

Sign of Reconciliation and Conversion? Differing Views of Power— Ecclesial, Sacramental, Anthropological—among Hierarchy and Laity

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Abstract

Monika Hellwig's 1982 history and theology of the sacrament of penance, *Sign of Reconciliation and Conversion*, is representative of the expectations that theologians and pastoral ministers had for expanded forms of the sacrament. Pope John Paul II's 1984 exhortation, "Reconciliation and Penance," produced a contrasting history to assert private confession to a priest as the church's continuous tradition. That this instruction found little traction is evident in subsequent directives combatting a "crisis" of confession and the proliferation of communal penance services. The article concludes with a theological analysis of the theoretical and practical state of the question today.

Keywords

authority, church, confession, conversion, hierarchy, laity, Monika Hellwig, John Paul II, penance, reconciliation, rites, sacrament

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Fulfilling the Second Vatican Council's mandate for a revision of the "rite and formulae of Penance" that would "more clearly express both the nature and effect of the sacrament,"¹ the Congregation for Divine Worship decreed implementation of the reformed Rite of Penance on December 2, 1973. Whereas the council's directive in *Sacrosanctum concilium* was so succinct as to comprise all of one sentence, the decree and introduction to the new Rite of Penance were characteristically thorough in articulating a theology for the practice, including the church's primordial, dominical, evangelical duty to proclaim repentance, "calling the faithful to continual conversion and renewal."² Yet already in the 1960s practice of confession was in significant decline in many parts of the world, such that by the time implementation of the approved English translation of the rite in the United States was underway in the mid-1970s, the pop cultural Catholic image of the Saturday confessional lines was largely a memory. Historian James O'Toole recounts how "in the mid-1960s, confession seemed to disappear almost completely from the fiber of Catholic identity and custom. . . . Practically overnight, the lines of Saturday afternoons vanished and the hours appointed for confession dwindled as even the most ardent Catholics stayed away."³ Ten years after Pope Paul VI's approval of the revised Rite of Penance, Pope John Paul II in 1983 convened the Sixth General Assembly of the Synod of Bishops to discuss the related themes of reconciliation and penance, a topic that numerous bishops from around the globe had suggested with concern not only for the church's broad mission of reconciliation (*ad intra* and *ad extra*) but also with special urgency for what they assessed to be the troubled state of the sacrament of penance among both laity and clergy.⁴

Meanwhile, during that heady period of studying and implementing the full panoply of renewed ecclesial rites, North American sacramental-liturgical theologians were publishing an impressive complement of articles and books, which clergy, religious, and burgeoning ranks of engaged laity read singly and in academic courses and summer institutes across the continent. Publisher Michael Glazier enlisted Monica

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1. *Sacrosanctum concilium*, the Constitution on the Sacred Liturgy, no. 72, in *Vatican Council II: Volume 1, The Conciliar and Post Conciliar Documents*, rev. ed., ed. Austin Flannery, O.P. (Northport, NY: Costello, 1996) 22.
 2. Rite of Penance, Decree of the Sacred Congregation for Divine Worship, in *Rites of the Catholic Church: Volume One* (Collegeville, MN: Liturgical, 1990) 524.
 3. James O'Toole, "Hear No Evil: Perhaps the Most Striking Development in the Practice of Confession in the U.S. Has Been Its Disappearance," *Boston College Magazine* (Fall 2000), http://bcm.bc.edu/issues/fall_2000/features.html (all URLs referenced herein were accessed April 14, 2014). See also, Leslie Woodcock Tentler, "Souls and Bodies: The Birth Control Controversy and the Collapse of Confession," in *The Crisis of Authority in Catholic Modernity*, ed. Michael J. Lacey and Francis Oakley (New York: Oxford University, 2011) 293–315, at 291, 306–7.
 4. John Paul II, "Reconciliation and Penance" (December 2, 1984) no. 4, http://www.vatican.va/holy_father/john_paul_ii/apost_exhortations/documents/hf_jp-ii_exh_02121984_reconciliatio-et-paenitentia_en.html.

Hellwig to edit their Message of the Sacraments series, producing in the early 1980s books on each of the seven sacraments plus a volume on sacraments in general. Prominent among the objectives for each author was an accounting of “the existential or experiential meaning of the sacrament in the context of secular human experience,” as well as “a theological exposition of the meaning, function and effect of the sacrament in the context of present official Catholic doctrinal positions.”⁵ The work was to mine history while being mindful of contemporary pastoral needs. In her preface for the series Hellwig presented the volumes as serving the church “at a critical juncture in its history . . . a trying and often frustrating time for those most interested in the life of the Church and most deeply committed to it,” including the series’ authors, who had “undertaken the study [with] sober optimism.”⁶ Notable among the contributions were Nathan Mitchell’s on the sacrament of order,⁷ James Empeur’s on anointing of the sick,⁸ and, arguably most impressive of all, Hellwig’s contribution on penance. Her *Sign of Reconciliation and Conversion: The Sacrament of Penance for Our Times* appeared just a little over one year prior to John Paul’s convening of that episcopal synod in October 1983.

Hellwig’s is an exemplary work in sacramental theology. In just a little over 150 pages she achieved a lucid and beautiful integration of pastoral, theological, and historical aspects, due to the clarity of the fundamental insights she pursued with compassion for the contemporary faithful in a time of great anthropological and, thus, practical-ecclesiological change. Reading Scripture and tradition historically with a view to what conversion (with its cognate, repentance), reconciliation, and penance might mean now for the faithful—personally, interpersonally, and communally—she hit all the right pastoral (and thus, theological) notes. Reading in tandem John Paul’s 1984 postsynodal letter, “Reconciliation and Penance,” one is struck by how prominently the same categories of reconciliation, conversion, and repentance shape the composition and yet ultimately come together in a significantly different—and occasionally discordant—key from Hellwig’s composition.

My article first reviews Hellwig’s sacramental theology of conversion with a view to how she perceives power—not only divine but also human, between clergy, religious, and laity—to be at work in practices of repentance and reconciliation. Then follows a comparison and contrast of the theological hermeneutics of history, ecclesial authority, and practice in John Paul’s apostolic exhortation, “Reconciliation and Penance.” Theological analysis of those two texts leads to consideration of history, both the authors’ contrasting methodological approaches to history and the historical context of their writing, that is, the “world behind” their texts. The context has in the

5. Monika K. Hellwig, *Sign of Reconciliation and Conversion: The Sacrament of Penance for Our Times*, Message of the Sacraments 4 (Wilmington, DE: Michael Glazier, 1982) vii.

6. *Ibid.* viii.

7. Nathan Mitchell, *Mission and Ministry: History and Theology in the Sacrament of Order*, Message of the Sacraments 6 (Wilmington, DE: Michael Glazier, 1982).

8. James L. Empeur, *Prophetic Anointing: God’s Call to the Sick, the Elderly, and the Dying*, Message of the Sacraments 3 (Wilmington, DE: Michael Glazier, 1982).

ensuing decades only become more contested as to understandings and practices of ecclesial, sacramental, and anthropological (individual and communal) power. I end with a practical theological suggestion for the ritual impasse at which North American (and much of global) Catholicism has arrived with regard to the sacrament of penance and rites of reconciliation. This is a matter of second-order theology arising from and returning to first-order theology, of symbol giving rise to thought, and thought returning to symbol. Such hermeneutical circling, the integration of theory and practice, is essential to good sacramental-liturgical theology. This methodological principle I hope to demonstrate in my conclusion.

Hellwig's Sign of Reconciliation and Conversion

For Hellwig, the entirety of the church's mission is the "practical task" of "facilitating conversions."⁹ Elaboration on that initial thesis lays the foundation for all she theologically argues and historically rehearses through the remainder of the book:

More fundamental than any of the obviously religious or "churchy" activities, more fundamental than hierarchic or clerical functions, more fundamental than institutional unity and doctrinal orthodoxy and continuity, is the task of being community, the task of a genuine, practical, far-reaching sharing of life and resources and ideals and mutual respect and support. This is the basic channel by which the grace of God is communicated and becomes effective in rescuing each of us and all of us from our alienation, reconciling us with our true source and goal and center which is God (2 Cor 5:16–21).¹⁰

That clear assertion about the nature of God's grace as situated in human communion, in addition to its description of the paradoxical and elusive nature of sin as asking "for a far more radical faith and trust than most of us are ready to make for most of our lives,"¹¹ shapes the way Hellwig reads the New Testament and Christian origins. Locating the church's meaning and purpose in the person of Christ Jesus, "and not in the light of any codifiable law," she characterizes life "under the impulse of the Spirit" as a lifelong maturation of faith in each believer as well as a "centuries long, continuing and unending journey of discovery for the church,"¹² which church she consistently identifies with the body of all the baptized sharing through word (Scripture, stories, doctrines) and sacrament (symbols and rituals). The priority for interpreting the history and present practices of reconciliation and conversion, therefore, lies with the church's evangelical mission, and all aspects of polity must answer to it. As such, Hellwig's theology is notably representative of the methodologies of *réssourcement*, the new theology, and liturgical movement that altogether found validation in Vatican II, implementation through the Concilium's revision of all the rites,¹³ scholarly

9. Hellwig, *Sign of Reconciliation* 23.

10. *Ibid.* 23–24.

