

TRENT'S TEMPORAL PUNISHMENT AND TODAY'S RENEWAL OF PENANCE

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NOWADAYS, in the religious practice that is handed on to us, we seek out what is vital; we try to put what is genuinely Christian in a meaningful way to our own culture. This paper questions the relevance and binding force of a past teaching of the Church for the believing Catholic today. The question we ask is: Does the Church really intend that in the modern world we should be seriously concerned about such a thing as a "temporal punishment" due to sin? The discussion, I believe, is pertinent and warrants attention, because this teaching continues to be a determining factor in the Catholic celebration of penance, which Vatican II bids us renew.¹ Listening to this latest conciliar counsel, the theologian, who interprets the needs of his own age in the light of God's word as handed on by the Church, will once again assess what the Church holds as really vital in regard to its penitential practice. One such study, for example, has recently been made.²

Our problem is, the Council of Trent anathematizes³ those who should deny the penitent's need to carry out an exertion denoted by the term *satisfaction*.⁴ This need rests solely, the Council taught, on the fact that

¹ Constitution on the Sacred Liturgy, no. 72.

² Carl J. Peter, "Auricular Confession and the Council of Trent," *Proceedings of the Catholic Theological Society of America* 22 (1967) 185-200.

³ Research has shown that the *anathema sit* attached to Tridentine canons does not of itself bring to light a definition of faith or condemnation of heresy in the strict sense. Cf. Heinrich Lennerz, "Notulae Tridentinae: Primum anathema in Concilio Tridentino," *Gregorianum* 27 (1946) 136-42; Piet Franssen, "Réflexions sur l'anathème au concile de Trente," *Ephemerides theologicae Lovanienses* 29 (1953) 657-72; F. X. Lawlor, "Heresy," *New Catholic Encyclopedia* 6 (1967) 1062-63; Peter, *art. cit.*, pp. 189-93.

⁴ For the evolution of "satisfaction" in early penitential practice, and through the development of its theology in the Middle Ages, cf. P. Galtier, "Satisfaction," *Dictionnaire de théologie catholique* 14/1, 1135-1210; B. Poschmann, *Penance and the Anointing of the Sick*, tr. F. Courtney (New York, 1964); A. Deneffe, "Das Wort Satisfactio," *Zeitschrift für katholische Theologie*, 1919, pp. 158-75; E. Doronzo, *De poenitentia* 3 (Milwaukee, 1952). The history of satisfaction theory as applied to the redemptive role of Christ is given by F. Lakner, "Salvation IV, B," *Sacramentum mundi* 5 (New York, 1970) 433-35. Cf. also J. Rivière, "Rédemption," *DTC* 13, 1912-2004; *The Doctrine of the Atonement* 1 (St. Louis, 1909); K. Rahner, "Salvation IV, A," *SM* 5, 429-30. The term "satisfaction" appeared in early Christian penitential practice. Since then it has regularly stood for an exertion that man makes in the hope of expiating his sinfulness. In the eleventh century, Anselm introduced a further nuance in the theological notion of satisfaction. He stressed the legal idea of compensating another for an injury (whether he drew this legal notion from

when God forgives a man who sins after he has been baptized, for the most part He leaves that man under a debt of punishment which is, however, not eternal; and man meets this debt by satisfaction, which is integral to the sacrament. My study asks what the Church in council at Trent meant to teach when it insisted on there being such a thing as a temporal punishment due to sin.⁵ It also asks if the Council proposed that the labor required to remit this punishment is of divine obligation. And how could such a teaching assist us in the renewal of penance today?

This inquiry too, we trust, will be of value in ecumenical dialogue. Could not a more exact appraisal of what Trent's concern here really was bring to light (and we believe it does) a purpose sufficiently in accord with other Christian theology? What Christian theologian, for example, would not recognize a concern that repentance and conversion to Christ be sincere, and that such true repentance and conversion has an ecclesial dimension bringing benefit to the life of Christ's Body, which is the

Germanic law or from the ancient penitential practice of the Church or from both is debated) as explaining Christ's redemptive role. God's infinite dignity, when injured by sin, demands infinite compensation: only Christ, the God-man, can pay this. By the satisfaction that Christ makes, God is ready to forgive man his sin. Cf. St. Anselm, *Basic Writings* (*Cur Deus Homo*), tr. S. N. Deane (Illinois: Open Court Publishing Co.) pp. 201-7, 222-39, 244-46, 261-63, 279-86; L. Richard, *The Mystery of the Redemption*, tr. J. Horn (Baltimore, 1965) pp. 175-83; J. Sheets, *The Theology of the Atonement* (Englewood Cliffs, N.J., 1967) pp. 19-21, 57-58.

