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Post-Conciliar Models of Sin and Reconciliation:  
Towards a Contemporary Paradigm

A Dissertation

Presented to the Faculty

of the Theology Department

McAnulty College and Graduate School of Liberal Arts

Duquesne University

in partial fulfillment of

the requirements for the degree of

Doctor of Philosophy

by

James Thomas Cross

December 1, 2003

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To Jacqueline

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## ABSTRACT

The central proposal of this dissertation is that now, in the wake of the Second Vatican Council (1962-5), official Roman Catholic teaching on sin and sacramental reconciliation is not, but ought to be, based upon a contemporary paradigm of sin and reconciliation—i.e. a paradigm which is concordant with, and adequate in light of, the teachings and goals of this Council. According to the author, an existing “liturgical-narrational” model of sin and reconciliation ought to be elevated to the status of such a paradigm or supermodel.

The author arrives at this conclusion after examining two critical post-Conciliar documents—the revised Rite of Penance (1973) and Pope John Paul II’s Post-Synodal Apostolic Exhortation Reconciliation and Penance (1984)—in light of three points made by Patrick McCormick in his book Sin As Addiction (1989). This examination yields three corresponding insights: first, the two documents contain elements of different models of sin and reconciliation; second, a juridical model—the dominance of which is demonstrated—is inadequate (as a paradigm); third, a model which respects the narrative character of sin and reconciliation is also present in the documents.

Ultimately, four original proposals are submitted. The first of these is that there are four distinct models of sin and reconciliation employed in both the Rite of Penance and Reconciliation and Penance. These models are here called the juridical, the personalistic, the medical, and the liturgical-narrational. Second, a liturgical-narrational model is identified and developed. This model is developed by including and improving upon McCormick's addiction-recovery model. Third, the author sees the confession of sins as being "narrative proclamation." This proposal is a synthesis of the liturgical character of the ancient public *exomologesis* and of the detail-oriented character of private confession. Fourth, a previously unrecognized type of social sin is recognized: the sin of a community against itself. Such a sin, as well as other sins, will be both treated and resisted with the help of a properly implemented liturgical-narrational paradigm. This implementation requires an adaptation of the third of the 1973 rites (i.e. Rite "C").



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Also crucial was the multidimensional support given by my mother, Lee, my father, Thomas, my maternal grandmother, Estelle, my wife, Jacqueline, and our children, John Paul and Jamie Marie.

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## ABBREVIATIONS

AA	Decree <i>Apostolicam actuositatem</i>
DH	Declaration <i>Dignitatis humanae</i>
DV	Dogmatic Constitution <i>Dei verbum</i>
GS	Pastoral Constitution <i>Gaudium et spes</i>
LG	Dogmatic Constitution <i>Lumen gentium</i>
OP	Rite <i>Ordo Paenitentiae</i>
OT	Decree <i>Optatam totius</i>
RP	Post-Synodal Apostolic Exhortation <i>Reconciliatio et Paenitentia</i>
SC	Constitution <i>Sacrosanctum concilium</i>
ST	<i>Summa Theologica</i>
UR	Decree <i>Unitatis redintegratio</i>

## CHAPTER 1

### INTRODUCTION

Contemporary Roman Catholic theologies of sin and sacramental reconciliation find support and inspiration in the reform-minded emphases of the Second Vatican Ecumenical Council (1962-5) in general, and in two challenges of the Council in particular. The two particular challenges were, first, the call for a shift away from the legalism and juridicism of the moral manuals and canon law and toward a more biblical and personalistic presentation of moral theology (OT 16; GS 3, 12), and second, the call for reforms in the rite and celebration of sacramental penance (SC 72, 109-10).<sup>1</sup>

A legalistic moral theology did not sit well with the Fathers of the Second Vatican Council. This legalism had accumulated and calcified over the course of many centuries. In the early Church, there were often only three sins that were seen as requiring an ecclesial response beyond that of baptism,<sup>2</sup> and already these sins were sometimes referred to as *crimina* (i.e. crimes) which separated their perpetrators from the holy community that is the Church.<sup>3</sup> In the sixth century, monks in Ireland began to address sin and penance via the individualism and juridicism

that were operative in the Celtic culture surrounding them.<sup>4</sup> In the thirteenth century, St. Thomas Aquinas tied moral theology to classicist metaphysics and anthropology, intensifying the Fourth Lateran Council's (1215) concern for distinguishing which sins are mortal or "truly" sinful, and furthering the view that these sins are isolated acts committed by totally free and knowing beings which upset a world that would otherwise consist of a balanced order.<sup>5</sup> The calcification of legalism and juridicism occurred in the manualist tradition, a tradition that is rooted partly in the decrees of the Fourth Lateran Council and the Council of Trent (1545-63), that every mortal sin be confessed according to number and species.<sup>6</sup>

Equally problematic at the time of the Second Vatican Council were sacramental practice and the theology underlying it. Two of the greatest problems were, first, the prevalent neo-Thomist understanding of grace as being extrinsic to human experience, and second, a correlative emphasis upon instrumental efficient causality in the sacramental event.<sup>7</sup> Other problems that were rooted in the Tridentine tradition were a concern for liturgical uniformity and rigidity, a fixation on the hierarchical dimension of the Church, a clerical monopolization of ministry, and inadequate attention to sacred scripture. The sacramental experience of the laity prior to the Second Vatican Council could be characterized as being passive, dependent, superstitious, isolating, and disintegrated.<sup>8</sup> Sacramental penance, in particular, was often a juridical

experience: the lay “criminal” would privately confess his or her criminal acts to a clerical judge, who in turn would assign a just punishment and administer a sacramental pardon.<sup>9</sup>

The Second Vatican Council addressed these problems with the same overarching approach that characterized most, if not all, of its responses: historical consciousness.<sup>10</sup> This, of course, refers to an awareness that human persons, communities, institutions—indeed, all of creation—are dynamic, not static. It means that who we are, how we think, and what we do is unavoidably conditioned by the time and the space in which we live, and that we acknowledge this conditioned experience. The Council Fathers acknowledged that this temporal and spatial conditioning applies not only to humanity in some general way, but also to the Church, to its doctrine and life. Indeed, The Dogmatic Constitution on the Church (LG) repeatedly emphasizes the historical, progressive nature of the Church, for example: “. . . it will be brought to glorious completion” (LG 2); it “. . . grows visibly” (LG 3); “. . . she is, on earth, the seed and the beginning of that kingdom” (LG 5).

The sphere of the Church that is its moral theology has been greatly influenced by this historical consciousness. In its two documents on matters of morals, The Pastoral Constitution on the Church in the Modern World (GS) and The Declaration on Religious Liberty (DH), the Council practiced the biblical and personalistic presentation of moral theology that it called for in The Decree on the Training of Priests (OT

16). Historical-critical studies of scripture and acceptance of the modern philosophical school of personalism<sup>11</sup> helped the Council to assert tenets such as the solidarity of the Church with the world (GS 1) and the human person's right to religious freedom (DH 2). These and other developments in the documents of the Council have inspired and supported many moral theologians to work at a revision of moral theology in this post-Conciliar age. This revision of moral theology sees that a legalistic-juridical approach to morality was the fruit and servant of particular eras and cultures and also that this approach is inadequate in most parts of the Church and the world today. This historically conscious shift away from a legalistic morality has led theologians to urge many other changes of emphasis, for example: from obedience to discipleship; from norms to vision; from nature to persons; from acts to character; from individualism and autonomy to relationality and interdependence; from abstract freedom to contextualized freedom.<sup>12</sup>

The sphere of sacramental theology has also been affected by historical consciousness. Modern and contemporary scholars not only pointed out that medieval, Tridentine, and neo-Thomist doctrine and practice were temporally and spatially conditioned, but these scholars also employed both earlier and later thought in their effort to reform the sacramental life of the Church. Scholars such as Edward Schillebeeckx and Karl Rahner employed phenomenology and existentialism to point out that sacraments are real symbols which enable us to encounter God

in various ways, since real symbols are distinct but inseparable from the reality which they express.<sup>13</sup> Related to this is the vision of the Church as the basic sacrament of Christ,<sup>14</sup> that is, a vision of the Church and Christ as causing each Other to be present.<sup>15</sup> Earlier than Schillebeeckx and Rahner, and more directly related to my dissertation, is the scholarship of Bartholome Xiberta, whose 1922 thesis demonstrated that, in the patristic age, reconciliation with the Church was the primary orientation of sacramental penance (preferred over interior conversion), and that its celebration was invariably communal.<sup>16</sup> All of this scholarship was officially embraced at the Second Vatican Council, as is evident in the following passages:

. . . the Church, in Christ, is in the nature of sacrament—a sign and instrument, that is, of communion with God and of unity among all men . . . . (LG 1)

Those who approach the sacrament of Penance obtain pardon from God’s mercy for the offense committed against him, and are, at the same time, reconciled with the Church which they have wounded by their sins and which by charity, by example and by prayer labors for their conversion. (LG 11)

It must be emphasized that rites which are meant to be celebrated in common, with the faithful present and actively participating, should as far as possible be celebrated in that way rather than by an individual and quasi-privately. (SC 27)

A development in moral theology that has been faithful to these challenges has been the discussion of sin and reconciliation in terms of models. A crucial part of this discussion is the realization that the juridical model of sin and reconciliation is only one of several possible models. In addition to the juridical model, contemporary theologians



have proposed and considered collaborative, demonic, and medical models, to mention a few.<sup>17</sup> This pluralistic hamartology (i.e. understanding of sin) is valuable since, it is argued, no one model or system of images completely explains the mystery of sin and the needed response to it.<sup>18</sup>

In this dissertation I align myself with those theologians who pursue a pluralistic approach to the reality of sin. I completely agree that no one model of sin is sufficient. However, as I will argue, whenever one simultaneously employs several models of sin, eventually one of these models will be established as the dominant one, and this dominant model—i.e. paradigm—of sin is linked with a correlative paradigm of reconciliation. In this dissertation I intend to demonstrate that two critical post-Conciliar documents—the *Ordo Paenitentiae*<sup>19</sup> and Pope John Paul II’s Apostolic Exhortation *Reconciliatio et Paenitentia*<sup>20</sup>—employ at least four different models of sin and reconciliation, and that ultimately both documents prefer one model (i.e. a juridical model), a model that is inconsistent or discordant with teachings and the trajectory of the Second Vatican Council. Furthermore, I will argue that what I call a “liturgical-narrational” model ought to be the dominant model of sin and reconciliation in the post-Conciliar Church. That is, I will argue that shifting from a juridical paradigm to this liturgical-narrational paradigm is both necessary in contemporary Roman Catholicism and allowed for in the documents of the Second Vatican