11. *Ibid.* 22.

12. *Ibid.* 23.

13. "Concilium" is the name of the Vatican-assigned team that composed the new rites.

dissemination internationally through the writings of Edward Schillebeeckx and Karl Rahner, and in North America through the educational and popular writing achievements of Hellwig and such colleagues as Bernard Cooke and Gerard Sloyan.¹⁴

Theological Enlistment of History

Hellwig's four-chapter historical survey of Christian repentance and conversion follows the widely accepted two-stage pattern that characterizes, first, the patristic era in terms of public canonical penance (*exomologesis*), which gradually collapsed as a second pastoral-ritual process developed in the form of private confessions to monks and, by the end of the first millennium, to priests.¹⁵ Elements of both types finally merged during the medieval period into the sacrament of confession as prescribed at the Fourth Lateran Council and later confirmed by the Council of Trent, such that auricular confession submitting to the judgment of a sin-absolving priest remains the official, mandatory form of penance to this day. Hellwig rehearses that history so as to arrive at "one point" she asserts is "quite clear," namely, that since "the community has in the past developed the rites according to the needs of the times, therefore it can assuredly continue to do this in the present and future."¹⁶ That conviction, coupled with her pastoral passion for the church as "the great inclusive sacrament of repentance . . . co-extensive with that totality of ['secular'] life together,"¹⁷ shapes her theology of the sacrament, past and present, its efficacy, and her assessment of contemporary problems, not the least of which is a too narrow identification of sacramental grace with clerical ritual.

Hellwig's theological method, then, is to read history with an eye to variety, contestation, change, and evolution, but not so as to find amid (or worse yet, despite) the details the red thread of some inerrant constancy of ideology and practice. Her aim, rather, is to flesh out in the eschatologically tense body of Christ the strengths and weaknesses, advances and setbacks in the church's life that *is* an ongoing conversion. The subjects of Christian conversion, then, are not only individual believers but also the church—leaders and laity, in doctrine and practice—in particular places and successive eras. The power and assurance of graced mission in the vicissitudes of history is the Spirit of the One who raised Jesus from the dead.

The *anamnesis* performed especially in the Eucharist Hellwig situates front and center in her treatment of the first quarter of Christian history, for it manifested amid the

14. See Patrick W. Carey, "Two Pioneers in Theological Education: Gerard S. Sloyan and Bernard J. Cooke," *U.S. Catholic Historian* 20:2 (2002) 1–12.

15. For other historical studies, see Joseph A. Favazza, *The Order of Penitents: Historical Roots and Pastoral Future* (Collegeville, MN: Liturgical, 1988); James Dallen, *The Reconciling Community: The Rite of Penance*, Studies in the Reformed Rites of the Catholic Church 3 (New York: Pueblo, 1986) 1–201; and Annemarie S. Kidder, *Making Confession, Hearing Confession: A History of the Cure of Souls* (Collegeville, MN: Liturgical, 2010) 1–189.

16. Hellwig, *Sign of Reconciliation* 62.

17. *Ibid.* 29.

assembly of the baptized each Lord's Day the divine grace of repentance and reconciliation fundamental to the long, slow, gradual conversion tacitly characteristic of daily Christian life. Augustine's writings attest to thrice-daily recitation of the Lord's Prayer and constant acts of charity as characteristic of that quotidian ecclesial life of reconciliation and conversion. He also, among others, recounts the pattern, purpose, and cause for what had become canonical public penance—*exomologesis*—the church's way of dealing with the serious, capital sins of apostasy, adultery (or fornication), and murder. Hellwig is quick to point out that the typical translation of *exomologesis* as "confession" can be deceiving if anachronistically understood to imply simple confession of specific sins directly to a priest (which in that era would normally have been the bishop). In fact, Tertullian, Cyprian, Leo the Great, and others employ the term to describe a lengthy, rigorous, public ritual process of prayer, fasting, almsgiving, and symbolic penitential gestures to be performed not only by the capital sinner but at times also by the minister and people with them. The process culminated in the bishop's publically laying hands on the penitent as the sign of readmission to the Eucharist, a ritual event that generally became situated on Maundy Thursday. As for actual articulation of sin(s) committed, Pope Leo (mid-fifth century) made it clear that this should not be a public act, whether verbal or written but rather part of a "secret" discussion with the priestly minister.¹⁸ Leo also describes what other patristic texts attest as well, namely, that the exercise of power by the bishop (or perhaps, in the case of very large dioceses, a priest) was one of intercessory prayer to God *on behalf of the penitent*.

The meritorious feature of canonical penance in the first five to six centuries of the church, Hellwig avers, was its strongly communal, ecclesial, corporate character:

To sin is always to damage the fabric of the community and cause rifts that call for reconciliations within the community. Moreover the sin of each is the responsibility of all. The work of repentance and reconciliation is the work of the whole community. All must pray and mourn and fast for the sins that break the fabric of the community and all must mediate the possibilities of repentance and conversions for one another.¹⁹

The ritual process, dramatic as it was, however, had so many serious flaws that its collapse into desuetude proved inevitable. The principal fault lay with the narrow list of three capital sins that, focused exclusively on individual acts, ignored the wider social

18. Ibid. 39. James Dallen, likewise noting Leo's letter of 459, provides this explanation: "In one sense, confession was private, insofar as counseling is concerned (though when it became customary is conjecture), but the significant confession was public: the *exomologesis* by which the penitent heard and responded to the call to conversion and confessed the One whose merciful love had brought salvation to the sinner. Confession for the ancient Church was praising God for compassion to the sinner. The returning sinner's meeting with the bishop was no more and no less than the pastoral counseling that such a person would seek and receive today" (Dallen, *Reconciling Community* 67).

19. She adds, "This sense of corporate involvement tended to disappear with the gradual disuse of canonical penance, though there are remnants of its survival in the celebration of Lent, Advent, Ember and Rogations days" (Hellwig, *Sign of Reconciliation* 65–66).

body's accountability for their occurrence and, with that, others' tacit complicity through related harmful actions, practices, and social conventions. Plus the penalties were so severe—especially the requirement of lifelong celibacy for sins against chastity—that people avoided *exomologesis* while still publicly receiving Holy Communion.²⁰ For Hellwig the key fault lay in a rigid distinction between saints and sinners that flagrantly contradicted the gospel message at the heart of the church's life, namely, "the ongoing need of conversion for all."²¹ For those reasons Hellwig judges as inevitable the emergence of new forms of penance and reconciliation suitable to the church's mission of being the sign of reconciliation and conversion in the world.

Salutary was the Celtic practice of confessing sins in the course of individuals' seeking counsel with monks, both male and female, whose very way of life was "voluntary penitence in the quest for perfection."²² In that context the practical understanding of penance was in terms not "of guilt and expiation" but "of woundedness and healing," and the role of the monastic confessor, not of sentencing judge but of compassionate discerner, pleading to God with and on behalf of the penitent.²³ Such practices came to flourish in the Celtic and British Isles, then spread back onto the Continent where, by the ninth century, private confession to priests of all but the most notorious, egregious acts was becoming widespread. While synods advanced the convention of private confession, they nonetheless left to the priest-confessor both criteria for judgment of sin and the penance to be assigned. In that official vacuum developed priests' penitential books and the indexing of sins and their tariffs, whose private and arbitrary (thus, unofficial) qualities bishops opposed. By the turn of the second millennium the heavy tariffs had ceded to decreasingly severe penances, and those increasingly to be performed *after* the priest-confessor declared the penitent reconciled. With all of that and more came increased regular confession of less grave sins, especially during Lent and in relation to Easter communion.

Lateran IV's mandate of the "Easter Duty" in 1215, then, was not a new invention. Hellwig assesses the resultant sacrament of penance to be a merger of some of the better qualities of both the earlier traditions, canonical and monastic. Notable among that council's regulations for confession, and reinforced at Trent in 1515, however, was approbation, "almost without any discussion or critical reflection,"²⁴ of the formula of forgiveness having changed from the minister's intercessory prayer *to* God for the penitent to his *declaring* sins forgiven *in the name of* God. The unequivocal identification of the church's power to forgive sins with the power of office (through priestly ordination), and with jurisdiction (through episcopal assignments of priests to parishes) had consequences Hellwig articulates with pastoral passion:

20. "Indeed, some bishops such as Caesarius of Arles explicitly counseled the delay of penance, and many would not allow it to married persons except by consent of both spouses and on account of the enforced life-long continence associated with it" (ibid. 41).