⁵ At Trent no satisfactory description of what "temporal punishment" might be can be found. In conciliar debate at Bologna, the theologians appeared to denote, as did Melanchthon in his *Loci communes*, the sufferings that came upon David as temporal punishment: *Concilium Tridentinum diariorum, actorum, epistularum, tractatum nova collectio*, ed. Societas Goerresiana (Freiburg, 1901 ff.) Vol. VI, p. 36, lines 16-17; p. 71, lines 17-21; p. 72, lines 8-9 (hereafter written as *CT VI*, 36.16-17 etc.); P. Melanchthon, *Loci communes*, tr. and ed. Clyde Manschreck (Oxford, 1965) pp. 249-54. But where Melanchthon said this suffering was only for man's instruction and edification, the conciliar theologians went on to stress that David's suffering was also to expiate the effect of his past sin, an effect for which God still held him accountable. And here we touch on the bone of contention between the Council and Reformers. Can the Church direct the penitent to penance that is truly acceptable to God? To this question the Council was addressing itself. It answered yes, and explicitly approved the Church's practice of imposing penances and upheld the Church's authority to do so. Indirectly, the Council proposed a "temporal punishment" inasmuch as this theological notion was useful to defend the practice brought into question. That this was so is also brought out by the fact that the Council did not explore the notion of temporal punishment itself. This theological construct, that is, was of subsidiary and secondary concern. See also *D. Martin Luthers Werke* 8 (Weimar, 1889) 280, 8-9; 279, 31 f.; *ibid.* 51 (Weimar, 1914) 487, 29 f.; 488, 22-24; *ibid.* 26 (Weimar, 1909) 222, 3 f. Luther, from his early discussion on indulgences, appeared to affirm that ecclesial-sacramental penance had no relevance for remission of punishments before God. Cf. E. Iserloh, *The Theses Were Not Posted: Luther between Reform and Reformation*, tr. J. Wicks (London, 1968) 44, 19-45.

community of faith and love? And is there not today a deepening awareness of the need of interaction through community of mutual assistance and guidance on the way to salvation and in conversion itself? It is precisely this concern and such a need, we find, which the Tridentine teaching in question means to point out.

INVESTIGATION OF PERTINENT TRIDENTINE DEBATE AND FORMULATION

Even before it was to deal at any length with the matter, the Council found it had to take a stand. In its canon 30 on justification, Trent clearly taught that a distinction exists between the guilt of sin and a temporal punishment that generally remains after the guilt has been forgiven.⁶ Man, too, is bound to see to it that he removes this debt of temporal punishment. Debating justification, the Council found it had to reject the twofold-justice theory that Cardinal Seripando put to it again and again. To Seripando, man's activity, when examined before the divine tribunal, must be found wanting: only Christ's merit, when applied anew and added to man's radically deficient efforts, could save man from condemnation; man's effort could not be endowed with a true title to an eternal reward, nor could man really do anything to rid himself of the debt of temporal punishment.⁷ This theory, Laínez argued, would turn the divine tribunal of justice into something else, namely, a throne exclusively of mercy.⁸ The bishops, however, while agreeing with the Reformers that Christ's satisfaction is all-sufficient, maintained that this sufficiency does not exclude man's duty to imitate that satisfaction. Rather, as they saw it, man's exertion, as a benefit of Christ's passion, possesses a genuine dignity and title on which the divine tribunal will pass its judgment,⁹ and the just man's labor can do away with the debt of temporal punishment.

On March 2, 1547, the Council left the unhealthy conditions and political turmoil of Trent and moved to Bologna. The Council at Bologna (March 25, 1547 to Sept. 13, 1549) brought forth no decree, yet much discussion took place which prepared for later decrees upon the Council's

⁶ Decree on Justification, canon 30 (*CT V*, 799.36-39).

⁷ From mid-October to December 1546, the Council occupied itself with discussing two matters: if one can be certain of being in God's grace, and if man, when he appears before the divine tribunal, needs a second imputation of Christ's justice (*CT V*, 523-679). Seripando urged this latter theory; cf. P. Pas, "La doctrine de la double justice au concile de Trente," *Ephemerides theologicae Lovanienses* 30 (1954) 5-53. Seripando's double-justice theory followed from his sinful-concupiscence theory, which the Council had rejected in its previous debate on original sin; cf. *CT V*, 183-97; 219.13-14; 239.45; and Seripando's tract on original sin, *CT XII*, 549-53.

⁸ *CT V*, 617.33-37.

⁹ This was fully evident when, in a voting they took at the end of November, the bishops rejected a final plea from Seripando for his theory; cf. *CT V*, 691.9-11.

return to Trent. On March 29, 1547, fourteen propositions culled from the Reformers' writings were presented to the theologians for debate.¹⁰ Five of these articles expressly treated of satisfaction. Quite clearly, the Council felt it had to take up this matter and give answers to questions raised in regard to it. Satisfaction, one article claimed, is not required for penance.¹¹ In reply, the theologians kept satisfaction as a part of penance¹² but showed themselves divided as to what extent satisfaction is essential to the sacrament itself. For example, Lainez assumed sacramental absolution to be the essence of the sacrament.¹³ A Dominican disagreed and held satisfaction to be more strictly a part of the sacrament itself.¹⁴ The Council, in fact, did not wish to, and would not, enter into this dispute.¹⁵

Trent was far more concerned with a Lutheran identification of penance with baptism. The Council maintained that they are distinct sacraments. For one thing, Lutheran teaching was presented as denying a divine obligation requiring confession of sin. This denial met the unanimous opposition of the conciliar theologians.¹⁶ The theologians also commonly proposed that God does oblige man to make satisfaction,¹⁷ and they sought to back up this belief of theirs by pointing to the Scriptures. Why else, Láinez asked, did God leave Miriam, the sister of Moses, with leprosy after He had pardoned her?¹⁸ Had not David, a number said, upon being forgiven still to undergo many and great punishments? Did he not pray again and again that God would cleanse him more completely of his past sin? And if he who was so pleasing to

¹⁰ CT VI, 7-14.