Council. Moreover, I will develop the liturgical-narrational model by including and improving upon Patrick McCormick's addiction-recovery model of sin and reconciliation.<sup>21</sup>

Hence my arguments in this dissertation are related very much to a contemporary proposal offered by theologian Patrick McCormick. After he surveys contemporary scholarship in the field of hamartology, especially scholarship that employs a models approach, and after demonstrating the inadequacy of several models of sin, particularly what he calls the "crime" model, McCormick defends a disease model of sin and a healing model of reconciliation.<sup>22</sup> He then develops these models into his major proposal: that there is need for an addiction model of sin and a correlative recovery model of reconciliation.<sup>23</sup> These models recognize that sin is partly beyond the will of a sinner, that it is often repetitive, cyclical, ingrained, and reinforced by small and large groups, and that it can even be codependent and multigenerational. These models also encourage us to see ourselves as sinning persons who are responsible for commitment to individual and communal recovery, a recovery that is progressive, integrating, confessional, and centered upon God's Word and the virtues.<sup>24</sup>

While I agree with much of what McCormick argues, my contribution here, however, will be that I recognize and develop what I call a liturgical-narrational model of sin and reconciliation, a model, I will argue, that is both more comprehensive and more firmly based in

Christian tradition than are McCormick's models. The liturgical-narrational model sees sin and reconciliation in terms of the many subsidiary stories or narratives that are part of the one overarching narrative or economy of salvation. My development of this model emphasizes a crucial aspect of addiction-recovery: the honest telling and re-telling of one's narrative of sin and salvation to and with a community of reconciling and converting story-hearers and story-tellers. McCormick discusses such story-telling,<sup>25</sup> but his focus upon addiction and recovery fails to sufficiently situate this story-telling within the overarching story of salvation and the Church's multidimensional mission in this ongoing story. I do so situate this story-telling by seeing it as proclamation by and in the Church. In other words, I see the confession of sins and the sharing of one's ongoing moral narrative as proclamation, a proclamation that is joined to the proclamation of God's Word.

In addition to being related to McCormick's work in the field, my development of the liturgical-narrational model also relates to the work of other theologians and scholars. I integrate Karl Rahner's sacramental theology, including his proposal of an ongoing liturgy of the world,<sup>26</sup> Gerald O'Collins' distinguishing of foundational, collective-dependent, and individual-dependent histories of revelation and salvation,<sup>27</sup> Alasdair MacIntyre's narrative concept of selfhood,<sup>28</sup> and Robert Bellah's discussion of communities of memory and their practices.<sup>29</sup> I am also contributing to the fundamental option school, arguing, for example,

with Charles E. Curran that mortal sin is rarely simply one isolated action.<sup>30</sup> Furthermore, I incorporate Norbert Rigali's argument for an understanding of freedom and sin as being relational, an argument which implies that the traditional dichotomy between "personal ethics" and "social ethics" is antiquated.<sup>31</sup>

Additionally, I am here contributing to the relatively young conversation about the concept of social sin. Pope John Paul II, in his primary and most extended treatment of social sin, sees social sin as sin "committed either by the individual against the community or by the community against the individual,"<sup>32</sup> and he later adds that social sin also "refers to the relationships between the various human communities."<sup>33</sup> What I will point out is that there is a type of social sin that is ignored in these statements: social sin is also sin committed by the community against itself. What I have in mind here are sins such as the omission of honest and regular dialogue about what is sinful, the maintaining of conspiracies of silence, and even codependent group-system sins.<sup>34</sup> My development of the liturgical-narrational model illuminates these sins and challenges the Church to attend to them via communal forms of confession and reconciliation. In this my work relates to arguments made by theologians such as Peter E. Fink,<sup>35</sup> James Dallen,<sup>36</sup> and, of course, Patrick McCormick.

One other way that this work relates to that of others is that it takes a tool used widely in contemporary theology—i.e. a models

approach—and applies it to the mystery of sin. What distinguishes my work with models is that I hold, contrary to the likes of Avery Dulles<sup>37</sup> and Patrick Kerans,<sup>38</sup> that anyone who employs a models approach probably cannot avoid preferring and positing one paradigm as the model that is primary or dominant over the other models.<sup>39</sup> Furthermore, I affirm Dallen’s observation that the *Ordo Paenitentiae* employs reconciliation and liturgical models,<sup>40</sup> but I argue that these models are—in the *Ordo* and in *Reconciliatio et Paenitentia*—subordinated to a juridical paradigm. Finally, I stand with those theologians who recognize that sin is a multifaceted mystery and not simply the product of individuals and isolated actions.

My dissertation consists of five chapters. This first chapter is, obviously, an introduction. In Chapter Two I will describe four models of sin and reconciliation, and then demonstrate how each of these models is employed in the *Ordo Paenitentiae* and in *Reconciliatio et Paenitentia*. In Chapter Three I will demonstrate that the juridical model is the dominant model or paradigm of sin and reconciliation in these two documents. The task of Chapter Four will be to explain how the juridical model is significantly divergent from or discordant with the theological and pastoral methods, teachings, and tendencies of the Second Vatican Council, and that it is thus an inadequate paradigm in this post-Conciliar age. Finally, in Chapter Five I will revisit the liturgical-narrational model (which will be introduced in Chapter Two) and argue

that this model ought to unseat the juridical model from the latter's status as paradigm, since the liturgical-narrational model is more in line with the Council and more relevant. Furthermore, I will develop the liturgical-narrational model by including and improving upon Patrick McCormick's addiction-recovery model. Amidst this development I will submit at least two other original claims of mine: first, that the confession of sins is a form of narrative proclamation; second, that a previously unrecognized type of social sin is the sin of a community against itself.

## CHAPTER 1 NOTES

1. Throughout this dissertation I will employ parenthetical references to the Conciliar documents and paragraphs cited. Also, in these references, the abbreviations for the Latin document titles will be given. See the List of Abbreviations in the front matter of this dissertation.

The English translation of the Conciliar documents that I refer to and quote from is Austin Flannery, ed., Vatican Council II: The Conciliar and Post Conciliar Documents (Northport, NY: Costello Publishing Co., 1975).

2. These three sins or *tria capitalia* (i.e. adultery, apostasy, and murder) are first grouped together in Acts 15.29. See Kenan B. Osborne, Reconciliation And Justification: The Sacrament and Its Theology (Mahwah, NJ: Paulist, 1990):

It seems that at the time of Augustine and Innocent I these three sins were the only sins which needed to be submitted to the public rite of reconciliation, at least in their churches of Rome and North Africa. (61)

3. James Dallen, The Reconciling Community: The Rite of Penance, Studies in the Reformed Rites of the Catholic Church, no ed., vol. 3 (New York: Pueblo, 1986; reprint, Collegeville: Order of St. Benedict, 1991), 61 (page references are to reprint edition). Also see again Osborne:

During this early patristic period . . . attempts were made to indicate which sins were the “deadly” ones, the *crimina* . . . and which sins were the “everyday” sins. No clear pattern emerges . . . . (69)

4. John Mahoney, The Making Of Moral Theology: A Study of the Roman Catholic Tradition (Oxford: Clarendon, 1987), Chapter 1. Also see Dallen, 106, 129 n. 9.

5. St. Thomas Aquinas, Summa Theologica (New York: Benziger, 1948; reprint, Westminster, MD: Christian Classics, 1981), I-II, QQ. 87-9. Also see Dallen, 149.

6. Council of Trent, Session XIV, De sacramento Paenitentiae [Of the Sacrament of Penance], Chapter 5 and canons 7-8; see J. Neuner and J. Dupuis, eds., The Christian Faith in the Doctrinal Documents of the Catholic Church (New York: Alba House, 1982), nos. 1626, 1647-8. Canon 8 reaffirms the teaching of the Fourth Lateran Council. Also see Dallen, 149.

7. Kenan B. Osborne, Sacramental Theology: A General Introduction (Mahwah, NJ: Paulist, 1988), 50-3. A good illustration of the difference between neo-Thomism and neo-Scholasticism can be found in John A. Gallagher, Time Past, Time Future: An Historical Study of Catholic Moral Theology (Mahwah, NJ: Paulist, 1990), 49, 147-8.

8. Joseph Martos, Doors To The Sacred: A Historical Introduction to Sacraments in the Catholic Church, Expanded ed. (Liguori, MO: Triumph Books, 1991), 100. This is not to say that there were no valuable aspects of the laity's pre-Conciliar sacramental experience. For example, the Latin Tridentine Mass often created an atmosphere of transcendence and prayerfulness that is, today, missed by some who once experienced it.

9. Patrick McCormick, Sin As Addiction (Mahwah, NJ: Paulist, 1989), 55.

10. See Richard M. Gula, Reason Informed By Faith: Foundations of Catholic Morality (Mahwah, NJ: Paulist, 1989), 28-40. Also see Johannes Feiner, "Commentary on the Decree [on Ecumenism]," trans. R.A. Wilson, chap. in Commentary On The Documents of Vatican II, vol. 2, Decree On Ecumenism et al., ed. Herbert Vorgrimler (New York: Herder & Herder, 1968):

The Second Vatican Council became more aware of the historical relativity of different aspects of the Church's life, institutions and structures than any previous Council. (96)

11. David J. O'Brien and Thomas A. Shannon, eds., Catholic Social Thought: The Documentary Heritage (Maryknoll, NY: Orbis, 1992), 164.

12. Gallagher, 203-22. Gallagher provides a satisfactory introduction to some prominent theologians who have worked at a revision of moral theology.

13. Karl Rahner, "The Theology of the Symbol," chap. in Theological Investigations, vol. 4, More Recent Writings (London: Darton, Longman & Todd, 1966), 221-52.



14. Edward Schillebeeckx, Christ The Sacrament Of The Encounter With God (Bilthoven: H. Nelissen, 1960; reprint, Kansas City, MO: Sheed & Ward, 1963), 47-82 (page references are to reprint edition).

