturgiques*, 55 (1974), pp. 89-136.

------, "Il nuovo «Ordo Pænitentiæ»," in *Notitiæ*, 10 (1974), pp. 63-79.

STUCKWISCH, D.R., "Principles of Christian Prayer from the Third Century: A Brief Look at Origen, Tertullian and Cyprian With Some Comments on Their Meaning for Today," in *Worship*, 71 (1997), pp. 2-19.

SUQUÍA, A., "The New Evangelization: Some Tasks and Risks of the Present," in *Communio*, 19 (1992), pp. 515-540.

SZOSTEK, A., "Man's Fundamental Option Can be Radically Altered by Individual Acts," in *L'Osservatore Romano*, weekly ed. in English, 20 April 1994, p. 14.

TEGELS, A., "General Absolution," in *Worship*, 48 (1974), pp. 550-553.

TEGELS, A., "The New Order, or Rite, of Penance," in *Worship*, 48 (1974), pp. 242-246.

TERTULLIAN, *On Penitence*, in *Treatises on Penance*, Ancient Christian Writers: The Works of the Fathers in Translation, 28, trans. and annotated by W.P. Le Saint, Westminster, MD, The Newman Press; London, Longmans, Green, 1959, pp. 3-37.

TETTAMANZI, D., "The Call to Freedom Lived in Truth is Heart of the New Evangelization," in *L'Osservatore Romano*, weekly ed. in English, 30 March 1994, pp. 9-10.

TILLARD, J.-M., "The Bread and the Cup of Reconciliation," trans. by J. Griffiths, in *Concilium*, vol. 7, no. 1 (Jan. 1971), pp. 38-54.

TOMKO, J., "Reconciliation and Penance in the Mission of the Church," in *The Laity Today*, 29 (1983), pp. 7-22.

UZUKWU, E.E., "Reconciliation and Inculturation: A Nigerian (Igbo) Orientation," in *African Ecclesial Review*, 25 (1983), pp. 275-279.

VELLIAN, J., "The New Rite of Reconciliation: Understanding Its Newness from Eastern Tradition," in *Ephemerides liturgicæ*, 91 (1977), pp. 377-381.

VENTURA, T., "Old Wine in New Wineskins," in *Chicago Studies*, 34 (1995), pp. 111-122.

VIGANO, E., "Formation of the Lay Faithful," in *The Laity Today*, 32-33 (1989-1990), pp. 96-103.

VILLOT, J., Letter to Bishop C. Manziana on the Occasion of the 26th National Liturgical Week of Italy (Florence, 25-29 August 1975) on the theme: Reconciled with the Father in Christ and in the Church, 31 July 1975, in *Notitiæ*, 11 (1975), pp. 220-222. English trans. in *DOL*, pp. 976-978.

------, Letter to a Latin American Liturgical Conference on the Influence of the Liturgical Movement, 21 July 1977. English trans. published under the title "The Influence of the Liturgical Movement on the Life of the Church in Latin America," in *The Pope Speaks*, 22 (1977), pp. 320-328.

VOGEL, C., "An Alienated Liturgy," trans. by J. Griffiths, in *Concilium*, vol. 8, no. 2 (Feb. 1972), pp. 11-25.

------, "Sin and Penance," in P. Delhaye et al., *Pastoral Treatment of Sin*, trans. by C. Schaldenbrand, F. O'Sullivan and E. Desmarchelier, New York, Desclée, 1968, pp. 177-282.

WAKO, G., Intervention to the 1983 Synod of Bishops, 6 October 1983, published under the title "When General Absolution is Needed," in *Origins*, 13 (1983-1984), p. 368.

WALSH, W., "True to the Gospel: Challenges to the Irish Church," in *The Furrow*, 47 (1996), pp. 327-336.

WERCKMEISTER, J., "L'absolution collective: évolution de la pratique en France," in *Revue de droit canonique*, 34 (1984), pp. 291-321.

WHITLEY, C.M., "Understanding and Attitudes: Some Suggestions for Appreciating Communal Penance," in *Review for Religious*, 30 (1971), pp. 218-227.

WOOLFENDEN, G., "The Sacraments and Evangelization," in *The Month*, 26 (1993), pp. 121-126.

WUERL, D.W., "Pastoral Letter," 10 January 1999, in *L'Osservatore Romano*, weekly ed. in English, 24 March 1999, pp. 7-8, 11.

YARNOLD, E., "Sin and Experience," in *The Way*, 17 (1977), pp. 104-113.

ZALBA, M., "Commentarium ad Normas pastorales circa absolutionem sacramentalem generali modo impertiendam," in *Periodica*, 62 (1973), pp. 193-213.

------, "Normas de la Iglesia sobre el valor y la licitud de la absolución general con manisfestación genérica de los pecados mortales," in *Gregorianum*, 71 (1990), pp. 229-257.

BIOGRAPHICAL NOTE

Reverend Brian Walter Limbourn currently lives in Perth, Western Australia. After several years employed in the private sector as an insurance clerk, he entered St Francis Xavier Seminary in Adelaide, South Australia. Ordained priest on 29 September 1989, he served as assistant in Our Lady of the Mission Parish, Whitfords, until requested to study Canon Law. Duly awarded his licentiate by Saint Paul University in 1995, he subsequently entered the doctoral programme initially under the direction of the late Professor Michel Thériault. Recalled to Perth in 1999, he presently fulfils the office of a defender of the bond for the Appeal Tribunal of Australia and New Zealand and serves as chaplain at St Catherine's Dominican Convent, Doubleview, whilst completing the requirements for his degree. In his spare time, he enjoys collecting the postage stamps of several countries, including Canada, Australia and the Sovereign Military Order of Malta.

> The postage stamp can contribute to the building of those kinds of relationships, friendships and goals that inspire the universal desire for harmony and peace.
>
> Pope John Paul II
> Message to *Italia 98*
> World Philatelic Exhibition
> 23 October 1998.