21. Ibid. 45.

22. Ibid. 66.

23. Ibid. 67.

24. Ibid. 73.

Those who, as in former times, are deeply experienced in the life of the Spirit and have a special charism for reconciliation and conversion of others are now very distinctly barred from the ministry of sacramental or ecclesial reconciliation if they are women or unordained men. Their ministry of guiding others through a conversion, while in itself perhaps deeply and far-reachingly effective, as in the case of Catherine of Siena, for instance, simply “does not count.”²⁵

Herein lies the power struggle—human and divine, the faithful and the Holy Spirit²⁶—that Hellwig reads throughout the history of the church. In this case, she recognizes divine provision for the needs of the baptized through the pastoral qualities of the monastic centers and the eventual mendicant friars, resulting in “a practical implementation [of the sacrament of penance] that was more human, more personal, more concerned with conversion.”²⁷ The dangerous forms of human power menacing the rite of penance included a juridical tenor of “court process, judgment and sentence” that tragically inverted the priority of spiritual direction and confession of sin, thereby reducing the latter to rote lists of offenses complemented by conventional penances of memorized prayers.

Ministry to Conversions: Official Rites and Communal Charismata

In contrast to routinized recitation of sins in the confessional, Hellwig desires that *genuine* conversion—she does not prescind from such adjectives, quite the opposite²⁸—be fostered so that the authentically evangelical life of the church, in its members, might flourish. Turning her analysis to the reformed Rite of Penance (1973) in its provision of three ritual forms,²⁹ she places much hope and promise in the third form, with its communal celebration of word, prayer, and general sacramental absolution, even as she notes its being “hemmed about with many restrictions.”³⁰ And at this

25. Ibid. 74.

26. “In many ways, therefore, the living Spirit in the living Church simply could not be confined within the ironclad system described in the ruling of the Fourth Lateran Council” (ibid. 75).

27. Ibid. 76.

28. As the book advances, modifiers pervade Hellwig’s rhetoric of conversion: conversion may be true, continuing, genuine, real, deeper, particular, communal, universally needed, inner, integral (ibid. 74, 77, 79, 80, 86, 91, 95, 108, 111, 118). All such terms, of course, imply the possibility of the opposite qualities (faux conversions, perhaps, or the lack of any conversion at all in mere rote recitations of standard faults and sins, followed by perfunctory prayers prescribed as penance) being operative in individuals, a local community, or even the wider church at any historical moment.

29. These include: (A.) Rite for Reconciliation of Individual Penitents; (B.) Rite for Reconciliation of Several Penitents with Individual Confession and Absolution; and (C.) Rite for Reconciliation of Penitents with General Confession and Absolution. See Rite of Penance nos. 15–35.

30. Hellwig, *Sign of Reconciliation* 82.

point I must switch verb tenses from the present (of her text) to the past (of its historical situation). Hellwig insightfully observed what, at the end of the 20th century, the vast majority of Roman Catholics who had abandoned auricular confession pastorally required. The faithful, she argued, needed to “be challenged not to forget the constant need for discernment of what is sinful and what is redemptive in the world and in one’s own life,” as well as to be “offered help in that discernment.”³¹ She added her candid assessment that for many—indeed, the growing majority—this steady call to conversion and guidance in discernment was all they were willing to accept. Hellwig coupled that analysis with hopeful expectation that the Holy Spirit would guide the leaders of the Church themselves to discern further changes in sacramental practices and canonical regulation of penance.

Hellwig did not downplay the crisis that had beset the first form of the Rite (auricular confession). She described the laity’s responses to it as ranging from the majority’s outright abandonment of it to a troubled small minority’s “unwillingness to drop the practice while nevertheless unable to make any sense of it.”³² Extensive interviews in the years immediately after the implementation of the revised Rite of Penance found that even those still feeling obligated to go to confession largely had “concluded that sacramental penance does not make any difference,” making it “a sign of something that it does not effect.”³³ If that was the way the laity had gone, however, the hierarchy responded in a fashion quite contrary to Hellwig’s optimism that communal rites of reconciliation would flourish.

Communal penance celebrations, Hellwig observed, were proving pastorally suitable to people’s affinity for hearing in common the biblical word of repentance and conversion in conjunction with the sacramental word of forgiveness. Individual needs for support and encouragement could then be met by “that kind of lay and mutual confession that takes place over the kitchen table between neighbors and friends.”³⁴ Likening the dynamic to that of earlier Christians seeking counsel and confession from monks and anchorites, Hellwig added,

31. Ibid.

32. Ibid. 106.

33. Ibid. Hellwig goes on to describe her contemporaries’ alienation from the rite of confession: “Beginning with an examination of conscience in order to come up with a list of recognizable transgressions simply seems irrelevant. Those who manage it, recite the list, are given prayers to say and are pronounced ‘absolved,’ frequently know with a bitter sense of emptiness and discouragement that the whole event has not touched the reality of their lives and therefore has no power to bring the reconciliation they seek. They do not think of forgiveness in juridical categories” (ibid. 108–9). O’Toole likewise gives an account of the US Catholic laity and clergy becoming dissatisfied with how “the perfunctory nature of the encounter [of priest and penitent] lent an air of the assembly line to confessional practice”; compounding disaffection with auricular confession was the growth of popular psychology and broadened awareness of the social and interpersonal dimensions of sin (O’Toole, “Hear No Evil”).

34. Hellwig, *Sign of Reconciliation* 111–12.

Many women who are quiet centers and anchors in their own homes have special gifts of healing, discernment, calling to repentance and reconciliation. In an unofficial and utterly unpretentious way there are many little domestic churches where a basic and authentic ministry of reconciliation and conversion is going on.³⁵

Thus did she situate the power of such ministry in (unofficial) charismata, rather than (official) sacramental orders. In contrast, the Sixth Synod of Bishops, convened almost immediately after the publication of Hellwig's book, resulted in a lengthy papal exhortation that read history with a different hermeneutics of power, charting a way forward that was closed to modification of official rites and, seemingly, to the ways the Holy Spirit might be speaking through voices other than the Roman magisterium.

John Paul II's "Reconciliation and Penance"

In his postsynodal exhortation "Reconciliation and Penance" John Paul II acknowledges early and often the troubled state of penance in the life of the church. That he and the synod of bishops perceived the problem to be of fundamental practical import is evident in the fact that fully half of the entire document is devoted to discussing the "precise ministerial functions directed toward a concrete practice of penance and reconciliation"³⁶—of which auricular confession holds priority and, with it, the office of the priest. John Paul, nonetheless, situates what he calls "the means that enable the church to promote and encourage full reconciliation," in analyses of, first, the church's "mission of reconciliation" between and among God and people and, second, "the radical cause" of all such division, "namely sin."³⁷ Neglect or misunderstanding of sin has come seriously to impede what the church has to offer men and women confounded by "the ferments of good and evil"—divisions, alienations, domination, conflicts—even as people paradoxically demonstrate "an irrepressible desire for peace."³⁸ In John Paul's view, an array of forces—not only across societies but also within the church itself—have resulted in people's attributing evil behavior, discord, and divisions only to "horizontal" or "external" human factors, to the disastrous neglect of the "vertical" and "inner" ones. People thereby tend to propose only "horizontal" or "external" human solutions, without attending to the "inner" reality of sin.

Doctrinally Correcting Conversion's Wayward Course

Various forms of secularism and materialism—popular, political, and philosophical—have, John Paul argues, led to an inversion of the proper priority of conversion over reconciliation, such that people's scattered efforts at peace and justice fail to take lasting hold. Reconciliation, rather, has a "hidden root—reconciliation so to speak at the

35. *Ibid.* 112.

36. John Paul II, "Reconciliation and Penance" no. 23.

37. *Ibid.* no. 4.

38. *Ibid.* nos. 1, 3.

source—which takes place in people’s hearts and minds.” The source or reconciliation, that is, “God’s offer of original reconciliation,” is God’s healing of the wound of original sin, with all its divisiveness, by “the blood and the cross of his Son made man.”³⁹ Only individual conversion of heart, return to God, and personal conversion achieved through the sacraments can ground hope for overcoming divisions and realizing peace “in all sectors of society.” In addition to converting such actual human agents, the sacramental practice of the church performs a prophetic function for wider society. With the *true* meaning of reconciliation being “profoundly religious,”⁴⁰ the church’s “message and ministry of penance” must go “beyond the boundaries of . . . the community of believers,” addressing “all men and women, because all need conversion and reconciliation.”⁴¹

In all this positive content, nonetheless, the reader notes a cumulative sense, through both direct statements and indirect allusions, of what the pope and bishops perceive to have gone wrong theologically, in both theory and practice, over the preceding couple of decades. Not surprisingly, John Paul’s dissatisfaction with liberation theology, that is, his judgment that Marxist materialism had led to the clergy’s direct involvement in socioeconomic-political affairs to the abandonment of the church’s proper mission, looms large throughout the introduction and first two parts of the document. The introduction’s rehearsal of conflicts and divisions includes those in the church itself, which John Paul itemizes as not only denominational separations but also within Roman Catholicism proper, doctrinal and pastoral differences that “at times seem incurable.”⁴²

The upshot of Part One’s explanation of the church’s genuine task and commitment to conversion and reconciliation leads to the opening thesis in Part Two: “In the concrete circumstances of sinful humanity, in which there can be no conversion without the acknowledgment of one’s own sin, the church’s ministry of reconciliation intervenes in each individual case with a precise penitential purpose.”⁴³ The mystery (as inscrutable paradox) of sin, “the dark forces which, according to St. Paul, are active in the world almost to the point of ruling it,”⁴⁴ makes every sin not only personal but also social, leading John Paul to suggest that “one can speak of a communion of sin.”⁴⁵ That rather stunning terminology, the pope acknowledges, is only analogous (to the communion of saints). But the analogical sense of things, he insists, must also apply to social sin, lest the truth that social sin is always the “accumulation and concentration of many personal sins” be lost. On that very point, in fact, John Paul launches into a paragraph-long condemnation of liberation theology’s “watering down” and almost abolishing personal sin and, with it, “the moral conscience of an individual” through

39. *Ibid.* no. 4.