15. Rahner, *ibid.*

16. Bartholome F. Xiberta, Clavis Ecclesiae: De Ordine Absolutionis Sacramentalis ad Reconciliationem cum Ecclesia (Rome: Collegium Sancti Alberti, 1922). See Dallen, 186, 266, upon whom I rely.

17. Mark O'Keefe, What Are They Saying About Social Sin? (Mahwah, NJ: Paulist, 1990), 35-9.

18. *Ibid.* See also Avery Dulles, Models of the Church (Garden City, NY: Image Books, 1978), 13-37.

19. Sacred Congregation for Divine Worship, Rituale Romanum ex Decreto Sacrosancti Concilii Oecumenici Vaticani II instauratum, auctoritate Pauli VI promulgatum, Ordo Paenitentiae (Editio typica: Rome: Typis Polyglottis Vaticanis, 1974). Throughout this dissertation I will examine, refer to, and quote from the English translation of the Ordo Paenitentiae or Rite of Penance as prepared by the International Commission on English in the Liturgy (ICEL: 1974). This translation can be found in The Rites of the Catholic Church, 2<sup>d</sup> ed. (New York: Pueblo, 1983).

20. John Paul II, Post-Synodal Apostolic Exhortation Reconciliatio et Paenitentia [Reconciliation and Penance]. Throughout this dissertation I will examine, refer to, and quote from the English translation On Reconciliation and Penance in the Mission of the Church Today (Washington, DC: United States Catholic Conference, 1984).

21. McCormick, 146-200.

22. *Ibid.*, 123-45.

23. *Ibid.*, 146-200.

24. *Ibid.*, 178-200.

25. *Ibid.*, 193-200.

26. Karl Rahner, "On the Theology of Worship," chap. in Theological Investigations, vol. 19, Faith and Ministry (London: Darton, Longman & Todd, 1983), 141-9.

27. Gerald O'Collins, Fundamental Theology (Mahwah, NJ: Paulist, 1981), 83-113.

28. Alasdair MacIntyre, After Virtue, 2d ed. (Notre Dame: U of Notre Dame, 1984), 204-25.

29. Robert N. Bellah et al., Habits Of The Heart: Individualism and Commitment in American Life (Berkeley: U of California, c. 1985; reprint, New York: Harper & Row, 1986), 152 ff. (page references are to reprint edition).

30. Charles E. Curran, Christian Morality Today: The Renewal of Moral Theology (Notre Dame: Fides, 1966), xvi-ii.

31. Norbert J. Rigali, "Human Solidarity and Sin in the Apostolic Exhortation, Reconciliation and Penance," The Living Light 21 (June 1985): 337-44; see especially 339, 344.

32. Reconciliatio et Paenitentia 16.

33. Ibid.

34. McCormick, 158-60.

35. Peter E. Fink and Denis J. Woods, "Liturgy for the Reconciliation of Groups," chap. in Alternative Futures For Worship, vol. 4, Reconciliation, ed. Peter E. Fink (Collegeville: The Liturgical Press, 1987).

36. Dallen, 250-407.

37. Dulles, 203.

38. Patrick Kerans, Sinful Social Structures (New York: Paulist, 1974), 62-5.

39. Various scholars have pointed out the dominance of certain models, but, to my knowledge, only I claim that such preference is probably unavoidable. See, for example, McCormick, 54; Dallen, 251; Michael G. Lawler, Symbol And Sacrament (Mahwah, NJ: Paulist, 1987), 118.

40. Dallen, 250-348.

## CHAPTER 2

### FOUR MODELS WITHIN TWO CRITICAL DOCUMENTS

Two official Roman Catholic documents that have been published since the closing of the Second Vatican Council warrant special attention in any contemporary study of sin and sacramental penance. These two post-Conciliar documents are the 1973 *Ordo Paenitentiae* (OP) and Pope John Paul II's 1984 Post-Synodal Apostolic Exhortation *Reconciliatio et Paenitentia* (RP).<sup>1</sup> OP is critical since it is the Church's official response to the Second Vatican Council's call for a reform of the practice of sacramental penance (SC 72). RP is crucial for at least two reasons. One is that it is the first and longest Magisterial document authored by the current Roman pontiff that teaches specifically on sin and reconciliation.<sup>2</sup> The second reason is that in RP Pope John Paul II offers the most extensive Magisterial teaching ever on the reality of social sin.<sup>3</sup>

These two critical documents each employ four different models of sin and reconciliation. That is to say, the four models that are employed in one are also employed in the other. Furthermore, I speak of models of sin and reconciliation since, as I will point out, each model of sin is yoked to a correlative model of reconciliation. In this second chapter I will describe each model and demonstrate how the two documents

employ each one. I have named the four models the juridical, the personalistic, the medical, and the liturgical-narrational.

### Juridical Model

The first model I will attend to is what I call the juridical model.<sup>4</sup> The juridical model is called such because it is a model that focuses upon matters of law, crime, judgment, etc. This model presupposes that the world possesses a balanced, static order with accompanying fixed laws and tendencies. Given this cosmology, this model's moral methodology tends to be a physicalist form of natural law, i.e. a "tendency in moral analysis to emphasize, or even to absolutize, the physical and biological aspects of the human person and human actions independently of the function of reason and freedom."<sup>5</sup> It sees human beings abstractly, as rational animals with a spiritual faculty called free will. It understands sin to be primarily an individual's transgression of a law and an upsetting of the alleged cosmic order. The juridical model also emphasizes a precise conceptual distinction between mortal sins (i.e. those sins that are said to always require individual absolution) and venial sins (i.e. those sins that do not require individual absolution).

This juridical model of sin is joined with a response to sin—i.e. a model of penance—that is also mainly juridical. God is depicted as a judge. The Church is usually seen as a reified perfect entity, and as a hierarchical institution where sacramental ministry is largely limited to those who have been ordained for that purpose. The Church's

sacraments are understood as being administered in particular moments via a cleric's power. The sacrament that addresses serious post-baptismal sins is called "penance," and it is executed privately and immediately by one minister who judges, sentences, and pardons each penitent criminal separately from others. The four traditional parts of penance, as well as penitential ministry, are understood as follows: contrition is both regret for having disrupted the cosmic order and a desire for a restoration of this order; confession is a statement of, or admission to, crimes; absolution is a declarative statement<sup>6</sup> (issued by the judging cleric) which pardons and reinstates; the act of penance is given as a punishment or means of satisfaction; penitential ministry is limited to ordained priests, who act as official judges. Each recipient of this sacrament, having assumed full responsibility for each crime, is pardoned and must do penance, resolving not to upset the newly restored order of things in the future. Theologian John Mahoney confirms the existence of what I have called the juridical model:

. . . the Sacrament of Penance has suffered for centuries from an over-conceptualized and rigorously univocal pursuit of the idea of God as judge and of the sinner's encounter with him as taking place within some sort of [248] court of law. And it appears that moral theology as a whole, unconsciously or at least unreflectively, has done something similar and at a much deeper level with the whole idea of morality, expressing it almost entirely in the language of law as enacted, promulgated, and sanctioned by God as the supreme legislator. And yet such language is purely analogical . . . . 7

## Juridical Model in OP

OP contains an introduction, four chapters, and three appendices. Throughout this dissertation the 40 paragraph Introduction will be the focus of all of my analyses of OP. This will be so since the Introduction presents the theological foundations of the entire revised Rite.<sup>8</sup>

The Introduction itself is divided into six parts. The first part, “The Mystery of Reconciliation in the History of Salvation” (OP 1-2), contains five points that are characteristic of the juridical model. One of these is the presupposition that there exists a universal balanced order, an order that is disrupted by sins and restored by God’s action in the Church’s sacraments. Original sin is seen as the cause of the first disruption, a disruption that is overcome by Christ’s victory over sin and the mediation of this victory in the sacrament of baptism (OP 2.1). This is to say that, once a person is baptized into Christ’s death, he enjoys a state of grace. In such a worldview it behooves the Christian to work at maintaining this state. When he fails to do this—i.e. sins—he ought to seek a restoration of this state in the sacrament of penance. Indeed, OP 2.3 includes a reworded version of one of the canons on penance issued by the juridical-minded<sup>9</sup> Council of Trent: “Thus the faithful who fall into sin after baptism may be reconciled with God and renewed in grace.”<sup>10</sup> A second juridical point (implied in OP 2.3) is that the moral life is understood not so much in terms of discipleship or vocation but as mainly concerned with a careful observance of laws. A third point that is

repeatedly implied via various statements throughout Part One is the preference for immediate pardons (not gradual moral development), since moral innocence (not moral growth) tends to be a main goal of the juridical model. Fourth, the Church is divided into innocent and guilty groups (OP 2.1), with the “innocent” group not seen as having a share in the “crimes” of the guilty.<sup>11</sup>

Before moving on to illustrate the juridical model’s presence within the second part of OP’s Introduction, there is a fifth juridical point in the first part that ought to be highlighted. This fifth point is an emphasis upon office and its accompanying powers. There are three explicit references to office and power: “. . . he sent the Holy Spirit upon the apostles, empowering them to forgive or retain sins” (OP 1.2 referring to JN 20.19-23); a quoting of the Petrine commission in Mt 16.19 (OP 1.3); “. . . he gave to his apostles and their successors power to forgive sins” (OP 2.3). In my categorizing of these passages as belonging to the juridical model of sin and penance I am not denying the possibility that other such models can be associated with them. I am merely pointing out that these and similar passages, despite the fact that alternative interpretations of them exist,<sup>12</sup> have traditionally connoted hierarchical, authoritarian, and clerical images of the Church, ministry, and sacraments.<sup>13</sup> Given these connotations, I think my labeling of these passages as juridical is reasonable.