¹¹ CT VI, 12.3-11. Luther seems to have had a special loathing for the very word "satisfaction"; cf. Iserloh, *The Theses Were Not Posted*, esp. pp. 30, 104 n. 12.

¹² Of the thirty-nine theologians who were present at this debate, each affirmed that contrition, confession, and satisfaction are necessary for the sacrament. Of the twenty-five speeches recorded by Massarelli, eighteen considered it to be heretical to deny this necessity (CT VI, 23-90).

¹³ CT VI, 73.25-27.

¹⁴ Peter Jannarinus, CT VI, 100.4-7.

¹⁵ Both Scotist and Thomist views remained defensible. As a compromise expression (in canon 4 on penance), Trent would point to satisfaction as an activity that, belonging somehow (*quasi-materia*) to the sacrament, perfects and completes the remission of sin; cf. CT VII, 358.4-6. Clearly, the Council's interest was not to settle scholastic disputes, but to vindicate the role of this exertion in the celebration of penance.

¹⁶ All the theologians' opinions that were recorded proposed this obligation; cf. CT VI, 19.1; 11-13; 20.2-3; 21.8-11; 22.8; 80.24-25.

¹⁷ Cf. the summary of the theologians' speeches: CT VI, 88.1-3; also CT VI 19.15-17; 22.16-17, etc.

¹⁸ CT VI, 72.6-7.

God was bound to such satisfaction, how much more are we so bound?¹⁹ The theologians also looked into the New Testament. Peter, said Laínez, had warned against letting brotherly love grow cold. Had he not in fact put before his flock the satisfactory nature of love: in exercising love towards one another, we are able to make good the evil done by sin?²⁰ Did not the master, asked another theologian, forgive his servant the debt of ten thousand talents on condition that the latter would not exact the one hundred denarii owed to himself? By refusing to forgive the lesser debt, the servant neglected to carry out the satisfaction imposed by his master.²¹ Yet, however much the conciliar theologians looked into Scripture, it became apparent that their source of conviction that God wants man to make satisfaction lay first with the centuries-old practice of the Church, a practice, as they pointed out, which the early Church Fathers urged and which the authority of the Church promoted.

In the conciliar debates at Bologna an important notion came to light, a notion operative in much of their thinking. All appeared to believe not only that the gift of love held a primary place in man's conversion, but that with this gift went an intrinsic link to the debt of temporal punishment. As a matter of fact, both theologians and bishops at Trent held (and this belief was operative in forming the Decree on Penance) that the more intense and deep one's sorrow and love, the less his debt of temporal punishment.

For example, in the debate on purgatory, all seemed to agree that death can be an occasion of greater contrition. Many times did the conciliar theologians point to the death of the martyrs. They understood that such a death wipes out all sin and all temporal punishment due to sin; and they saw this to be the case not only for the martyrs but also for those who patiently dispose themselves for death.²² This conciliar

¹⁹ Cf. *CT VI*, 36.16-17; 71.17-21; 72.8-9. The Council, however, did not point out any specific temporal punishment. It did, of course, go along with the principle which the theologians were defending against Melanchthon, namely, that after sin is forgiven, punishable traces remain to be expiated. At the same time, though, the Decree on Penance (chaps. 8, 9) actually concentrates on what Melanchthon had stressed: one ought not see life's sufferings as punishments but as means to strengthen one's life of faith.

²⁰ *CT VI*, 72.8-11. This scriptural text teaches, according to present-day exegesis, that love offsets wrongs which have been and are being brought about by sin. Cf. *The Jerome Biblical Commentary* (Englewood Cliffs, N.J., 1968) p. 367.

²¹ *CT VI*, 87.15-17.

²² "Ad secundum articulum respondit, quod reliquiae peccatorum, id est poenae temporalis, quae remanent remissa culpa et poena aeterna, non purgantur per mortem, sed purgari habent in purgatorio. Aliae reliquiae, ut est fomes et alia, quae remanent ex peccato originali, solvuntur per mortem neque indigent purgatorio. Item martyres per mortem omnia et peccata et poenas et reliquias purgarunt. Iusti quoque, qui patienter

understanding brings into prominence the interior disposition of the just man as he meets death. Did not Didymus, one theologian said, enter heaven immediately? The good thief, he reminded the others, had nevertheless been a thief. But precisely because he was so contrite, he went straight to paradise. No other satisfaction than this contrition of his was necessary.²³