40. *Ibid.*

41. *Ibid.* no. 13.

42. *Ibid.* no. 2.

43. *Ibid.* no. 13.

44. *Ibid.* no. 14.

45. *Ibid.* no. 16.

“an exclusive recognition of social guilt” situated in “some vague entity or anonymous collectivity such as the situation, the system, society, structures or institutions.”⁴⁶ Doctrinal and pastoral troubles, moreover, had emerged in the northern Church as well, not only in analogous corporate (communal) senses of sin acknowledged and assuaged in communal liturgical activity but also, notably, through false pastoral appropriations of the theological concept of fundamental option. It seems that pastoral ministers and theologians had widely come to modify the concept, which for Karl Rahner and Josef Fuchs was a “pre-thematic” category of human subjectivity,⁴⁷ into a psychological explanation of people’s actions that “objectively changes or casts doubt upon the traditional concept of mortal sin.”⁴⁸ Clearly, the hierarchy wished to reassert both formation of conscience and the canonical-sacramental requirements of penitents—works proper to the magisterium and local clergy—as the ecclesiastical mediation of divine forgiving power to human sinners.

John Paul concludes Part Two’s lengthy exposition on sin with a brief assertion that Christ Jesus is the “mystery or sacrament of pietas,” an awkward phrase based on 1 Timothy 3:15–16. The pope meditates on *mysterium pietatis* as “the hidden vital principle which makes the church the house of God, the pillar and bulwark of the truth . . . capable of penetrating the hidden roots of our iniquity in order to evoke in the soul a movement of conversion, in order to redeem it and set it on course toward reconciliation.”⁴⁹ Scripture reveals the *mysterium pietatis* in such a way that man’s intellect can respond in concrete ways to the offer of conversion and reconciliation. Relative to Hellwig’s theology, John Paul’s here is much more a matter of contrast than comparison. While both posit Christ as the key to conversion and reconciliation, Hellwig does so in terms of the person of Jesus as portrayed in the Gospel narratives of his teaching, healing, and reconciling. All this, we should recall, is to assert that “being community” is the fundamental priority for the church’s work rather than any “codifiable law.” John Paul, on the other hand, in identifying “Christ himself” with the arcane term *mysterium pietatis*, turns to hymnic, kerygmatic Pauline and Johannine material⁵⁰ so

46. Ibid. Here the document footnotes the Sacred Congregation for the Doctrine of the Faith’s Instruction on Certain Aspects of the Theology of Liberation (August 6, 1984).

47. See Josef Fuchs, *Human Values and Christian Morality*, trans. M. H. Heelan et al. (Dublin: Gill & Macmillan, 1970) 92–111; and Karl Rahner, *Foundations of Christian Faith: An Introduction to the Idea of Christianity*, trans. William V. Dych (New York: Crossroad, 1978) 93–102.

48. John Paul II, “Reconciliation and Penance” no. 17. Hellwig herself notes this phenomenon, reporting how official insistence upon the obligation to integral confession had raised among theologians, pastors, and laity a series of objections, including “that it rests upon a definition of mortal sin that is rapidly becoming less and less tenable; and finally, that it may be impossible to know all one’s serious sins, if these are not thought of as plainly discernible discrete acts but in terms of fundamental option or in terms of underlying and pervasive attitudes” (*Sign of Reconciliation* 102).

49. John Paul II, “Reconciliation and Penance” no. 20.

50. From the hymn at 1 Timothy 3:15–16, which John Paul extols as “full of theological content and rich in noble beauty,” he lists elements of “the very mystery of Christ” to include

as to rehearse dogmatic categories and mythological imagery that set up the third and final, large pastoral part of the Exhortation. This he does along the lines of hierarchy teaching and disciplining laity (and lower clergy) in matters of conversion and penance, doctrinal and sacramental.

Part Three of the document consequently opens with what one might call the classical Roman Catholic narrative⁵¹ of a seamless transition from Christ the sacrament of *pietas* to the Lord's entrusting the mission of the church to the bishops. A church that "finds herself face to face with man . . . wounded by sin and affected by sin in the innermost depths of his being" is able to continue the "redemptive work of her divine founder" only if "it seeks to express itself in precise ministerial functions directed toward a concrete practice of penance and reconciliation."⁵² The "essentials of that pastoral activity" consist of, first, dialogue and, second, catechesis, all of which should lead the faithful to regular participation in the "sacrament par excellence of penance and conversion."⁵³ One discovers in reading the initial section, however, that dialogue entails those sorts of activities whereby the pope and bishops first work toward ecumenical reunification of the church and resolution of divisions within Roman Catholicism and then, through the Holy See, as advocates for peace and justice in the "wider world."⁵⁴ Dialogue, on the contrary, is not the activity proper to forming the faithful in their ongoing lives of conversion. The faithful, rather, should obediently receive from the magisterium and clergy orthodox catechesis about conversion and sin,⁵⁵ as well as ministration of the full complement of the church's sacraments, all of which guide them toward fruitful use of the sacrament of penance.

his manifestation in human flesh, his constitution by the Holy Spirit as the "Just One who offers himself for the just," his appearing to the angels (over whom he is greater), his being preached to the nations and believed in as the "one sent from the Father" and assumed to heaven. From passages in 1 John he catechizes on God's protection of those born of him from the evil one ("the guarantee and necessary strength not to sin") through "God's seed" (whom John Paul interprets as Christ) abiding in them. *Ibid.*

51. So maintained the Council Fathers: "This sacred synod, following in the steps of the First Vatican Council, teaches and declares with it that Jesus Christ, the eternal pastor, set up the holy Church by entrusting the apostles with their mission as he himself had been sent by the Father (cf. Jn 20:21). He willed that their successors, the bishops namely, should be the shepherds in his Church until the end of the world" (*Lumen gentium*, the Dogmatic Constitution on the Church, no. 18, in *Conciliar and Post Conciliar Documents* 369–70).
52. John Paul II, "Reconciliation and Penance" no. 23.
53. *Ibid.*
54. *Ibid.* no. 25.
55. The lengthy article no. 26 first outlines the threefold value of penance for conversion: a change in attitudes, repentance as "a real overturning of the soul," and validation through doing penance to the point of sacrifice. It then discusses some nine topics about which the faithful are in need of clarification and depth: conscience, sin, temptation, fasting, almsgiving, communion with God and people, "the concrete circumstances in which reconciliation has to be achieved" (family, community, society, creation), the four last things, and the church's social teaching.

Rescuing Confession: A Pastoral Quest Riddled with Conflicting Conversions

Space does not allow a detailed rehearsal of the lengthy arguments, prescriptions, and proscriptions comprising the second and final chapter of Part Three, “The Sacrament of Penance and Reconciliation.” Indeed, that single chapter constitutes 25 percent of the entire document and is, moreover, characterized by far more specific imperatives and conclusions than all the preceding sections. This fact, in the end, indicates that the pope and bishops’ priority does not rest so much with the array of social, global, and ecclesial activities of conversion and reconciliation. Rather, their predominant concern is with proper canonical and sacramental discipline. The previously discussed truths must come to bear “powerfully and clearly” on “the Catholic doctrine of the sacrament of penance.”⁵⁶ Most tellingly, the introductory paragraph of this climactic chapter identifies the practical “crisis” that the synod saw for penance with “the sacrament of confession . . . being undermined” by all the forces rehearsed above.⁵⁷ But note: the fundamental crisis concerns not the Rite of Penance with its three ritual forms, but rather and specifically the sacrament of *confession*. The symbolic power of that latter term, in my opinion, should not be underestimated: Confession is in mortal danger.

The hierarchy’s rescue plan unfolds through a half-dozen “convictions” about confession: (1) the sacrament as “the primary way of obtaining forgiveness and the remission of serious sin committed after baptism”; (2) its functions as “a kind of judicial action . . . before a tribunal of mercy,” with the penitent revealing sins to the confessor and accepting from him the punishment imposed and absolution given; (3) the conditions for validity, completeness, and fruitfulness of the sacramental “sign,” all of which, while a “deeply personal matter,” cannot be reduced to “psychological self-liberation” but, rather, depend on the priest’s power to mediate divine forgiveness; (4) “the individual and ecclesial nature” of this “intimate” sacrament as represented in “the priest by virtue of his sacred office”; (5) the “most precious result of the forgiveness obtained” in the sacrament consisting, first, of reconciliation with God but also of “the forgiven penitent . . . with himself in his inmost being, where he regains his own true identity” and thereby with neighbor, church, and all creation; lastly, and stunningly, (6) the danger to all aspects of a priest’s ministry—indeed, “the whole of his priestly existence” suffering “inexorable decline” if he himself “fails to receive the sacrament of penance at regular intervals.”⁵⁸ There would, of course, be no need for that admonition were the synodal bishops not aware that significant numbers of priests, like the laity they served, had abandoned regular confession. From that fact it is not difficult to assume little promotion of the sacrament by the clergy. Indeed, the pope concludes with an outright plea (“an earnest invocation”) to bishops and priests to encourage greater participation in the sacrament of penance.