The Introduction's second part, "The Reconciliation of Penitents in the Church's Life" (OP 3-7), makes even more references to the juridical model. One of these is the employment of the juridical term "pardon." Before Part Two, the treatment of sin by God and/or the Church is referred to by non-juridical words such as "reconciling" (OP 1.1), "healing" (OP 1.2), and "calling" (OP 1.3). However, in Part Two, "pardon" appears for the first time (OP 4.1) and it is used a total of four times (also 4.2, 6.1, and 6.5). The most revealing of these four uses is the one in OP 6.5: "Through the sign of absolution God grants pardon to the sinner . . . and thus the sacrament of penance is completed." This is the most revealing use of the term "pardon" because it practically identifies absolution as a pardon—an identification that was not made in Catholicism until the ninth century, when the cleric presiding over Penance began to be viewed as a judge who could declare such a pardon. Originally, in ancient penance,<sup>14</sup> when the presiding official was viewed as a leader of a penitential liturgy, absolution was a concluding blessing—i.e. a deprecative statement addressed to God—in that liturgy.<sup>15</sup>

Another first in Part Two is OP's initial reference to sin classification. This appears in OP 7.1 with the distinction made between "grave" and "venial" sins. Grave sins are broadly defined here as withdrawals from communion and as life-taking.<sup>16</sup> The classic term "venial sin" refers, of course, to less seriously sinful actions, but which



are also, nevertheless, forfeitures of “the full freedom of the children of God” (OP 7.1). This qualitative language is present also in OP 7.2 and 7.3. OP 7.2 rewords Canon 7 of the Council of Trent’s De sacramento Paenitentiae, which mandates confession to a priest of “each and all mortal sins.”<sup>17</sup> OP 7.3, while recommending frequent confession of venial sins, highlights the fact that confession or special treatment of these sins is not mandatory.

There are at least four implications of such sin classification, implications which are characteristic of juridicism. One of these is that morality is understood to be act-centered or analytical, not synthetic or holistic. A second implication is that penance and conversion are essential only consequent to serious sins; that is, penance and conversion need not mark the entirety of each Christian’s life. Thirdly, a highlighting of the grave/venial distinction of sin tends toward moral minimalism—a focusing upon serious sins of commission, and a de-emphasis of sins of omission. Finally, sin classification implies that the sacrament of penance is essentially about the meting out of just punishments.

Yet another first in Part Two is the discussion of the sacrament of penance in terms of its parts (OP 6). This discussion has its roots in the Scholastic concern for distinguishing the matter and form of the Church’s sacraments, and in the Council of Trent’s embracing of this schema.<sup>18</sup> There are said to be four parts of the sacrament: contrition,

confession, and satisfaction are the parts to be performed by the penitent, parts which the Council of Trent labeled as “quasi-matter”;<sup>19</sup> the fourth part, absolution, is to be performed by the minister and is the form of the sacrament. These four parts are not necessarily nor exclusively representative of the juridical model, but the treatment they receive in OP 6 supports understanding them according to this model: OP 6 addresses only individual persons and their individual sins; it excludes the role of the community in penitential ministry; it excludes “parts” such as liturgy, conscience formation, and spiritual direction; confession is referred to as an “accusation” (OP 6.3).

Besides containing these firsts, Part Two of OP continues some of the juridical emphases that are present in Part One. Two of these emphases are the distinction between cosmic/moral order versus disorder, and the distinction between the innocent and the guilty. These two emphases are obvious in the paragraph devoted to satisfaction (OP 6.4). The opening sentence here begins, “True conversion is completed by acts of penance . . . ,” thus suggesting that conversion is not an ongoing process but is rather a regaining of a static balance. Here it is also stated that, in his act of penance, the penitent will “restore the order which he disturbed.” OP 6.4 closes by including a phrase from Philippians 3.13—“forgetting the things which are behind him”—which seems to be lifted out of its context in order to support the emphasis on

the innocence that can supposedly be regained in the sacrament of penance.<sup>20</sup>

A third juridical emphasis that is continued in Part Two is the emphasis upon office. Penitential ministry is limited to the ordained (OP 6.1), who are to exercise this ministry as judges (OP 6.3), and who are irreplaceable (OP 6.5 and 7.2).

Before moving on to examine Part Three, one more matter about Part Two is noteworthy. The entire Introduction of OP contains 55 footnotes. Of these 55 footnotes, 8 refer to the Council of Trent; and of these 8 references, 6 are made in Part Two, a part itself containing a total of 21 footnotes. This means that three-fourths of all of OP's references to the Council of Trent are contained in Part Two, a part that also devotes almost one-third of its references to this Council. Since the Council of Trent was, among other things, a tribute to juridicism,<sup>21</sup> the second part of OP's Introduction might very well be the most juridical-minded part of the document.

The third part, "Offices and Ministries in the Reconciliation of Penitents" (OP 8-11), contains aspects of the juridical model that are already present in the previous two parts. One of these is the sharp line drawn between the innocent and the guilty. We see this distinction being made in OP 8, which states that the Church calls sinners to repentance and "intercedes for them . . . ." Here an idealistic view of the Church obscures the whole Church's sinful and converting dimension; that is, it

is here implied that sin is a reality that can only be found outside of the Church's innocent confines.<sup>22</sup>

Other juridical tenets that continue to be affirmed in Part Three are the limiting of penitential ministry to juridical officers (i.e. priests), and a reduction of the sacrament to pardoning (i.e. absolving). We see the former in OP 8, 9.1, 9.2, and 10.1; we see the latter in OP 9.3. Also present in Part Three is an individualistic view of the moral life, sin, penance, and ministry. This individualism is most obvious in OP 11, which bears the sub-heading, "The Penitent," and which goes on to discuss the role of a penitent in isolation from all other penitents. It is also present in OP 10.4, which, furthermore, connotes attorney-client privilege: ". . . the confessor comes to know the secrets . . . he is bound to keep the sacramental seal of confession absolutely inviolate."

Part Four, "The Celebration of the Sacrament of Penance" (OP 12-35), is the longest part of OP's Introduction. The bulk of this part consists of a presentation of the structures and rationales of the three possible forms of celebrating sacramental reconciliation provided for in OP.<sup>23</sup> These three forms, each of which is fully contained in its own chapter of OP, are: "Rite for the Reconciliation of Individual Penitents" (which is also labeled Rite "A" and discussed in OP 15-21); "Rite for Reconciliation of Several Penitents with Individual Confession and Absolution" (Rite "B"—discussed in OP 22-30); "Rite for Reconciliation of

Penitents with General Confession and Absolution” (Rite “C”—discussed in OP 31-35).

The second and third forms—i.e. Rites “B” and “C”—are the first new rituals of penance in a millennium.<sup>24</sup> Their existence begins to fulfill the post-Conciliar Church’s obligation to retrieve and develop communal and liturgical celebrations of conversion and reconciliation, celebrations that were considered essential in the early Church.<sup>25</sup> Unfortunately, despite these innovations, the individualistic Rite “A” is clearly preferred in OP. This preference is obvious in OP 31.1: “Individual, integral confession and absolution remain the only ordinary way for the faithful to reconcile themselves with God and the Church . . . .” This individualism, of course, is characteristic of juridical thinking.<sup>26</sup>

Several other tenets of juridicism also reappear in Part Four. Two of these are the limiting of penitential ministry to priests and the reduction of the sacrament of penance to the absolution. OP 13.1 identifies the presiding priest as the lone minister of reconciliation, and OP 15-21 repeatedly portray the sacrament as a penitent’s dependence upon one priest. As for the absolution, its official formula appears in OP for the first time in OP 19.2, and then again in OP 21. In both instances these words of absolution are called “essential,” and in OP 21 they are even said to be “sufficient” for the sacrament to be valid. Furthermore, the formula is declarative, thus reinforcing the juridical view of penitential ministry as being one that is limited to a juridical officer.<sup>27</sup>

Three other juridical tenets that Part Four repeats are sin classification, act analysis, and the order-innocence/disorder-guilt distinction. The first two of these can be found in OP 18.3, 33, 34, and 35.1. The third of these can be seen six times in Part Four, in OP 18.2, 18.3, 19.1, 25, 33, and 35.1. Phrases in these paragraphs suggest that the sacrament of reconciliation is not a celebration and reinforcement of conversions that are, or ought to be, ongoing, but that it is rather a means to restore order, regain moral innocence, and balance moral ledgers. Indeed, the Trent-like understandings of contrition, conversion, and penance that imbue OP 6 reappear here with remarkable similarity. OP 33 states that penitents are to resolve to avoid committing certain sins again, as OP 6.2 calls for “the intention of sinning no more.” Acts of penance are seen as means to “restitution” (OP 18.2) and as making up for the past (OP 18.3), while OP 6.4 aligns them with “reparation” and order-restoration. And OP 19.1 characterizes sincere penitents as those who resolve to “begin a new life,” as OP 6.1 speaks of the intent to “lead a new life.” Again, all of this language represents the juridical model’s focus on acts and sharp distinction between moral guilt and moral innocence. The belief that each human person lives one life that is a meandering journey between complete disintegration and complete integration is given no credence in the juridical weltanschauung; dichotomization and analysis are embraced while congruence and synthesis are ignored.

The last two parts of the Introduction are the shortest. Part Five, “Penitential Celebrations” (OP 36-37), discusses these liturgies of the Word, liturgies which contain no traces of the juridical model. The only juridical-minded statement in Part Five appears in OP 37.1 and is echoed in OP 37.3: these celebrations are to be seen as subordinate to celebrations of the sacrament of penance. While non-juridical vision sees these liturgies as intimately linked with the sacrament,<sup>28</sup> proponents of the juridical model view them as nonsacramental since they lack priestly absolution. Part Six, “Adaptations of the Rite to Various Regions and Circumstances” (OP 38-40), continues this emphasis upon individual absolution (OP 40), as well as the limiting of penitential ministry to priests (OP 38, 40).

To conclude my illustration of the juridical model’s presence within OP I want to highlight how OP treats the term “reconciliation.” The employment of this term intends to sum up and signify the Church’s revision of what for centuries had been called the sacrament of penance;<sup>29</sup> indeed, this term is offered as the new alternative name of the sacrament (OP 22.1). The term is rooted in scripture—particularly in the Pauline corpus<sup>30</sup>—and it bears strong personalistic and communitarian connotations. This is to say that “reconciliation” is intended to remind us that this sacrament is to be experienced as a graced return of sinful persons not only to friendship with God, but also with the human persons and communities against which have been sinned.<sup>31</sup>

To speak about this further and in more technical or thematic theological language, reconciliation is a mystery which consists of objective and subjective dimensions. Objective reconciliation refers to the theological fact that God the Father has forgiven the sins of humanity because of the sacrificial death of His Son, Jesus Christ. In this sense, reconciliation has been realized. However, reconciliation in its subjective dimension is incomplete since it needs to be subjectively appropriated or consummated by individuals and communities.<sup>32</sup>

There are at least two ways of viewing this subjective dimension and how it is realized. One way is to see reconciliation as being gradually achieved. Those holding this view would never claim that reconciliation can be completely realized this side of the Kingdom of God. Rather, they—i.e. we—claim that reconciliation is realized asymptotically: in ever greater degrees, and not completely until the eschaton.<sup>33</sup> Thus, in this vision, each celebration of the sacrament of reconciliation is a placing of a building-block, to (continue to) speak metaphorically.