Though the conciliar theologians held that an intense love and sorrow takes away the debt of temporal punishment in this life, apparently they felt that things are not exactly the same beyond the grave. Actually, they had little to say of what precisely takes place then.²⁴ They did propose this much: just as one cannot merit beyond the grave, so too one needs others' help so much more than to win for oneself cancellation of the debt of temporal punishment.²⁵

In their later discussion at Trent, just prior to the Decree on Penance, the theologians set out to make one thing clear: penance is a sacrament distinct from baptism. The early Fathers of the Church, they noted, aptly spoke of penance as the second plank of salvation.²⁶ He who lapses into sin after baptism makes shipwreck of his baptismal justice. Things are then as they were before: he must save himself from drowning. To do

disponant se ad mortem, aliquo modo per mortem illam merentur. *Ordinarie* tamen per mortem non purgantur peccata neque poenae pro eis debitae" (Claude Le Jay, *CT VI*, 259.3-9). Cf. summary, *CT VI*, 296.4-5; also 258.22-24; 253.15-18, etc.

²³ *CT VI*, 251.9-12.

²⁴ The conciliar theologians (and the Decree itself) did not propose that purgatory is a place of fire, real or local. They simply kept to the language of the Councils of Lyons and Florence, "post mortem purgari." Piet Fransen shows ("The Doctrine of Purgatory," *Eastern Churches Quarterly* 13 [1959] 106) that at these Councils, overly penal and materialistic expressions such as "debt," "satisfaction," "fire," "place of fire" were checked by the Eastern Church's emphasis on purification.

²⁵ The theologians appeared to regard man in purgatory as being exposed to the punishment that satisfaction could have cancelled on this side of the grave. Again, that is as far as they went. But they, and the Council itself, firmly upheld the usefulness of and need for suffrages on behalf of those in purgatory (cf. the summary of the theologians' speeches, *CT VI*, 296.34-37; also *CT VI*, 230.6-11; 23.17-19, etc.). It seems that according to this conciliar view God provides for the remission of the debt of temporal punishment of those in purgatory ordinarily through the charity of the faithful on this side of the grave. No longer able to merit or to sin, as those at Trent saw it, those in purgatory long with fierce intensity for the happiness they know is to be theirs and which the faith, love, and intercession of the Church obtains for them. So, in accord with this way of looking at it, might not the punishment endured in purgatory be to suffer this intense longing with a vision no longer obscured by hope of earthly gain or relief, and yet to have to rely for deliverance on the truly Christian disposition of those who can still labor in this life? That is, Christ shares with us his crucial work of salvation; so too we are to play our part on behalf of those who can no longer merit.

²⁶ *CT VII*, 241.31; 242.1-8; 248.24-26; 251.28-29, etc.

this, he clings to another plank for refuge, the sacrament of penance. But penance asks more of the penitent than baptism does: to reach full forgiveness, the sinner now faces hard labor.²⁷ This is not the case with baptism. In baptism the sinner receives a complete renovation; penance, on the other hand, fully cleanses the lapsed only after he has labored greatly in his renewal. Salmerón, expressing the common opinion obtaining, spoke of penance as a laborious atonement. The penitent has generally to undergo an arduous satisfaction before he is fully purified and is well.²⁸

The lapsed does penance, the conciliar theologians proposed, not as he had done before baptism, but now as a member of the Church. The Church sacramentally dispenses and regulates his penance. With the believer who sins God must deal differently from the way He treats the ignorant, unbelieving sinner; for the divine justice, declared Salmerón, keeps watch over the covenants of grace, lest anyone abuse the divine mercy. Not only that, but does not God bring us through His covenantal grace to be like His Son?²⁹ If man sins after being baptized, he not only offends the indwelling Spirit, but it becomes a matter of concern for all the members of Christ. This is why, explained Johann Gropper, the early Church used to grieve over the sins of its members and to rejoice later in their reconciliation.³⁰ In general, the theologians did not pursue this valuable insight further than this. Yet they were aware that sin for the baptized bears an added gravity: if the baptized sins, he not only loses God's friendship but also fails the Body of which he is a member. Karl Rahner notes this insight as given by the early Church's practice.³¹

²⁷ Cf. Láinez, *CT VII*, 242.5-8.

²⁸ *CT VII*, 245.6-8, 23; 246.1-16. Also: "alius praeterea est baptismi et alius poenitentiae fructus. Per baptismum enim Christum induentes nova prorsus in illo efficitur creatura, plenam et integram peccatorum omnium remissionem consequentes; ad quam tamen novitatem et integritatem per sacramentum poenitentiae sine magnis nostris fletibus et laboribus, divina id exigente iustitia, pervenire nequaquam possumus, ut merito poenitentia laboriosus quidam baptismus a sanctis patribus dictus fuerit" (Decree on Penance, *CT VII*, 345.16-22). In emphasizing the primacy of the internal disposition in all this matter, we do not say that generally the pitch of Christian generosity is to be realized apart from the condition of human challenge. The question, why the cross, is something of a mystery; so too remains mysterious why the labor, pain, and suffering of this life, which can occasion the realization of the love and sacrificial obedience of the martyr and of the genuine, mature Christian. Yet again, suffering and works of penance are not ends in themselves, but only attain value in Christian terms inasmuch as they occasion and serve the intense love and sorrow of the true Christian.