56. Ibid. no. 31.

57. Ibid. no. 28.

58. Ibid. no. 31.

John Paul goes on to discuss the ritual forms comprising the reformed Rite of Penance. The first form is “the only normal and ordinary way of celebrating the sacrament, and it cannot and must not be allowed to fall into disuse or be neglected.”⁵⁹ One cannot help but note the desperate tone in that reiteration of the necessity of individual, integral confession; it betrays what statistical data had already established as fact by the early 1980s. The reasons given at this point, however, are of a more remedial and medicinal character than juridical; the pope presses beyond the sacrament’s repair of the broken state of mortal sin to its help with not only venial sins but also such matters of “spiritual progress” as vocational discernment, spiritual apathy, and religious crisis. Such is the very stuff of spiritual direction, he observes, and such is the irreducible value of “the personal decision and commitment . . . clearly signified and promoted in this first form.”⁶⁰ Nonetheless, the great problem with all this, as Hellwig had already implied, is that many priests are not particularly gifted or trained for being spiritual directors. Now several decades later, despite the pope’s call in this apostolic exhortation for a remarkably comprehensive formation of clergy in all aspects of the sacrament,⁶¹ the historical reality is that many priests and ordination candidates may not be so gifted or even so inclined.

Katarina Schuth, a leading social-scientific researcher of seminary education in the US Catholic Church, has provided analysis of statistical data and qualitative research indicating an ever-widening gap in attitudes, approaches, and practices of Catholicism between the millennial (often called the John Paul II) generation of clerics and the people, from old to young, they are assigned to serve.⁶² Among the new generation of seminarians and priests, Schuth recognizes four distinct types of religious backgrounds

59. Ibid. no. 32.

60. Ibid.

61. After explaining “effective performance of this ministry” as dependent upon a number of “human qualities” in the confessor, along with theological, pedagogical, psychological, biblical training plus “docility to [the church’s] magisterium,” the pope asserts seminary training must include “study of dogmatic, moral, spiritual and pastoral theology (which are simply parts of a whole), but also through the study of human sciences, training in dialogue and especially in how to deal with people in the pastoral context” (ibid. no. 29). Still, one must wonder whether such a massive formation, even if actually offered, can be effective when the clerical culture of the seminary, plus the qualities in the actual men accepted, may not be well disposed to the enterprise in the first place.

62. Schuth reports that fully half the US Catholic population were born after Vatican II and that, furthermore, among the youngest (millennial) cohort only 7% strongly identify themselves as Catholic (with 47% weakly self-identifying, leaving 46% in a medium range). This places the millennial-generation priests in stark contrast with their peers, while their largely traditional-to-rigid appropriations of Catholicism likewise place them in tension with the middle and older generations, who maintain a more flexible view of church teaching and practices, for which priests would be servant-leaders and guides, rather than cultic functionaries and authoritative disciplinarians. See Katarina Schuth, “Assessing the Education of Priests and Lay Ministers,” in *The Crisis of Authority in Catholic Modernity*, ed. Michael J. Lacy and Francis Oakley (New York: Oxford, 2011) 321–23.

that account for divergent senses of pastoral identity and practice. The majority of them grew up and are deeply rooted in the faith, although they split between those whose family and parish backgrounds were more progressive and those from more traditional ones who, furthermore, often participated in conservatively traditional Catholic college settings. A second sizable cohort, however, describe themselves as having experienced a “major conversion.” A very small proportion (6%) of these came from another Christian denomination, while most are baptized Catholics who, with little active church background, underwent a “reconversion” to the faith.

These men usually have enjoyed only a short-term or sporadic association with a parish and thus lack familiarity with parish life because of the rather sudden shift in their life direction. A large number of seminarians, at least one-third, come to theological studies with this background. . . . The concern of most faculty about them is their tendency to be inflexible, overly scrupulous, and fearful. These attitudes can bring about a strict interpretation of what they think is permissible in the practice of the faith, a sense of wanting things to conform exactly to their limited experience.⁶³

In addition to the “converts” and “reconverts” comprising a full third of millennial seminarians is another 10 percent with a completely rigid understanding of the faith, whose response to their commercial, media-driven culture “is to withdraw and condemn the world as they see it. They tend to experience enormous fear—fear of change and fear of the world . . . Such men want only clear, distinct ideas that are aligned with their view of orthodoxy.”⁶⁴ Yet the spiritual direction that John Paul II insists is essential to the priest’s role in sacramental confession entails listening, dialogue, and discernment. Notable, moreover, is the contrast between Schuth’s description of the characteristics of conversion for such a sizable percentage of the rising body of clerics in the American church and the fundamental posture of reconciliation and outreach to church and world (albeit with a strong doctrine of sin) the pope expounds in the first part of his apostolic exhortation. The persistence of both Catholics and wider society associating “the church” with the hierarchy and clergy might well raise new questions about the church’s mission as a sign of reconciliation and conversion.

The dissonance between the laity and the growing majority of their priests at such fundamental emotional, ideological, and religious levels cannot but contribute to the trend Hellwig reported three decades ago: People are turning to like-minded fellow laity, whether individually or through group processes, religious or otherwise (e.g., prayer or Bible study groups, twelve-step and other support groups, tai chi and yoga and similar meditative practices, etc.), to work out their conversions. Whether conversion in a given case is a matter of ongoing personal growth⁶⁵ or repentance in crisis,

63. Ibid. 330.

64. Ibid. 331.

65. For a comprehensive theory, inspired by the work of Bernard Lonergan, of the Christian life as multifaceted and ongoing conversion, see Donald L. Gelpi, *Committed Worship: A Sacramental Theology for Converting Christians* (Collegeville, MN: Liturgical, 1993),

the faithful support one another through active listening, affective companionship and solidarity, and wise counsel.⁶⁶ With such practices indicative of American Catholics' desire for individual moral agency nurtured and shared with fellow believers and others of goodwill (about which, more below), the popularity of communal Advent and Lenten penance services is not difficult to understand. In contrast to entering the confessional, people are more comfortable with assembling in song and prayer, hearing together the word of God proclaimed, and feeling a sense of solidarity while reflecting on sin and repentance in their own lives and, for some, even confessing serious matters to an available priest for his judgment and absolution.

Seeking Official Resolution of Confession's Crisis: Reconciling the Rites within the Rite

In the latter disciplinary part of "Reconciliation and Penance," John Paul II writes favorably about the second form of the Rite of Penance, with its liturgy of the word and communal examination of conscience. The pope lauds the Rite for Reconciliation of Several Penitents with Individual Confession and Absolution for fostering the ecclesial character of reconciliation and conversion, while cautioning that sufficient confessors must be present so that each penitent may properly and beneficially confess all sins, both mortal and venial. Thus does the apostolic exhortation's consistent treatment of conversion and reconciliation as fundamentally inner, individual, personal, vertical, and mediated by the church's ordained minister reach its practical conclusion in the singular necessity of auricular confession, even when in the context of a communal rite of word and sacrament (the second form of the Rite of Penance).

Predictable, then, is the subsequent clarification that the third (likewise communal) Rite for Reconciliation of Penitents with General Confession and Absolution is an exceptional form for extreme cases of grave necessity. This form, the pope declares, "cannot become an ordinary one" and "must never lead to a lesser regard for, still less an abandonment of, the ordinary forms."⁶⁷ That detailed, clarified restriction on the proper use of the third form served to abolish the sort of pastoral possibilities Hellwig found most hopefully emerging for the implementation of the reformed Rite of Penance. Hellwig's theology, however, both in its pastoral arguments for regular use of the third form and in its assessment of why regular auricular confession had reached the end of its time, was more attuned to the *sensus fidelium* among laity and clergy alike. The evidence lies not only in social-scientific and contemporary historical

vol. 1, *Adult Conversion and Initiation* 3–55; and vol. 2, *The Sacraments of Ongoing Conversion* v–viii, 135–70.

66. See Hellwig, *Sign of Reconciliation* 110–11.

67. John Paul II, "Reconciliation and Penance" no. 33. To clarify: The "ordinary forms" are (A.) Rite for Reconciliation of Individual Penitents, and (B.) Rite for Reconciliation of Several Penitents with Individual Confession and Absolution.

research,⁶⁸ but also in the negative assessments contained in official ecclesial documents. Years after the promulgation of John Paul's postsynodal apostolic exhortation, the Holy See found itself obliged to issue to bishops' conferences around the world several letters and allocutions warning against inappropriate uses of form three of the Rite of Penance, as well as about the dangers of confession falling into utter disuse.