The other way of viewing subjective reconciliation is to see this as being able to be instantly and fully appropriated here and now. That is to say, in terms of the aforementioned metaphor, each celebration of sacramental reconciliation is a complete construction of an entire building. Although OP offers no explicit description or definition of reconciliation,<sup>34</sup> the document implicitly prefers to see reconciliation this latter way. I point this out now because I see this as part of the juridical



view of sin as being that which disrupts an alleged cosmic order, and as part of the juridical view of the sacrament that treats post-baptismal sin as the means to order-restoration. Let us recall:

Thus the faithful who fall into sin after baptism may be reconciled with God and renewed in grace. (OP 2.3)

It is therefore fitting to have several penitential celebrations during Lent, so that all the faithful may have an opportunity to be reconciled with God and their neighbor and so be able to celebrate the paschal mystery in the Easter triduum with renewed hearts. (OP 13.2)

. . . reconciliation with God is asked for and given through the ministry of the Church. (OP 19.2)

My illustration of the employment of the juridical model of sin and reconciliation in OP is now completed. It is time to so illustrate *vis à vis* RP.

### Juridical Model in RP

RP is an Apostolic Exhortation of Pope John Paul II's, issued in response to the Sixth General Assembly of the Synod of Bishops, in which the Pope offers "as the fruit of the same Synod a doctrinal and pastoral message on the subject of *penance and reconciliation*" (RP 4.12). Its publication date—December 2, 1984—is the eleventh anniversary of the promulgation of OP.<sup>35</sup> RP contains an Introduction, three parts that contain a total of seven chapters, and a Conclusion.

The first appearances of juridical thinking within RP occur in the Introduction's (RP 1-4) numerous statements about reconciliation. In fact, when these statements refer to the subjective dimension of

reconciliation they usually see this dimension as it is often seen in OP: reconciliation consists in the complete restoration of order here and now. For example, it is claimed that there exist acts of reconciliation which restore unity (RP 4.7), that the Church can re-establish an “original reconciliation” (RP 4.8), and that reconciliation will result when persons are converted (RP 4.10-12). This last statement not only signifies a juridical understanding of reconciliation, but it also reflects a juridical view of conversion—i.e. conversion is an achievable goal, not an ongoing process. Also juridical-minded is a statement about sin in RP 4.5: sin is something to be overcome, not something with which we continually wrestle.

These juridical views of sin, conversion, and reconciliation continue in Part One, “Conversion And Reconciliation: The Church’s Task And Commitment” (RP 5-12). Sin is described in legalistic terms—i.e. as “disobedience” and as a “transgression” (RP 10.2). Sin is also seen as something that disrupts order (RP 10.2), and as something that can be overcome (RP 6.3, 8.7, 10.7). As for conversion, it is thrice referred to in the past tense, as if it were something that comes to a successful end (RP 6.1, 6.2, 10.6). Indeed, conversion is said to be a prelude to reconciliation (RP 6.2), and reconciliation is itself said to be completely achievable (RP 7.5, 9.5).

Other appearances of juridical tenets in Part One are the limiting of penitential ministry to empowered officers only (RP 8.3), and a sharp

distinction between the morally innocent and the morally guilty. The latter tenet is implied in three references to the Church's task of reconciling. In RP 9.5 the "innocent" Church is distinguished from "vast sections of humanity in the modern world that . . . keep their distance from her and oppose her." In RP 10.6 this Church is distinguished from "all humanity," to which it offers a (condescending) monologue. This monological stance is echoed in RP 12.3: "The Church . . . as Mother and Teacher, untiringly exhorts people to reconciliation." These references fail to include the facts that the Church must constantly exhort itself, as well as the world, to pursue conversion and reconciliation, and that the world sometimes so exhorts the Church.

Part Two, "The Love That Is Greater Than Sin" (RP 13-22), contains an Introduction and two chapters. Although the focus of the first of these chapters is sin, and although the focus of the second of these chapters is the divine mercy that triumphs over sin, these chapters overlap and, to some degree, treat both of these mysteries, and aspects of them, simultaneously. Perhaps the best way to illustrate the employment of the juridical model in Part Two is to highlight how a biblical passage that is central to Part Two is interpreted and applied. The passage in question is 1 Jn 5.16-21.

The first of five references to this passage<sup>36</sup> occurs in RP 17. John Paul II's first comment on this passage is a sound one:

At any rate, by this distinction of concepts John seems to wish to emphasize the incalculable seriousness of what constitutes the very essence of sin, namely the rejection of God. (RP 17.4)

What is questionable, however, is the Pope's second comment:

But in this passage the Apostle's intention is also to underline the certainty that comes to the Christian from the fact of having been "born of God" through the coming of the Son: the Christian possesses a power that preserves him from falling into sin; God protects him, and "the evil one does not touch him." (RP 17.4)

Apparently the Pope, in Part Two, has lifted 1 Jn 5.16-21, as well as other New Testament passages,<sup>37</sup> out of its context in order to support his present employment of the juridical model. There are two juridical-minded points that the Pope makes via his references to 1 Jn: first, that the author of 1 Jn is concerned with developing a conceptual distinction between "venially" sinful acts and "mortally" sinful acts; second, that 1 Jn is urging a moral perfectionism and asserting that failing in this is a fall from the "white" of moral innocence into the "black" of moral guilt (i.e. there is no "gray" area in the moral life to speak, again, metaphorically).

In arguing that John Paul II has accommodated 1 Jn 5 et al. according to a juridical bias I am encouraged by Johannine scholars such as Raymond E. Brown,<sup>38</sup> Bruce Vawter,<sup>39</sup> and Rudolf Schnackenburg.<sup>40</sup> In a section of his The Community Of The Beloved Disciple that is devoted to the Johannine Epistles, Brown begins by pointing out that the overall purpose of the author of 1 Jn is to warn its readers about a heretical "group that has seceded from the (Johannine)

community (1 Jn 2.19) but is still trying to win over more adherents.”<sup>41</sup>

Brown then explains how the author (whom Brown sees as being the primary representative of the Johannine community’s orthodox school<sup>42</sup>) and the secessionists conflict with regard to christology, ethics, eschatology, and pneumatology.

In his discussion of the ethical and pneumatological differences, Brown presents evidence that renders invalid any linking of 1 Jn with the two aforementioned juridical points, as the Pope has done. First of all, the statements about “deadly sin” in 1 Jn 5.16f. are not part of a larger discussion of how sins may be classified or graded. Rather, these statements merely highlight the fact that the secessionists have committed the deadliest sin—apostasy—and that they must thus be ignored.<sup>43</sup> Furthermore, when we read that “no one who is a child of God sins” because “he who was born from God protects him” (1 Jn 5.18) or because “God’s seed remains in him” (1 Jn 3.9), we are not being urged by the author to pursue a moral perfectionism that sharply separates the morally innocent and the morally guilty. Rather, the “seed” that prevents our sinning is most probably the knowledge-providing Paraclete/Spirit who refutes the apostate—i.e. sinful—teaching of the secessionists.<sup>44</sup> Indeed, when the author of 1 Jn writes that a Christian “cannot be a sinner” (1 Jn 3.9), it is very likely that he means “cannot *consistently* be a sinner for elsewhere he recognizes that Christians may fall short of the ‘should.’”<sup>45</sup>

Before moving on to analyze Part Three of RP, I ought to point out other juridical tenets that are present in Part Two. Besides containing instances of an act-centered hamartology, the classification of these acts, the sharp distinction between order/innocence and disorder/guilt, and the hope that actual sins can be perfectly avoided (all of which is supposedly supported by 1 Jn), Part Two also contains passages which limit the responsibility for sin and conversion to individuals in isolation. Nowhere is this more obvious than in RP 16.9:

Whenever the Church speaks of *situations* of sin, or when she condemns as *social sins* certain situations or the collective behaviour of certain social groups, big or small, or even of whole nations and blocs of nations, she knows and she proclaims that such cases of *social sin* are the result of the accumulation and concentration of many *personal sins*. . . . The real responsibility, then, lies with individuals.

This individualism is also present in RP 13.4, 14.4, 22.2, and in subdivisions 1, 2, 10, and 11 of RP 16. Furthermore, sin is often discussed in juridical terms, such as “disobedience” (RP 14.2, 14.3, 14.4, 15.4, 17.15), “rebellion” (RP 17.6, 17.7), “crimes” (RP 17.8), “a disorder perpetrated” (RP 17.9), “illicit acts” (RP 18.7), and as deserving of “punishment” (RP 17.7, 17.10, 18.10) or “condemnation” (RP 17.3). Finally, it is claimed that the traditional concept of mortal sin—i.e. the juridical model of mortal sin—is unchangeable (RP 17.17), and it is implied that the teaching on sin as contained in the juridical tradition is identifiable with the teaching on sin that is given in the word of God (RP 17.18).<sup>46</sup>

Part Three, “The Pastoral Ministry Of Penance And Reconciliation” (RP 23-35), is RP’s longest part. It is a veritable cornucopia of juridical-minded statements. These statements reflect all of the values of the juridical model. These are frequently repeated, and they can be summarized as follows: mortal sins remove one from communion with the morally innocent Church; confessing these sins privately to an empowered Church officer and receiving absolution privately from him instantly and perfectly restores one to this communion. Even more illustrative is contrasting what is focused upon versus what is ignored in Part Three’s juridical statements by listing these contrasts in table form.