²⁹ "Si autem pro peccatis non satisfaceremus, Christo similes non ita essemus" (*CT VII*, 247.5-9).

³⁰ *CT VII*, 267.11-17.

³¹ "The fact that the early Church . . . took public action against the sinner (and this in principle even when his sin was occult) is based on the consciousness that the sinner has

Also, the Council resolutely maintained that the sinner cannot on his own cancel his debt of temporal punishment, just as he can do nothing to wipe out his sin. The initiative, all held, lies wholly with God; pardon is His alone to give. Once justified, in the power of the Spirit man's love and sorrow make good the debt outstanding. This labor is nonetheless wholly the Father's gift in Christ through the Church's sacramental sign. Nor does this exertion of the just take away from the redemptive merit of Christ, the life-giving vine for the Church.³²

God in His justice, the conciliar theologians commonly held, exacts reparation from him who breaks the baptismal covenant of grace. Yet they saw this labor of penance as twofold in effect. It not only meets the demands set by divine justice; but as well, it heals the wounds of sin.³³ Indeed, the Council went on to teach that the priest in the sacrament is to act primarily as physician,³⁴ so that when the penitent labors to make good the injury his sin brought upon himself and the Body of Christ, he is canceling his debt of temporal punishment, and the penitent through such atonement comes to be like Christ.³⁵ When we, declared a Dominican, undergo this labor, Christ too is actually repairing the evil of sin, because he, the head, is acting through us, his members. Our effort is therefore Christ's also. This theologian went on to say that by suffering with Christ, man somehow is of service to Christ in bringing the benefit of his passion to others. The more he sorrows with Christ, the more he shares with Christ in his saving work. And if the penitent can be intensely contrite, all his own temporal punishment is wiped out along with his sin.³⁶

In its canons on penance the Council firmly taught that the entire

transgressed even against the Church. The early Church, in her penitential discipline, is not only the representative of God who helps the sinner to get rid of his guilt against God—as we are forgetfully inclined to think nowadays—but she is also the representative of God who reacts against the injustice which has been done to her—although she reacts, of course, with a strictness which is the manifestation of the curative mercy of God" (K. Rahner, "Forgotten Truths concerning the Sacrament of Penance," *Theological Investigations* 2 [Baltimore, 1963] p. 138).

³² E.g., Melchior Cano: "Et nostra satisfactio Dei etiam est gratia. Deus enim ob suam bonitatem facit, quod, quae sunt gratia, nostra sint merita. Unde nostra opera, quatenus meritis Christi innituntur, meritoria sunt" (*CT VII*, 263.42-44). Cf. also *CT VII*, 257.6-7; 260.12-13, etc.

³³ Cano again: "Et eadem poena non est tam vindicativa, quam etiam medicina, ut patres omnes senserunt. Unde concilium Lateranense dicit: more periti medici etc., et Paulus: 'In salutem stabilem operatur.' Ita enim Deus ut iudex punit, ut pater corrigit, ut medicus medetur, cum affligit" (*CT VII*, 262.5-8). Cf. also *CT VII*, 256.10-12.

³⁴ Cf. the Decree, chap. 8 (*CT VII*, 354.12-16, 19-21).

³⁵ Cf. Salmerón, *CT VII*, 247.5-9.

³⁶ Bernard de Collaredo, *CT VII*, 281.7-17.

temporal punishment is not always remitted along with the guilt (canons 12, 15).³⁷ The bishops held this to be a factor that truly distinguishes penance from baptism. In answer to the Reformers' questioning of the matter, the Council urged the penitent to meet in different ways the debt of temporal punishment outstanding. This he can do by carrying out the penance that the priest sacramentally imposes upon him (canons 13, 15), by patiently bearing the sufferings of this life (canon 13), by freely taking on fasts, almsgiving, prayer, or by other godly exertions (canon 13). And again (note how definite the Council was on this point) the penitent, it was explained, makes these efforts in order to receive a full and perfect remission of his sins (canon 4). Trent found unacceptable the Reformers' assertion that satisfaction is but "to walk in newness of life," because this tenet appeared to deny the force and use of the labor required of the penitent (canon 13, chap. 8).

Above all, the bishops were concerned to propose that the Church can direct the penitent in this activity (canon 15). We note, though, that they did not say how effectively the labor suggested would cancel the debt of punishment outstanding. In fact, throughout the conciliar debates those at Trent recognized the decisive role of the penitent's disposition. For example, the Council directed confessors—and indicated to them that they would be thereby acting in a way proper to the sacrament—to impose a penance upon the penitent only "quantum spiritus et prudentia suggesserit."³⁸ That is, when imposing satisfaction, the priest must first purpose to encourage and to cultivate the penitent's renewed good will and disposition. Also, Trent did not actually say whether or not one's refusal to carry out the satisfaction imposed (or, for that matter, failure to impose the penance on the priest's part) would invalidate the sacrament. Certainly, things would not be complete. To take up such a question would have meant solving a scholastic dispute between the Thomist and Scotist schools as to what precisely is the essence of the sacrament; and this the Council refused to do. Still, it is significant that Trent's first concern was to doctor the disposition of the penitent.