"Reconciliation and Penance" concluded its correction of mistaken notions about "the freedom of pastors and the faithful to choose from among [the three] forms the one considered more suitable" by asserting that "sacraments . . . are not our property" and "consciences . . . have a right not to be left in uncertainty and confusion."⁶⁹ Since sacraments and consciences are sacred, the pope argued, the church must establish laws to safeguard their integrity. Thus, the Vatican thereafter issued instructional letters addressing the contested nature and purpose of the Rite for Reconciliation of Penitents with General Absolution. These letters were sent to the bishops of Australia (1998), Ireland (1999), and Portugal (1999), along with the subsequent, comprehensive 2000 "Circular Letter concerning the Integrity of the Sacrament of Penance." All these documents invoke the authority of doctrine and the 1983 Code of Canon Law to assert: the divine institution of auricular confession with absolution, the obligation to confess all serious sins according to number and kind at least once a year, and the extremely narrow range of circumstances allowing for use of the third form of the Rite of Penance.⁷⁰ Toward its conclusion, the circular letter, quoting "Reconciliation and Penance," judges it "foolish, as well as presumptuous . . . 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."⁷¹ And yet the persistence of such perceived folly, on the part of both laity and clergy globally, led the pope in 2002 to publish the *motu proprio*, *Misericordia Dei*,⁷² a further apostolic letter to correct misunderstandings and lawless practices of the sacrament of penance.

68. The Center for Applied Research in the Apostolate (CARA) at Georgetown University reports the following from its 2008 scientific survey: "*Three-quarters of Catholics report that they never participate in the sacrament of Reconciliation or that they do so less than once a year*" (emphasis original). More specifically, 45% never participate in the Rite of Penance, while 30% said they do so less than once a year—with that category leaving completely open the possible span of years since one's last confession. The statistics indicate, then, how small a percentage of US Catholics actually participate in celebrations of the second form of the Rite in Lent or Advent. See <http://cara.georgetown.edu/CARAServices/FRStats/reconciliation.pdf>. References to the research and arguments of contemporary historians appear in the first half of the concluding section below.

69. John Paul II, "Reconciliation and Penance" no. 33.

70. Congregation for Divine Worship and the Discipline of the Sacraments, "Circular Letter Concerning the Integrity of the Sacrament of Penance" (March 12, 2000), nos. 1–3, 6, and nn. 7, 8, 18, 28, <http://www.adoremus.org/699Penance.html>.

71. *Ibid.* no. 10 (quoting John Paul II, "Reconciliation and Penance" no. 31).

72. *Misericordia Dei*, On Certain Aspects of the Celebration of the Sacrament of Penance (April 7, 2002), http://www.vatican.va/holy_father/john_paul_ii/motu_proprio/documents/hf_jp-ii_motu-proprio_20020502_misericordia-dei_en.html.

John Paul II notably begins *Misericordia Dei* by acknowledging that in the years since his 1984 postsynodal exhortation the “causes of the crisis have not disappeared,” including the failure of bishops and priests, to whom he “earnestly appeal[s]” to “arm themselves with more confidence, creativity and perseverance” in promoting the sacrament of confession.⁷³ The pope addresses misunderstandings about the divine power for forgiveness of serious sins accessed and dispensed through the range of communal celebrations, including the Mass, and more specifically itemizes the conditions canon law allows for celebrating the third form of the Rite of Penance. Circumstances amounting to grave necessity for its celebration—a judgment reserved solely for the diocesan bishop—include an overwhelming number of the faithful facing imminent danger of death, such as in war or natural disasters, or the geographic isolation of peoples in missionary lands where a priest is available only a few days a year. Ruled out are a “contrivance of situations of apparent *grave necessity*,” including notions that a large number of penitents present prevents “extended pastoral conversations.”⁷⁴ Those, counters the pope, “can be left to more favourable circumstances,” while “a valid and worthy celebration of the Sacrament” for each penitent entails only the appropriate time needed to name the kind and number of sins committed, such that the priest can make a proper judgment on the matter presented. Worse yet would be a pastor’s using the third form “because of penitents’ preference for general absolution, as if this were a normal option equivalent to the two ordinary forms set out in the Ritual.”⁷⁵

In many parts of the world, the juridical obligations of both priest and penitent concerning a valid and licit confession rule out what had become customary for the second form (the Rite for Reconciliation of Several Penitents with Individual Confession and Absolution), namely, restricting people to mentioning just one or two sins deemed representative by the penitent or generically naming only kinds of sins, thereby neglecting the obligation to also state the number.⁷⁶ The final regulation the letter sets forth is that “confessionals . . . have ‘a fixed grille,’ so as to permit the faithful and confessors themselves who may wish to make use of them to do so freely.”⁷⁷ Such proscriptions and prescriptions point to a tension running throughout the entire corpus of John Paul’s letters on the sacrament of penance: priority for the juridical to the point of impersonal arrangements, plus, as he himself admits, the global lack of

73. Laxity of commitment among the clergy would appear to motivate one of the decrees the pope found himself compelled to issue so as to shore up the “enduring efficacy” of the sacrament: “Moreover, all priests with faculties to administer the Sacrament of Penance are always to show themselves wholeheartedly disposed to administer it whenever the faithful make a reasonable request. An unwillingness to welcome the wounded sheep, and even to go out to them in order to bring them back into the fold, would be a sad sign of a lack of pastoral sensibility in those who, by priestly Ordination, must reflect the image of the Good Shepherd” (*Misericordia Dei* no. 1).

74. *Ibid.* no. 4.2.e.

75. *Ibid.*

76. See *ibid.* no. 3.

77. *Ibid.* no. 9.

ordained confessors,⁷⁸ that altogether undermines the pastoral paragraphs devoted to the spiritual-direction dimension of the sacrament. At the base of all this is, of course, an urgent concern for authority and power in canon law, ordained office, and formal sacrament.

Theological Conclusions, Theoretical and Practical

That this present study has found a profound dissonance between the teaching and disciplinary leadership of the Roman Catholic hierarchy and one of the leading voices among the post-Vatican II generation of American theologians is unlikely to raise many eyebrows. The purpose of this comparative exercise has been to seek greater insight into those differences by exploring two representative figures' treatments of a practical topic universally recognized as symptomatic of the change the church has experienced since the 1960s across its hierarchical, clerical, popular, and scholarly sectors in the way power (with its cognate, authority) is exercised in their practice and understanding of the faith. Crucial to the divide is the fundamental difference in theological methodology, for which this study of Hellwig's and John Paul II's works on penance, conversion, and reconciliation may serve as a prime, if not instructive, example. The essential methodological difference concerns the reading of history and, with that, of power and authority in the church.

Theory for Ministry and Sacrament: History and Theology

Utterly representative of modern Catholic theological scholarship, Hellwig studies history with the dual conviction that in the particular twists and turns lie (1) invaluable resources of theological information, wisdom, and creativity for advancing the church's mission, and (2) fundamental belief in the times, places, and peoples of history—with all the ambiguity and conflict entailed—as the very medium of the Holy Spirit's work in the church and world. Put another way, this is to give priority to a sacramental model of church. As we saw above, Hellwig reads early Christian history as demonstrating a vitality of faith in the pastoral and communal aspects of the rituals and penitential practices that the bishop and many of the faithful shared in solidarity with those repenting of capital sins, as well as the turn to wisdom figures in the deserts and monasteries for supportive but also challenging counsel in ongoing conversion from sin in Christian life. Those historical witnesses, along with a charting of the mutually informing medieval evolutions of the priesthood and auricular confession, provide the resources for the concluding pastoral-theological proposals she proffers, sensitive to the majority of Catholics' alienation from the priest as judge and absolver in confession. In various prayer and support groups, communal penance services, personal companionship, and retreats, Hellwig recognizes the work of the same Holy Spirit evident in the range of practices in the first millennium. Common to all those practices is that they

78. Ibid. no. 4.2.b.

begin with an intensified experience of the loving and welcoming presence of God mediated by the warm, simple and unpretentious ministry of Christians to one another. This is what we mean by speaking of the Church as the body, or bodily presence, of the risen Christ . . . the basic sacrament of the presence and continuing action of God in Christ in the world.⁷⁹

In contrast, the pope and bishops continue to operate out of an almost exclusively classical, Tridentine model, identifying the church with the ordained hierarchy, who teach, sanctify, and govern the laity by means of apodictic assertions only lightly considering history and, when doing so, rehearsing a history that carries out uninterruptedly the tenets of faith and morals provided in the timeless pages of Scripture. Thus, in his apostolic exhortation “Reconciliation and Penance,” John Paul II acknowledges historical changes, but these are changes in a specific sacrament, which it is a “certainty that the Lord Jesus himself instituted and entrusted to the church” and that has always entailed confession of particular sins to an ordained minister.⁸⁰ In that type of ecclesiastical assertion lies the rub against both the careful historical-critical work of scholarly theologians and the popular dispositional tendencies of the vast majority of the church’s membership against such disciplinary instruction.