Table 1.—Aspects of Sin and Reconciliation Focused Upon and Ignored in Juridical Statements Contained in Part Three of RP

Focused Upon	Ignored
1. The holiness of the reified Church	1. Sin in the concrete Church
2. Moral perfection	2. Moral progress
3. Individual acts	3. Whole life
4. Sin classification	4. Characterization
5. A penitent in isolation	5. Penitents together
6. Instant reinstatement	6. Gradual conversion
7. Absolution is pardon	7. Absolution is prayer
8. Office	8. Charism
9. Observing laws	9. Experiencing meaning

Most of the paragraphs in Part Three point to or contain at least one of these foci. Instead of citing them all, I think it would suffice to highlight several of the more outstanding passages. RP 26.6 contains

the aforementioned sharp distinction between disorder and guilt versus order and innocence: “*To do penance* means, above all, to re-establish the balance and harmony broken by sin . . . .” This distinction is also prominent in RP 27.3 and especially in RP 31.17: “Every confessional is a special and blessed place from which, with divisions wiped away, there is born new and uncontaminated a reconciled individual—a reconciled world!” We also see in statements such as these the emphasis upon instantaneous and absolute pardoning (also see RP 31.11). Indeed, a pardoning absolution is said to be the unchangeable substance of the sacrament of penance (RP 30.2).<sup>47</sup>

The most explicit example of the juridical model appears in RP 31.3:

. . . the Sacrament is a kind of *judicial action*; . . . sinners . . . accept the punishment (*sacramental penance*) which the confessor imposes on them and receive absolution from him.

This confessing by a lone penitent to a lone judge/absolver is said to be “the *only ordinary way*” to reconciliation, and that this is so due to “the will of the Lord Jesus” (RP 33.2). Furthermore, those bishops who permit the communal celebration of penance with general absolution<sup>48</sup> are admonished (RP 33.3-4).

The final five paragraph subdivisions of Part Three—which comprise RP 34—are all very juridical-minded. Taken together these subdivisions reveal an understanding of the sacrament that reduces it to confession and absolution. That is, most of the difficult work of serious



conversion is seen as extrinsic to the sacrament. This is observable in RP 34.2, which attempts to address those who are situated in irregular sexual unions:

. . . the Church can only invite her children who find themselves in these painful situations to approach the divine mercy by other ways, not however through the Sacraments of Penance and the Eucharist, until such time as they have attained the required dispositions.

The “other ways” to mercy recommended later in RP 34.5 are vague and, again, are seen as extrinsic to sacramental reconciliation. Since Part Three—in harmony with the juridical model—limits penitential ministry to those who are empowered to issue pardon-like declarative absolutions, and since it limits the sacrament to the individual form of celebration,<sup>49</sup> this vagueness and extrinsicism are inescapable. As I will show below,<sup>50</sup> a non-judicial approach to sin and reconciliation can attempt to incorporate communal conversion, and diverse ministries that facilitate such conversion, within celebrations of the sacrament.

Before proceeding to the next section of this chapter, I would like to here state a bit more about the juridical model. I am not arguing that this model is inadequate. On the contrary, there are aspects of this model which continue to benefit the Church directly and the world indirectly. Among these, for example, is the pursuit of universal moral laws via the methodology of natural law.

What I am arguing is that the juridical model of sin and reconciliation is inadequate as a paradigm in the Church today. Official

Catholic teaching on sin and reconciliation ought to be based upon a contemporary paradigm. Such a paradigm would not jettison the juridical model, but would rather include what is still relevant and fecund in that (and other) models. Nevertheless, the new paradigm would be a model that would replace the juridical model in terms of primacy.

Having described the juridical model of sin and reconciliation, and having demonstrated its employment in RP, as well as in OP, I now proceed to do the same *vis à vis* the personalistic model.

#### Personalistic Model

The personalistic model of sin and reconciliation<sup>51</sup> shares with the juridical model an emphasis upon the individual and his or her individual responsibility.<sup>52</sup> The former model differs from the latter, however, in its incorporation of both biblical and modern philosophical ideals. The personalistic model presupposes that the world is anthropocentric, an environment given to humanity by God and in which man either flourishes and co-creates with God or wastes and destroys. Its moral methodology tends to be, appropriately, a personalistic form of natural law, i.e. a form which is based not on human nature, but on “the nature of the human person and human action” (GS 51).<sup>53</sup> It sees human beings as individual persons who are to listen for God’s call within their consciences and realize their respective vocations through personal choices and acts. While the juridical model sees sin as a

transgression or crime, the personalistic model sees sin as a betrayal or infidelity. The latter model also views sins as failures: failures to self-actualize; failures to love God and neighbor; failures to offer one's entire self as gift. This model holds that a consequence of sin is alienation: alienation from self, God, neighbor, Church, world, all creation, and, ultimately, from a life that is meaningful.

The correlative response to sin in this model is just as personalistic. Emphasized over the unity of the divine nature is the Trinity of divine persons. The Church is still seen as hierarchical but it is also recognized as being a community, a people, even a family. Sacraments are appreciated as encounters with the three-personed God. The sacrament that treats sins is called "reconciliation," since the alienated sinner is here welcomed back—in the person of the priest-confessor—by a loving, forgiving Father and family. A most obvious employment of modern thought is when these encounters are referred to in terms of rights, i.e. when it is said that reconciliation is a right of God's and of an individual's.<sup>54</sup> The four traditional parts of penance, as well as penitential ministry, are understood as follows: contrition is a desire to return to communion; confession is a revelation of a contrite heart; absolution is a declarative statement<sup>55</sup> that welcomes; the act of penance is one of reparation, or is a sign of commitment to personal conversion and self-actualization; penitential ministry is limited to ordained priests, who act as community representatives.

## Personalistic Model in OP

Two major characteristics of the personalistic model appear simultaneously at the beginning of OP. These are, first, the resituating of what has been traditionally called the sacrament of “penance” within the framework of “reconciliation,” and second, reference to the three persons in God, as opposed to God as an apersonal unity. Although I will attempt to discuss these characteristics separately, their interrelationship will lead to some overlapping. I will treat first OP’s references to the Trinity.

Even though OP’s references to the Trinity are primarily inspired—as I will demonstrate below—by the liturgical-narrational model, it is necessary nevertheless to show how these references are also part of the personalistic model. In order to do this I point out that personalism is concerned with respecting the subjectivity and/or the relatedness of persons.<sup>56</sup> Given such concerns, it follows that the personalistic model will refer to God in ways that respect and illuminate subjectivity and relatedness regarding God.

There are several of such references in OP, especially within the first six paragraphs (i.e. OP 1-6). Whenever one of the divine persons is mentioned usually the other two are also immediately discussed (hence, respecting relatedness), and these discussions distinguish the divine persons according to each one’s unique activity in the economy of salvation (hence, respecting subjectivity). OP 1 reminds us that God the

Father “has shown forth his mercy by reconciling the world to himself,” that Jesus’ sacrifice reconciles us with the Father, and that Jesus “sent the Holy Spirit,” who in turn enables the forgiveness of sins. OP 5.1 states that a repentant sinner “comes back” not simply to God, but to a God who is three persons: “. . . to the Father who ‘first loved us’ . . . to Christ who gave himself up for us, and to the Holy Spirit who has been poured out on us abundantly.” OP 6.6 says that in the sacrament the Father “receives the repentant son,” that Christ brings the “lost sheep” back, and that the Holy Spirit “sanctifies this temple of God again . . . .” OP 19.2 points out how the formula of absolution is personalistic: it shows that reconciliation “comes from the mercy of the Father,” that reconciliation is linked with Christ’s paschal mystery, and that forgiveness is tied to the activity of the Holy Spirit. Finally, OP 24.3 orders that readings chosen for communal celebrations of penance should illustrate God (the Father) “calling men back to conversion,” and that reconciliation comes through Christ’s death and resurrection and “through the gift of the Holy Spirit.”

The second personalistic tenet that appears (simultaneously with the Trinitarian references) at the beginning of OP is the viewing of the sacrament of penance also as one of “reconciliation.” Earlier in this second chapter I stated that the employment of this term intends to sum up and signify the Church’s revision of the sacrament—that “reconciliation” is intended to remind us that the sacrament is to be

experienced as a graced return of sinful persons not only to friendship with God, but also with the human persons and communities against which have been sinned. I also pointed out that there are two dimensions or types of reconciliation in salvation history: the objective dimension, which refers to the Father's forgiveness through the sacrifice of the Son; and the subjective dimension, which refers to the appropriation or realization of reconciliation here and now.<sup>57</sup> But no matter which dimension one is referring to, "reconciliation" points toward the personalistic emphasis upon personal relationships and the varying degrees of intimacy that are possible within relationships.

More specifically, "reconciliation" refers to the core of biblical personalism: covenant. To have covenant awareness is to recognize that we Christians share both solidarity in sin and solidarity in salvation,<sup>58</sup> that our sins offend God, ourselves, and each other, and that these damaged personal relationships must be repaired and improved. It is also to remember that, in the divine-human dialogue of salvation, the divine persons always take the initiative, an initiative that is marked by steadfast, personal, passionate, and unconditional love.<sup>59</sup>

The very first words of OP are those that comprise the heading of Part One, and these words include the message that reconciliation is a mystery (a message which is repeated in OP 24.3). The following two of the remaining five part-headings also contain the term "reconciliation"; they remind us that it is something that must happen to penitents.

Furthermore, all three of the different rites offered in OP are rites “for reconciliation,” not “for penance.”

Beyond the headings and sub-headings (i.e. within the text of OP), it is interesting to note who, or what, does this reconciling work. OP 1.1, citing 2 Cor 5.18ff., says that the Father reconciles the world. OP 1.2 says that Jesus reconciled sinners. OP 2.3, 4.2, and 5.2 report that the sacrament itself reconciles. The “whole Church” performs the “work of reconciliation according to OP 8. In OP 24.3 it is said that the Spirit gives reconciliation. OP 31.1 says that the faithful (who have sinned) “reconcile themselves with God and the Church . . . .” Finally, priests are reconcilers, according to OP 40.1. Perhaps all of this diversity signifies that reconciliation is a phenomenon that is active and passive, individual and communal, divine and human. And the overall significance of referring to the sacrament as one of “reconciliation,” again, is that persons must be reunited and relationships must be repaired.