Again, the exertion of man that goes under the term "satisfaction" is that seen by Trent as needed to restore the penitent fully to his baptismal vitality.³⁹ But this labor was seen to be at the same time an expiation: growing in contrition and love, he is getting rid of a sinfulness that God will punish, if not in this life, then, owing to the penitent's neglect of the effort in question, in purgatory; for the Council insisted, against the

³⁷ For the canons on penance, cf. *CT VII*, 357 ff.

³⁸ Decree on Penance, chap. 8 (*CT VII*, 354.12-16).

³⁹ The life that forgiveness through baptism brings is only regained through the "more laborious baptism" that is penance; so the Decree, *CT VII*, 345.16-22.

Reformers, on this expiatory aspect of man's penitential action. The Decree on Penance, however, rather than enlarging upon the punitive justice of God, gave primary emphasis to His love and mercy. Man does not, Trent believed, come to make satisfaction, as it were, by compensating an infinitely injured God who is angry and punitive. The bishops' whole decree militates against such a view. They begin by speaking of a God who is loving and abounds in mercy, who takes the initiative. It is God, not man, who sets out to reconcile man with Himself and who brings this reconciliation to fulfilment.⁴⁰ Yet God does this without in any way taking from the dignity of man, who can enter into a loving relationship only if he retains his title to act freely. And as man freely under grace chooses to be baptized into Christ, so too, as Trent understood it, God calls on man to labor freely to complete his reconciliation through penitential activity. In both cases God's power begins and encompasses all (chap. 1). In both cases man is properly free and becomes more fully so through the sacrament. Love requires free dedication; and love, Trent taught, is dominant in the sacrament of penance: love begins the process of reconciliation and love is its goal. It is God's great love for us that draws us to make this exertion (chaps. 8, 9); and this labor, as we saw, is to be imposed and regulated not woodenly but in the best interests of the penitent himself. One thing is becoming quite clear now: in the Decree itself the legalistic term "satisfaction" which Trent has been working with is really quite inadequate to express what goes on. Even the Council had explicitly to pare down the juridical connotation: satisfaction, it taught, is not to be seen as a penalty (chap. 8); the activity which the confessor—"judge" imposes is first to improve the disposition of the one judged, and so properly and more fully to reconcile him with Christ and with the other members of the community of love (*ibid.*). The legalistic imagery here takes on an entirely new meaning: as Christ in the sacrament "judges," he declares and manifests in his community his forgiveness of the penitent; and not merely that, but his word of judgment creates new life; and Christ's instrument, the confessor, is to foster that new life already abounding in the penitent. The term "satisfaction," therefore, as Trent uses it, serves more to denote the work of the divine physician as he enables a friend to be more loving. What, then, precisely the Tridentine term denotes juridically is this: God will hold blameworthy those who choose to reject His call to full restoration in Christ.⁴¹

⁴⁰ The Decree, chap. 8 (CT VII, 354.19-21); chap. 1 (CT VII, 344.10-14).

⁴¹ On those who freely refuse the offer of restoration in Christ, cf. Vatican II's Declaration on Religious Freedom: "He [Christ] did indeed denounce the unbelief of some who listened to Him; but He left vengeance to God in expectation of the day of judgment" (no. 11 [*The*

TRENT'S TEMPORAL PUNISHMENT TODAY

What does this notion of temporal punishment due to sin indicate to us today? Briefly, the answer lies first with the damage sin causes to the disposition of the just man. Without the gift of justice and love, the bishops at Trent insisted, sin is not forgiven, nor can the justified man be freed from temporal punishment. At Bologna the view clearly obtained that an intense love and sorrow remits all temporal punishment. In fact, this belief proved decisive in bringing the qualification *plerumque* into the Tridentine canon on temporal punishment: the Council's position is that "generally" temporal punishment remains to be expiated after sin is forgiven, but not always.⁴² Conciliar discussion had often enough noted the disposition of the martyr or of the person who dies in holiness and resignation. These sacrificial dispositions warrant the remission of all temporal punishment.⁴³ Was not Christ because of his great love obedient unto death for the remission of all sin? A "satisfaction" of Christ—and this became more evident in the conciliar debates on the Mass—is identically this sacrificial will of Christ actualized on Calvary.⁴⁴ Also, Trent had pointed to the willing acceptance of an

Documents of Vatican II, p. 690). "Undeniably, those who willfully shut out God from their hearts . . . are not following the dictates of their consciences. Hence they are not free of blame" (*The Church Today*, no. 19 [*Documents*, pp. 216–17]). "Before the judgment seat of God each man must render an account of his own life, whether he has done good or evil" (*ibid.*, no. 17 [*Documents*, pp. 214–15]).

⁴² Canon 30 on Justification (*CT V*, 799.36–39).