Sacramental theologians of recent decades, while certainly not questioning that forgiveness of sin is fundamental to the gospel of Jesus Christ and primordial to the mission of the church, nonetheless would question the pope’s claims to the dominical specification that individuals make integral confessions of all serious sins to a priest for his judgment and absolution.⁸¹ Here I cite but one further summary indicating how long a trajectory was the development toward a theology and practice of auricular confession in the West:

Patristic and early medieval discussion of ecclesiastical authority had concentrated on the possession by the episcopacy or papacy of the power of the keys. This had always, of course,

79. Hellwig, *Sign of Reconciliation* 113–14.

80. John Paul II, “Reconciliation and Penance” no. 30.

81. Limits of space and flow of argument prohibited me, above, from rehearsing Hellwig’s historical survey of penance as including demonstration of the late first-millennium dating for widespread practice of private confession to a priest, as well as how even as late as the early ninth-century court of Charlemagne, the role of the priest in assigning penance was to pray to God for the penitent’s forgiveness, as opposed to declaring absolution in the name of God. Hellwig later summarizes, “The more formal theology of the sacrament of penance may be said to have begun in the twelfth century, which provided a framework for sacramental theology generally and established the enumeration of the sacraments as seven among which was reckoned penance. . . . Now the declarative formula is coming more sharply into focus and it begins to appear as though the priest confessor claims not to absolve from penalties or penances but simply from the sins.” Hellwig goes on to demonstrate the extent to which Peter Lombard, Albert the Great, and Thomas Aquinas all struggled with “how tenuously the forgiveness of God is connected to the absolution and the power of the keys,” such that Thomas “allows a lay person to administer the sacrament in case of necessity and considers it an obligation in some circumstances to confess to a lay person” (Hellwig, *Sign of Reconciliation* 69–70, 96–97, 98).

involved the understanding that “the keys” pertained very specially to the church’s ministry of forgiving sin; but a great deal of the discussion of the power of the keys had been directed to the persistent question of the relation between *sacerdotium* and *regnum*, i.e., to authority that was not specifically that concerned with the sacramental reconciliation of sinners. Such wider application of the notion of the keys continues into the medieval theologians and canonists, but there is a much greater development of theology about the nature of sacramental confession and forgiveness, and the church’s authority in this sphere.⁸²

Here Bernard Cooke demonstrates a fairly cautious assessment of what can and cannot be asserted about ancient tradition, even as the intent of his historical scholarship was to substantiate theologically reasonable possibilities for change in Roman Catholic rites that nonetheless would be faithful to Scripture and tradition.

There remains the further problem of how the laity has come to react to the characteristics of style and content in the modern-era papal magisterium. John Paul’s 1984 apostolic exhortation and subsequent letters concerning the sacrament of penance, troublingly, comprise a textbook case of what American moral historian Michael Lacey, drawing on Lonergan’s theory of classical versus historical consciousness, explains as ecclesiastical positivism:

The excessive simplicity of the model encourages the notion that on matters of faith and morals, the papacy’s traditional, apparently boundless teaching field, belief and behavior around the globe can be centrally programmed to radiate outward from Christ’s Vicar in the Vatican, a view that has been called ecclesiastical positivism. It is simply a matter of ensuring that the conditions of formal authority have been met, citing the documents that validate this, recalling appropriate precedents, writing up the lessons one wants to convey in the customary Vatican idiom, and then promulgating them—sending them out and down the line.⁸³

While the exercises of authority Lacey has in mind concern moral doctrine and canon law, his argument can likewise serve to analyze sacramental doctrine (which, of course, also relates to canon law), as the following paragraph from “Reconciliation and Penance” vividly demonstrates:

It is opportune to reflect more deeply on the reasons which order the celebration of penance in one of the first two forms and permit the use of the third form. First of all, there is the reason of fidelity to the will of the Lord Jesus, transmitted by the doctrine of the church, and also the reason of obedience to the church’s laws. The synod repeated in one of its propositions the unchanged teaching which the church has derived from the most ancient tradition, and it repeated the law with which she codified the ancient penitential practice: The individual and integral confession of sins with individual absolution constitutes the only ordinary way in which the faithful who are conscious of serious sin are reconciled with God and with the

82. Bernard Cooke, *Ministry to Word and Sacrament: History and Theology* (Philadelphia: Fortress, 1976) 467–68.

83. Michael J. Lacey, “Prologue: The Problem of Authority and Its Limits,” in *The Crisis of Authority in Catholic Modernity*, ed. Michael J. Lacey and Francis Oakley (New York: Oxford University, 2011) 1–28, at 8.

church. From this confirmation of the church's teaching it is clear that every serious sin must always be stated, with its determining circumstances, in an individual confession.⁸⁴

The form of the papal argument asserts legitimate authority yet, to follow Lacey's theory, at this juncture of history it lacks "legitimate persuasiveness,"⁸⁵ the qualities of which have changed for the vast majority of younger and middle-aged Catholics and even a plurality of older Catholics.⁸⁶

The decisive turning point in the laity's turn to the authority of their own experience was the 1960s, when the decades-long struggles among the hierarchy, lower clergy, and laity over the nature and function of conscience in moral decision making reached their climax with the papal encyclical *Humanae vitae* prohibiting artificial contraception within marriage. With growing numbers of Catholics already having come "to privilege . . . the lived reality of human relationships as a critical factor in moral deliberation," such that the stylized, truncated ritual of the confessional drifted away from individuals' exploration and formation of their consciences, *Humanae vitae* catalyzed a complete break. Public conversation about the crisis, as advocated by Richard McCormick to the US bishops in the early 1970s, did not fit the authoritative model to which the hierarchy was committed. The century's end fully realized McCormick's warning that their refusal would only exacerbate the laity's complete shift to considering the moral domain entirely their own, each individual reaching decisions with no consideration of the church's teaching as binding or even relevant, especially in matters of sexual ethics.⁸⁷ With the latter historically having been prime serious matter for auricular confession (and we might note, for ancient *exomologesis* as well), John Paul II and the Vatican's strategy to renew the laity's fervor for regular confession could not but yield scant results. The use of ecclesiastical positivism to assert the authority of both the doctrinal teaching and disciplinary regulations and practices of the sacraments over a laity who largely either oppose or have become indifferent to this type of

84. John Paul II, "Reconciliation and Penance" no. 33.

85. Lacey, "Prologue" 8.

86. See Tentler, "Souls and Bodies" 310. For further discussions of the current widening rift between the hierarchy and the majority of American Catholics over the nature and limits of magisterial authority, see Charles Taylor, "Magisterial Authority," and William V. D'Antonio et al., "American Catholics and Church Authority," in *The Crisis of Authority in Catholic Modernity*, ed. Lacey and Oakley, 257–92. Here I cite but a couple of notable assertions the latter draw from their research data: "All indications from social research are that acceptance of the Catholic Church's moral authority has been diminishing since Vatican II. . . . More authority is claimed than is accepted. . . . In the case of the Catholic Church today, the claims to authority are found in the catechesis of the Catholic Church, the encyclical letters of the popes, and the writings and public statements of the bishops. . . . While Catholics [in the latter half of the 20th century] continued to maintain strong ties to family and church, they were also becoming more and more a part of American society, with its emphasis on personal autonomy" (274–75).

87. See Tentler, "Souls and Bodies" 310.

ecclesiastical power in relation to the contemporary complexities of social and personal life, ironically—tragically—ensures the deterioration of the sort of communal, corporate life and mission, clergy and laity together, for a church that all agree should be a living, salvific sign of reconciliation and conversion among its members and to the world.

Practice of Ministry and Sacrament: One Pastoral-Liturgical Proposal

The current era of Roman Catholicism, as suggested by the writings of John Paul II, Monika Hellwig, and the social scientists and historians appealed to above, has been one of crisis, fraught with both the hierarchy and laity's anxieties over the meaning and discipline of the church's sacraments and the moral authority of its leadership. In the face of the now decades-long rift between the hierarchy's and laity's perspectives on and (non-)practices of auricular confession, if not the seemingly impossible odds for a practical resolution, the pope did what any leader must by concluding his apostolic exhortation "Reconciliation and Penance" with an "Expression of Hope."⁸⁸ In times of such uncertainty and seemingly irresolvable differences, the members of a social body need such words from their leadership. No small consolation for the church's present generation rests in the fact that the author of 1 Peter needed to exhort the earliest church communities always to be prepared to give to anyone the reason for their hope.⁸⁹ Indeed, that danger and division, fear and uncertainty (*ad intra* and *ad extra*), have accompanied the church's mission continuously from the start makes hope in trials a veritable tradition of the faith.

Surely, the current crises of authority (that of the hierarchy, that in the sacramental-liturgical tradition, that of the laity) will not resolve themselves any time soon. In these early decades of the 21st century, Roman Catholicism functions in an age of epochal anthropological change—social, psychological, biological, ecological. Put simply, how humans go about being human is rapidly evolving in the vortex of technologies, personal screen-oriented, mass-mediated culture, hypersexualized visualization and imagination, and all this hemmed in from many sides by the reason, if not laws, of the market economy. In such light, the issues of personalism and individual autonomy in matters of faith and morals for Roman Catholics of the latter part of the 20th century might now seem almost quaint.