The personalistic model is also visible in OP in various passages that discuss sin and conversion. Sin “disrupts our friendship” with God (OP 5.1), is a withdrawal “from the communion of love with God” (OP 7.1), and “works against God, against the community and one’s neighbors, and against the sinner himself” (OP 25). The last passage cited exemplifies OP’s personalistic sensitivity to the social or horizontal<sup>60</sup> dimension of sin, which is also obvious in OP 3.2, 4.1, 4.2, 5.2, and 5.3. Indeed, OP 5.3 points out that joint or collective sin is a frequent

occurrence, and OP 3.2 refers to the sinful dimension of the Church.<sup>61</sup> Also noteworthy is the movement away from the classification of sins in OP 5.1: “. . . every sin is an offense against God . . . .”

As for the personalistic passages devoted to conversion, these are consistent with several of the characteristics of conversion that recur throughout the inspired books of the Bible. Ronald D. Witherup has tried to show that there are fifteen such characteristics.<sup>62</sup> Seven of these fifteen can be seen in OP's personalism. First, that conversion begins due to God's initiative can be seen in OP 5.1, 6.1, 7.1, and 25. Second, that conversion is rooted in the image of “turning” is obvious in OP 1.2, 5.1, 6.4, 6.6, and 25. Third, that conversion depends upon the recognition of sin and the hearing of God's Word is visible in OP 6.3, 17, 24, and 36. Fourth, that conversion is a process appears in OP 3.2, 4.1, 6.2, 7.3, 11.3, and 20.2. Fifth, that conversion affects the whole person is present in OP 6.2 and 7.4. Sixth, the relational or communal dimension of conversion is treated in OP 3.2, 4.1, 4.2, 5.3, 8, 22.3, 36, and 40.1. Finally, that conversion is expressed in reparative and charitable actions can be seen in OP 5.3, 6.4, 7.4, 18.3, 25, and 35.2.

Of all of these passages, one of the outstanding ones is OP 5.3:

In fact, men frequently join together to commit injustice. It is thus only fitting that they should help each other in doing penance so that they who are freed from sin by the grace of Christ may work with all men of good will for justice and peace in the world.

Regarding this passage, Dallen has noted that it “is the first correlation of the sacrament and work for justice in an official document.”<sup>63</sup>



Interestingly, this passage is immediately followed by OP 6, in which all six of its paragraph subdivisions contain personalistic statements that are individualistic, not communitarian. For example:

The follower of Christ . . . should above all be converted to God with his whole heart. (OP 6.1)

The sacrament of penance includes the confession of sins, which comes from true knowledge of self before God . . . [and] the will to open his heart to the minister of God . . . . (OP 6.3)

The only other appearances of personalism in OP occur in statements about the ministry to penitents. Although OP 9 stipulates that bishops and priests are the official ministers of the sacrament of penance, and although this limiting of the ministry pervades OP, it is interesting to note the first sentence of the paragraph that precedes OP 9:

The whole Church, as a priestly people, acts in different ways in the work of reconciliation which has been entrusted to it by the Lord. (OP 8)

Although this sentence and sentences like it are primarily inspired by the liturgical-narrational model, it does represent a strain of personalism which subtly reminds us that the official ministers of penance act as representatives of a Church that is a people as well as a hierarchical institution. That this ministry belongs to the whole Church is also underlined in OP 6.5 and 19.2. Indeed, if a distinction between the “work of reconciliation” and the “ministry of reconciliation” cannot legitimately be drawn, then the whole Church participates in this ministry “ ‘by charity, example, and prayer’ ” (OP 4.2 citing LG 11), and by

helping “each other in doing penance” (OP 5.3). Furthermore, it is stated that the penitent person “shares by his actions in the sacrament itself” (OP 11.2), and that he “celebrates with the priest” (OP 11.3). OP 40.2 even allows lay persons to contribute to the adaptation of celebrations.

As for the official ministers of penance (i.e. bishops and priests), they “reveal the heart of the Father and show the image of Christ the Good Shepherd” when they perform their ministry (OP 10.3). This ministry, however, is not simply possessed by virtue of ordination; personal gifts, skills, and qualities are to be acquired, cultivated, prayed about, and practiced. For example, the minister “should welcome the penitent with fraternal charity and . . . address him with friendly words” (OP 16), he should help and encourage the penitent (OP 18.1), and he should “acquire the knowledge and prudence necessary for this task by serious study” (OP 10.1). Indeed, discernment of spirits is not official: “. . . it is a gift of the Spirit as well as the fruit of charity” (OP 10.1). Furthermore, the official ministers are to respect and cooperate with the particular needs and circumstances of individuals and communities—that is to say, they should adapt the rites according to these needs and circumstances (OP 26.1, 38, 39, 40).

My demonstration of the employment of the personalistic model of sin and reconciliation in OP is now completed. I will now so demonstrate *vis à vis* RP.

## Personalistic Model in RP

The employment of the personalistic model within RP occurs under four of the five major headings under which it occurs in OP: sin; conversion; reconciliation; penitential ministry. In the previous section I treated reconciliation before I treated sin and conversion due to the import of the former term with regard to the personalistic model. Having done this, I will, in this section, reverse this order so that it corresponds to the order in which we experience these realities. And so I begin with the personalistic views of sin in RP.

Pope John Paul II, in RP, offers the most extensive Magisterial teaching ever on the reality of social sin. This teaching is articulated primarily in RP 16, which is comprised of 11 paragraph subdivisions. There are three legitimate or acceptable meanings of the term “social sin,” according to RP: first, every sin—even those that appear to be private—affects more than just the person who sins (RP 16.5); second, there are sins that “by their very matter constitute a direct attack on one’s neighbour” (RP 16.6); third, there are sins committed amidst “the relationships between the various human communities” (RP 16.7). These three different meanings of social sin—especially the first meaning—are obviously rooted in the communitarian pole of personalism, i.e. in the pole that refers to the intrinsic relatedness of human persons.<sup>64</sup>

Social sin is also seen as a “*communion of sin*,” which is the antithesis of that solidarity known as the Communion of Saints

(RP 16.5), and it is called the “*horizontal dimension . . . of division*” (RP 7.7). This dimension not only pervades the world (RP 1.5, 2.1, 2.2, 10.2, 15, 23.4, 25.12, 31.7, 31.15, 35.7), but it also is very present in the Church (RP 2.3, 25.7, 26.15).

Despite this attention to the social nature of persons and their sins, priority is given to individuality and to “that *vertical dimension of division . . . concerning the relationship between man and God, a dimension which . . . always prevails over the ‘horizontal dimension’*” (RP 7.7). The primary victim of sin is said to be the sinner himself (RP 16.2). Moreover, regarding the perpetration of sin, RP stresses that actual sin can properly be attributed only to individual persons; that is, RP perpetuates the distinction between proper sins and sins by analogy (RP 16.1, 16.7 ff.). This emphasis is given despite RP’s recognition of sins being committed by communities, groups, and nations (RP 16.6, 16.7, 16.9).<sup>65</sup>

RP also contains personalistic understandings of conversion and reconciliation. I have already explained how the term “reconciliation” is rooted in personalism. RP illuminates this basis by examining (in RP 5-6) one of the most personalistic of Jesus’ parables: the parable of the Prodigal Son (Lk 15.11-32). RP points out several aspects of conversion and reconciliation as contained in the parable, aspects which are repeatedly reaffirmed and developed throughout the document.

Two of these aspects are the dependence of reconciliation upon conversion and the centrality of self-knowledge in conversion. Like the Prodigal Son, each one of us must “desire to return to communion with his Father” (RP 5.3). That is, reconciliation requires a prior “desire to return”—a conversion. This point is reaffirmed in RP 4.5, 4.12, 6.2, 13.3, 20.3, 23.4, and 35.7. Indeed, these and other passages recognize that reconciliation can be delayed for some time since conversion is likened to journeying upon a road (RP 13.3), a course (RP 20.3), and a path (RP 8.7, 12.4, 35.7). Furthermore, RP’s personalism posits self-knowledge as the core of conversion. Again, like the Prodigal Son, we each must see that an “independent existence . . . [is a] mirage,” and that seeking such independence will leave us “alone, dishonoured, [and] exploited” (RP 5.3). Contrition and conversion are “a rediscovery of one’s true identity” (RP 31.9) and a recognition of “*oneself as being a sinner, capable of sin and inclined to commit sin*” (RP 13.2).

Two other personalistic aspects of conversion and reconciliation that RP notices within this parable and then expands upon are the aforementioned vertical and horizontal dimensions. As with sin, so with conversion and reconciliation: RP emphasizes the primacy of the vertical dimension (RP 7.7). Although communal conversion is recognized (RP 23.6), and although there can be “ever new manifestations of conversion and reconciliation both within the Church and outside her”

(RP 12.5), individual conversion in isolation is said to be most authentic, even when the necessary conversion is one from social sin:

. . . to speak even analogically of *social sins* . . . is meant to be an appeal to the consciences of all, so that each may shoulder his or her responsibility seriously and courageously in order to change those disastrous conditions and intolerable situations. (RP 16.7)

Another example of the alleged primacy of the vertical dimension of conversion can be found in RP's discussion of acts of satisfaction. The horizontal dimension of such acts—i.e. their benefit to the community—is ignored, yet much is said about how these acts “are the sign of *the personal commitment* that the Christian has made to God . . . to begin a new life” (RP 31.12). Furthermore, RP's personalistic statements about conversion are, more often than not, concerned with each person's “heart” (RP 4.11, 6.4, 8.7, 23.1, 31.8), soul (RP 20.3, 26.5), and/or conscience (RP 22.2, 25.4, 26.8, 31.7).

Similarly, the horizontal dimension of reconciliation is second to its vertical dimension. Although it is admitted that people who approach the sacrament are reconciled with “brethren,” with the Church, and with creation, it is “emphasized that the most precious result . . . consists in reconciliation with God, which takes place in the inmost heart of the son who was lost and found again” (RP 31.15). Reconciliation “is principally a *gift of the heavenly Father*” (RP 5.4; see also RP 4.9, 6.3, 7.1, 10.1, 20.4, 23.1, 31.16), and it is only after this vertical reconciliation is achieved that horizontal reconciliation can and should be sought (RP 4.11, 7.7, 13.6).