⁴³ It could not be cruel suffering or death in itself that remits punishment of sin. The difference between him who dies a martyr and him who suffers but not as a martyr, is that in the former there is a disposition that the Church honors which is not present in the latter. That is, what counts for remission of sin's punishment is the disposition of a man as he endures such suffering.

⁴⁴ An investigation, I maintain, of the Tridentine conciliar debates on the propitiatory value of the Mass shows this. E.g., the Council came to propose that the Last Supper and the Mass are truly propitiatory, while not taking away from the uniqueness of the propitiation of Calvary. Operative behind this position was the conviction that the same offerer and same loving, obedient will unto death are present not only on the Cross but at the Supper and at Mass. (Note a need for a real presence of the same offerer and victim.) We cannot tell if all agreed with Laínez (many expressed the same opinion) that Christ's passion showed the summation of a will that is always consummately perfect and propitiatory. Yet the conciliar position on the propitiatory value of the Supper and of the Mass does stress the primacy of the interior disposition of Christ in the matter of his sacrifice being a unique one. This primacy, said Laínez, is truly Paul's thinking too: "passio Christi comprehendit omnes actus Christi, qui ea omnia eadem caritate fecit, quae tamen in cruce magis cognoscitur. . . . Quare Paulus dicit, quod propter obedientiam dedit illi Deus nomen supra omne nomen, et exaltavit illum etc. ergo tribuitur exaltatio Christi obedientiae, quae in omnibus Christi fuit, ergo non soli cruci" (*CT VIII*, 787.35–41; 788.1–4).

exertion (suggested by the priest or spontaneously taken on in piety or in patient acceptance of life's hardships) as canceling the debt of temporal punishment. Such humble action simultaneously brings one to resemble Christ in his satisfaction (chap. 8 on penance). Finally, the Council pointed out what it believed to be an indispensable disposition for obtaining the benefit of Christ's passion while taking part in the Eucharistic celebration. One will not find God propitious, Trent taught, if one does not come to the Eucharist humbly contrite, and lovingly obedient like Christ, who was obedient unto death (Decree on the Mass, chap. 2). On the other hand, this assistance at Mass, the Council proposed, is most effective for remission of temporal punishment due to sin; it is such a disposition that finds God propitious to remit this punishment.

We conclude that Tridentine satisfaction has as its characteristics love, sorrow, and obedience. And the way to do away with the debt of temporal punishment is to deepen this Eucharistic disposition. It is when the penitent attains to this proper Christian disposition, which sin has prevented him from achieving, that he is freed from the debt of temporal punishment. Temporal punishment, that is, is something man must undergo because he is failing as a member of Christ. Under such an anachronistic theological construct, "debt of temporal punishment," Trent was in fact reminding the flock of Christ of the duty to remedy that failure, a failure moreover that to a minor extent generally remains even after God brings the sinner back into His friendship.

We are not proposing that this Tridentine teaching has a role to play which is decisive in solving peculiarly pastoral and liturgical problems facing the Church today in the area of penitential reform. We observe, however, that one cannot simply ignore precedent. On the other hand, the normative influence of precedent ought not be exaggerated. It is better to have penitential discipline of the past *assist* the process of determining the genuine needs of the present.⁴⁵ Accordingly, our study brings us to propose that in renewing penance we keep in mind that Catholic practice requires that the Church look to the further renewal of the penitent after his sin has been forgiven.

An excellent means to make good the degree of failure not yet remedied is (as Trent itself suggested) to assist at the Eucharist with the "proper" disposition. The closer one resembles Christ's own love and obedience unto death, Trent indicated, the more effectively does one's assistance wipe out sin and its punishments. Vatican II denotes this "proper"

⁴⁵ Cf. Carl J. Peter, "Renewal of Penance and the Problem of God," *THEOLOGICAL STUDIES* 30 (1969) 489-97.

disposition as an offering: "by offering the Immaculate Victim, not only through the hands of the priest, but also with him, they should learn to offer themselves too; through Christ the Mediator, they should be drawn day by day into ever more perfect union with God and with each other, so that finally God may be all in all" (Liturgy, no. 47).

All are to join in this offering. It responds to the Pauline exhortation "Si compatimur, et conglorificabimur," which was a leitmotif throughout Tridentine discussion on satisfaction; for by this offering (and this was Trent's mind too) Christ not only draws near to the penitent, but through him Christ then communicates the benefit of Calvary to others. As for those rarely gifted ones who are free of any debt of temporal punishment, they are free precisely because God has given them more and brought them to a pitch of dedication to His Son and willingness to share in his redemptive work. The Church, Vatican II declares, always stands in need of the expiatory value of such dedication: "While Christ, 'holy, innocent, and undefiled,' knew nothing of sin, but came to expiate only the sins of the people, the Church, embracing in its bosom sinners, at the same time holy and always in need of being purified, always follows the way of penance and renewal" (The Church, no. 8).