Add to this morphing anthropological mix the dissolution of socio-traditionally structured time, and one is not surprised by the deterioration of regular participation in Sunday liturgy, holy days of obligation, and biblically-traditionally shaped observances of the major seasons of the church year. And yet, even the younger generations of Roman Catholics value the church's presence in society (whether locally or globally, the latter perhaps best attested by the media-sustained popularity of the modern papacy). They expect the church to "be there" for them, and this not least in the

88. John Paul II, "Reconciliation and Penance" no. 35.

89. See 1 Peter 3:15–16.

availability of sacramental celebrations, for their personally constructed appropriation. In this regard, Lacey provides one further helpful observation:

In terms of formal authority, there is in Catholicism no appeal beyond the pope. His word is the last word. In reality, however, those who practice a selective Catholicism, which includes nearly everyone, justify their choices, their refusal to follow to the letter all the instructions handed down from Rome, by appealing privately from a church that does not understand to a God who does. Their theism is intact, as are their sense of integrity and a spirituality of sorts. . . . Most laypeople appear willing to settle for simply keeping the rudiments of the sacramental life conveniently accessible, a hope now jeopardized by the priest shortage. Beyond that, they continue to deal with the rest of the instruction of conscience that comes down from above as best they can.⁹⁰

As with John Paul's concluding expression of hope for his apostolic exhortation or the pastoral author of 1 Peter in his instruction on hope, here there is no need for cynicism. We should not delude ourselves about how committed to doctrine and polity the masses of laity were in any era of Christendom so as to be disappointed in the comparative present state of affairs. Highly significant is the fact that the rather tenuous link between the laity and hierarchical leadership in this evolving present era is the people's "keeping the rudiments of sacramental life." And so I conclude with a practical proposal for exploiting one of the days on the liturgical calendar that remains popular for at least a strong plurality of Roman Catholics as opportune for liturgical ministry to penitential conversion and reconciliation: Ash Wednesday.⁹¹

Ash Wednesday is the symbolically charged moment in the church year that summons all the faithful, in whatever station of life, to embrace Lent as a gracious journey of conversion, whose destination is the renewed baptismal promises and refreshing waters celebrated at the Easter font. The requisite ritual commencing Lent includes not only the imposition of ashes—sacramental of our common humanity (mortality and its surrogate, sinfulness) before God the All Merciful—but also the proclamation of the biblical word eliciting an examination of conscience and mutual prayer of intercession. The Sacramentary includes a proper Mass for Ash Wednesday, but it also provides another option, namely, the "blessing and distribution of ashes . . . outside Mass." An Introductory Rite and the entire Liturgy of the Word "as at Mass" precede the blessing and distribution of ashes, followed by "the Universal Prayer, the Blessing, and the Dismissal of the Faithful."⁹² I would argue that this option better serves the purpose of Ash Wednesday in relation to the entire Easter cycle.

90. Lacey, "Prologue" 16.

91. According to relatively recent scientific polling data, 45% of US Catholics participate in the ritual observance of Ash Wednesday. See "Most Catholics Abstain from Eating Meat on Fridays during Lent," *Center for Applied Research in the Apostolate* (March 11, 2008), <http://cara.georgetown.edu/NewsandPress/PressReleases/pr031108.pdf>.

92. *The Roman Missal: English Translation according to the Third Typical Edition: For Use in the Dioceses of the United States of America* (Collegeville, MN: Liturgical, 2011) 212.

Ash Wednesday is not a solemnity or feast obligating the faithful to participate at Mass. Indeed, the penitential character of the day finds many people present whose need for sacramental reconciliation with God, church, and self prohibits their participating fully in the communion rite (a discipline John Paul II reiterated in his apostolic letters). But looking to the larger pastoral-ecclesial context, here is a stellar case for resisting the widespread post-Vatican II custom among American Catholic clergy of imposing the Mass as the sole communal rite signaling pastoral importance and ecclesial dignity. It would seem, moreover, that the continually decreasing numbers of priests available for Masses makes the pastoral case all the more worthy of consideration.

Mass is not the optimal rite for Ash Wednesday; rather, the specific pastoral nature of the Lenten season logically points to the Rite of Penance and specifically to the model penitential celebrations provided in its Appendix II.⁹³ If Ash Wednesday is about calling the faithful to repentance, and, moreover, if individual confession with absolution comprises the proper sacrament for those who have seriously sinned, then the liturgy for the day should devote the precious time available to helping the faithful discern their spirits in light of the gospel and by means of key traditional practices: communal song, preached word, examination of conscience, act of repentance (in this case, the reception of ashes), general intercessions, and dismissal exhorting all to mutual support, prayer, and individual penance (as needed and celebrated at some point in the 40 days). That list, in fact, is a combination of the Sacramentary's elements for Ash Wednesday's liturgy of the word and the Rite of Penance's sample penitential celebrations. In making this proposal, I am building on the pastoral-theological wisdom Monika Hellwig gleaned from the strengths of the penitential ritual practices of the early Christian era in her advocacy for recognizing and advancing contemporary practices of reconciliation and conversion emerging among the faithful in the church.⁹⁴

The Rite of Penance outlines the "Benefit and Importance" of penitential services in terms explicitly resonant with the liturgical spirituality of Lent and perfectly suited to the communal celebration of Ash Wednesday:

Penitential services are very helpful in promoting conversion of life and purification of heart. It is desirable to arrange them especially for these purposes:

- to foster the spirit of penance within the Christian community;
- to help the faithful to prepare for individual confession that can be made later at a convenient time;
- to help children gradually form their conscience about sin in human life and about freedom from sin through Christ;
- to help catechumens during their conversion.

93. See Rite of Penance nos. 1–19.

94. See Hellwig, *Sign of Reconciliation* 108–19; and Kidder, *Making Confession* 201–8.

Penitential services, moreover, are very useful in places where no priest is available to give sacramental absolution. They offer help in reaching that perfect contrition that comes from charity and that enables the faithful to receive God's grace through a desire for the sacrament of penance in the future.⁹⁵

Appendix II outlines two sample "Penitential Celebrations during Lent," one emphasizing "penance as strengthening or restoring baptismal grace" and the other showing "penance as a preparation for a fuller sharing in the Easter mystery of Christ and his Church."⁹⁶ Adapted and combined with the proper readings and collects for Ash Wednesday and the imposition of ashes as the communal act of repentance, either version offers the structure and content of a pastorally beneficial liturgy for setting the people on their personal courses toward Easter.

The homily and general intercessions for Ash Wednesday are of irreducible importance for opening members of the faithful and the community as a whole to the impressive range of ways various individuals may find themselves celebrating the sacraments not only at the Easter Vigil but also on Sunday mornings throughout the entire Easter season. Immediately obvious are the catechumens being elected for baptism, confirmation, and Eucharist at the Easter Vigil, but other types of initiates variably populate Ash Wednesday's assemblies as well: youngsters preparing to receive first Communion during the seven Sundays of Easter, teens preparing for the sacrament of confirmation to be celebrated at some point in the 50 days, parents and godparents looking forward to the baptism of infants on either Easter or subsequent Sundays, adults or older children entering into full communion in the church, and the seriously sick and elderly who would benefit from a celebration of the sacrament of anointing during Mass on one of the Sundays in the Easter Season. All these the Ash Wednesday preacher should exhort to participate as vigorously as possible in their respective meetings and activities, as well as the sacrament of penance, during the Lenten 40 days so as to be optimally disposed to the graced events coming for them in Eastertide. The prayers of the faithful, to be announced after all have received their ashes, should include intercessions for all such specific groups.

Then there are the customary practices that still engage people's imaginations—and in many cases, actual commitments⁹⁷—during the Lenten season. The Liturgy of the Word calls the community to prayer, fasting, and almsgiving, but these for the purpose of disposing the faithful toward, interceding for, and helping others receive whatever graces the Spirit of the crucified and risen Christ may be offering to people in the current realities of their lives. All this is not a matter of "giving up" things as a test of

95. Rite of Penance no. 37.

96. Rite of Penance, Appendix II, no. 7, in *The Rites* 593.

97. CARA's 2008 poll found that 60% of self-identified adult US Catholics abstain from meat on Lenten Fridays, 38% give up or abstain from something else during Lent, and 45%, besides giving up something, do something positive, including additional almsgiving for the needy. See "Most Catholics Abstain."

one's willpower or resolve, let alone of "making it up to Jesus" for what he has suffered for each of us personally. The extraordinary, prayerful, or penitential efforts made during Lent, rather, are a matter of conversion, of turning again to the Lord, of seeking in the depths of hearts and across the breadth of societies the face of the one who in the church's rites reveals his paschal mystery as our own.⁹⁸

The promotion and fostering of such practices would meet the popular desire, which Hellwig had already identified among the faithful a few decades ago, for communally hearing the word of God concerning conversion together in liturgical assembly while leaving open personal deliberation and discernment about how to respond. This would frame the entire season of Lent as one of penitence, for which people would be invited to avail themselves of auricular confession if the matter they find arising from the response to the Lenten lectionary leads them to the sacrament during the 40 days. While this is no naïve panacea for the significant difficulties penance and pastoral-liturgical ministry face in the early 21st century, such practices might promise one practical strategy that is true to tradition and, thus, to the needs of Christians in a church moving forward.

Author biography

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98. See Psalm 27:8.