Vatican II also points out that it is the martyr who manifests this disposition most clearly. In martyrdom he is transformed into an image of the Master by freely accepting death for the salvation of the world and by his conformity to Christ in the shedding of his blood; and all must seek to be so generously disposed (*ibid.*, no. 42). The Council goes on to speak of the aspect of joy and triumph, an aspect present in the Tridentine motif "si compatimur," and gives new and needful emphasis to the inspiration that comes from the presence and example of the risen Lord:

The Church, "like a stranger in a foreign land, presses forward amid the persecutions of the world and the consolations of God," announcing the cross and death of the Lord until he comes. By the power of the risen Lord it is given strength that it might, in patience and in love, overcome its sorrows and its challenges, both within itself and from without, and that it might reveal to the world, faithfully though darkly, the mystery of its Lord until, in the end, it will be manifested in full light. (*ibid.*, no. 8)

Through fruitful celebration of the Eucharist, we again remind ourselves, one can nourish that dedication which Christ deigns to use in his redemptive work, and which leads to and is the remission of the debt of temporal punishment.

Finally, our study leads us to suggest that if the penance imposed in

present practice is "mostly unrelated to the sins confessed,"⁴⁶ then Trent's position counsels us to change that practice. The Council's accent had fallen upon the educative role of the penance imposed. Trent's primary concern here, as we found, was to cure and to act with prudence in regard to the disposition of the penitent. Precisely by attending to this recuperation, Trent hinted, the injury brought by sin to the Body of Christ is repaired and a more glorious restoration is brought about.

Can confession and direction of the penitent to appropriate effort be administered separately from the absolution? Trent left the matter quite open (see n. 15 above). The penitent must at an opportune time confess and undertake the penance imposed. Yet nothing at Trent precludes the development today of a sacramental, public service of penance, and one carried out before celebrating the Eucharist.⁴⁷ Moreover, a new penance, we believe, need not be imposed each time an absolution is given: first, because like integral confession,⁴⁸ the *imposing* of a satisfaction is one of a hierarchy of values that God has put at man's service for salvation;⁴⁹ second, Trent taught that the education of the penitent's disposition is to receive first priority in regard to the imposing of satisfaction. What, therefore, is of ultimate concern is that the penitent strengthen his dedication to Christ. Consequently, what exertion is to be suggested, and when, can vary corresponding to the changing need of the penitent, who is to be brought on here very slowly, or there quickly, in God's service.

⁴⁶Cf. P. Riga, "Penance: A New Orientation," *American Ecclesiastical Review* 163 (1970) 407-15. "The present discipline...because of place, time, mechanization and routine, can well be detrimental to in-depth spiritual and moral growth. The simple mechanism of accusation of sins, absolution and mostly unconnected penance, is not at all acceptable to great numbers of the serious faithful who are anxious to grow spiritually and morally" (*ibid.*, p. 413).

⁴⁷Riga proposes, e.g., that the penitential rite at the beginning of Mass be developed into a sacramental one (*art. cit.*).

⁴⁸Cf. Peter, "Auricular Confession and the Council of Trent," pp. 198-200, especially: "It [Trent] asserted integrity as a value, recognized that the latter exists concretely in the midst of other values that taken together form a hierarchy. Sometimes those other values take precedence; sometimes they do not. Which ones do and which ones do not? To make Trent decide that is to do violence to its teaching. To assert that integral confession is required by a purely disciplinary law is the other extreme and no less prejudicial..." (pp. 199-200).

⁴⁹The present practice of the Church already implicitly recognizes that the penitent can receive the sacrament validly and most fruitfully even though in fact the element of imposing satisfaction may never be attended to (cf. Pius XII's direction to army chaplains on general absolution; also the practice of giving conditional absolution, and giving absolution even a number of times to a person of long illness, who as yet has been unable to confess and carry out satisfaction). Therefore, this element too is one of a hierarchy of values. Cf. n. 48 above.

Hence wide freedom should be left to the pastoral theologian in the matter. Certainly, Trent would forbid that a burdensome, discouraging penance be imposed and would eschew a discouraging manner on the part of the confessor. Then again, in the case of one suitably disposed and willing, a heavier penance could be imposed for the greater devotion of the penitent. Also, it might well be that a confessor would carry out his duty by simply indicating where a penitent's course of action was leading him, or by encouraging the penitent to one or other helpful exertion without imposing any obligation upon him. The role of the confessor in the matter of imposing satisfaction should be seen more as director than as judge meting out penalty, no matter how light the latter is. Of course, the confessor, acting in the name of Christ and duly constituted by the Church, has the right and the duty to direct the penitent in his labor of wiping out the debt of temporal punishment. But the pastoral theologian should determine the lines and limits of this direction. Certainly, one cannot say that if a particular penance imposed is not carried out, the sacrament has not been validly and fruitfully received. On the other hand, if the penitent neglects the penance imposed sheerly because he rejects the authority of the Church to direct him in this matter, he would then run counter to what Trent held as crucial, and his disposition to receive the Church's sacrament would be questionable. Yet, in our present practice, do we confessors ever become anxious, as if part of our role were that of a judge who must hand down penalties, or of a judge who hands out penances in a mechanical and fruitless fashion? Ought we not, in looking to the renewal of penance, keep in mind that we are, as Trent proposed, to act on behalf of the divine physician and seek only to secure the penitent in his Christian disposition?