Finally, among RP's personalistic statements about the ministry to penitents, several are remarkable. First of all, this ministry is said to be the essence of the Church's mission, since the Church's "central task [is that] of reconciling people" (RP 8.5; see also RP 4.12, 6.4, 23.1). Second, since all the People of God are ministers of reconciliation (RP 8.3, 12.1, 23.6, 31.14), it is stated that this ministry is effective in proportion to how well the Church as a whole—including the official ministers of reconciliation—pursues continual conversion (RP 9.2, 29.7, 31.19). Third, this ministry is to be directed by the Catholic Church not only towards its own members, but also towards other Christian communities, other religions, and even towards the arena of international politics (RP 23.5, 25.1-15). Related to this multi-directional view of reconciliation is a fourth remarkable claim: dialogue and mutual forgiveness are to be aspects of the ministry of reconciliation (RP 9.4, 25.1-15).

As for RP's personalistic statements about the official ministers of reconciliation (i.e. bishops and priests), these echo those of OP. It is said that, in the sacrament of reconciliation, the official minister makes present "the Christ who appears as the *brother of man*" (RP 29.5). Furthermore, this minister must have "*human qualities*," he must visibly be committed to his own conversion, and he must possess not only doctrinal, moral, and spiritual training, but also "training in dialogue and especially in how to deal with people in the pastoral context" (RP 29.7-8).

He should remember that he represents the community to the penitent (RP 31.10), and he should give “careful attention to the celebration” so that it will receive “fresh life . . . and prevent it from declining into a mere formality and routine” (RP 32.8).

Having described the personalistic model of sin and reconciliation, and having demonstrated its employment in RP, as well as in OP, I now proceed to do the same *vis`a vis* the medical model.

### Medical Model

The medical model of sin and reconciliation<sup>66</sup> integrates biblical, patristic, and modern ideals. It presupposes that the world, though predominantly conducive to human development, contains the power of evil, a power that is virulent, contagious, and enduring. It sees human beings as capable of healthy development yet as simultaneously vulnerable or susceptible to this virulent power. It sees sins as specific manifestations of, or contributions to, this power; i.e. sins are wounds or diseases<sup>67</sup> that persons and communities acquire, perpetuate, exacerbate, and proliferate. Like diseases, sins affect all dimensions of a person, are of varying kinds and durations, and sometimes result in death.

Of course, the correlative response to sin is a medical one. Biblical and patristic allusions to Christ as Physician are highlighted. The Church is a community devoted to health and vitality, which its sacraments mediate. In particular, the sacrament of reconciliation



mediates healing, recovery, or therapy. The four traditional parts of penance, as well as penitential ministry, are understood as follows: contrition is a desire to be healed; confession is an acknowledgement and description of an illness(es); absolution is a declarative statement<sup>68</sup> that medicates; the act of penance is a prescribed diet or regimen; penitential ministry is limited to ordained priests, who act as healers or therapists.

### Medical Model in OP

Of OP's four models of sin and reconciliation, the medical model is the one that is employed the least. There are nine medical statements about sin, seven statements about the sacrament of penance, four statements about the act of penance, two statements about penitential ministry, and one statement about contrition. Sin is called a "sickness" (OP 1.2, 6.4), a "wound" (OP 4.2, 7.1), "harm" (twice in OP 5.2), an "injury" (OP 6.4), a "weakness" (OP 7.1), and a "disorder" (OP 10.1). Accordingly, the sacrament that treats sin provides "healing" (OP 1.2, 7.1, 7.4), "strength" (OP 7.1), and "remedy" (OP 7.2, 7.3, 10.1). The act of penance in itself is seen as a "remedy" (twice in OP 6.4), as something that repairs the injury of sin (OP 6.4), and as an "antidote" (OP 18.3). The official minister of penance, like a physician, "should understand the disorders of souls and apply the appropriate remedies to them" (OP 10.1), and should "provide . . . an antidote to weakness" (OP 18.3). Finally, contrition is seen as the intention to repair the harm which one may have caused (OP 35.2).

Three things are noteworthy about these medical statements. First, they help us to recognize that sins can be shared or collective, as are epidemics. OP 7.1 makes this point most clearly: “. . . the wound of sin is varied and multiple in the life of individuals and of the community . . . .” This passage also contains a second noteworthy matter: that there are varying types of sinfulness as well as various methods of healing sacramentally. Third, sin and the sacramental treatment of sin are, from the viewpoint of the penitent, both passive and active experiences. This is to recall that sin is inherited and acquired as much as it is caused by the persons who suffer from it. And it is to view the sacrament of penance as partly a passively received medicine and partly a prescribed regimen which the penitent must actively fulfill.<sup>69</sup>

#### Medical Model in RP

RP, like OP, employs the medical model of sin and reconciliation least of all. All of these employments can be grouped under one of two possible headings: they either refer to sin or to the Church’s ministry to sinners.

There are nine medically-related terms used whenever RP refers to sin. Of these nine, the first to appear is the term “divisions,” which are said to be multiple and “deep and painful” (RP 1.5). These divisions are cultural, political, and economic (RP2.2) as well as ecclesial (RP 2.3), and they “can at times seem incurable” (RP 2.3). Furthermore, they are rooted in a “wound” (RP 2.4), which is the second medical term for sin.

Appropriate to the medical model, there is no sharp distinction made between original sin and actual sins—both types of sin constitute this wound (RP 2.4). This wound is twofold, something “which the sinner opens in himself and in his relationship with his neighbour” (RP 15.5), and it is also something inflicted upon the whole Church (RP 31.14). Sin is a “break” (RP 4.10), an “infected source” (RP 4.11) remaining after absolution (RP 31.12), an “inner disorder” (RP 10.2, 15.4), a “sick condition” (RP 31.10), and a “rupture” within each person (RP 13.5) and with God (RP 14.3) which “leads tragically to divisions between brothers” (RP 15.1). Finally, sin is “suicidal” (RP 15.4) and “deadly” (RP 17.4, 17.14, 18.1, 34.2).

As for the Church’s ministry to sinners, RP employs twelve medical terms. This ministry consists of “interventions” (RP 13.4) which are equipped with the Church’s “life-giving” (RP 11.4) and “remedial” (RP 32.7) sacraments. Continuing the work of Christ the “Physician” (RP 29.5), the Church seeks the revival of a “healthy” sense of sin among all peoples (RP 18.12), and it offers “the medicine of Confession” (RP 31.4), which “corresponds to that legitimate and natural need” for “psychological self-liberation” (RP 31.10), and acts of penance that fight the aforementioned infectious source of sin (RP 31.12). The Church wants to “cure” (RP 31.5) and “treat” (RP 31.10) those who are sick with sin, and “to mend the divisions, to heal the wounds and to re-establish, at all levels, an essential unity” (RP 3.1).

As in OP, RP's medical language highlights the fact that sin is contagious and pervasive. This language also reminds us that great healing is possible, but that, at the same time, sin is always threatening to emerge in old and new forms, so that healing must be coupled with preventative measures. This is to say that the medical model agrees with the personalistic model (and the liturgical-narrational model) that sin is only progressively overcome. One interesting difference between OP and RP is that RP calls the confession of sins "medicine" while OP does not.

Having described the medical model of sin and reconciliation, and having demonstrated its employment in RP, as well as in OP, I now proceed to do the same *vis à vis* the fourth and final model: the liturgical-narrational model.

#### Liturgical-Narrational Model

The liturgical-narrational model of sin and reconciliation—like the medical model—integrates biblical, patristic, and modern ideals, and it shares some tenets with the personalistic and medical models.<sup>70</sup> It sees the world as the stage upon which the economy or history of salvation unfolds. Its moral methodology is a form of character ethics—i.e. an ethics of being, which de-emphasizes rules consciousness since it sees the Christian moral life "as pertaining to a way of life guided by the paradigmatic story of Jesus Christ."<sup>71</sup> This model views human persons and communities as participating—implicitly and/or explicitly—in ongoing liturgies and narratives.<sup>72</sup> It holds that sin is a mysterious force

and situation that enslaves and confuses humanity.<sup>73</sup> As for actual or personal sins, these are whatever runs counter to the virtues, formal norms, and images of goodness that are communicated in the Judaeo-Christian stories of salvation. It also sees actual sins as idolatries, blasphemies, and lies.

Again, joined with this hamartology is a correlative response to sin that is liturgical and narrational. Reconciliation is a soteriological plan initiated by the three divine persons which climaxes in the proclamation and sacrifice of Jesus. Jesus' liberating mission is at once message, work, and narrative which in turn is continued by a Church of prophets, priests, and narrative contributors. The liturgical-narrational model, however, also remembers that Jesus' earthly life—i.e. the “narrative” that he “wrote” via his deeds—was sinless, and that the Church's narrative is both holy and sinful.<sup>74</sup> Since this model sees the Church as a priestly People, it is open to ministerial pluralism and diversity. Furthermore, this model respects the role of ritual in conversion, centering these rituals on praise of God and on proclamation—or narration—of salvific stories, and it expects conversion to be both individual and communal. The four traditional parts of penance, as well as penitential ministry, are understood as follows: contrition is a desire to continue salvation history; confession is proclamation;<sup>75</sup> absolution is a deprecative statement which petitions and blesses;<sup>76</sup> the act of penance is anything that fosters a renewed commitment to and participation in the Church's

saving work; penitential ministry includes the proclamation and listening of any community member.

### Liturgical-Narrational Model in OP

Part One of OP's Introduction contains four tenets which are characteristic of the liturgical-narrational model. Two of these are that reconciliation is a work initiated by the three divine persons, and that this work is both realized and continuing. We are told that the Father has reconciled the world to himself via the Son (OP 1.1), that the Son reconciled sinners with the Father (OP 1.2), and that the Son sent the Holy Spirit so that the Church could and can forgive and preach (OP 1.2). Furthermore, we are told that forgiveness has been realized (OP 1.2, 2.2), but also that we must be continually repentant (OP 1.1, 1.2, 1.3).

The third and fourth tenets are that the Church continues this work of reconciliation, and that it does this in its sacraments and especially via proclamation. Again, the Church's reception of the Holy Spirit enables it to continue this work (OP 1.2), something which it has never failed to perform (OP 1.3). Reconciliation is not only a sacrament in itself (OP 2.3), but it also is intrinsic to the sacraments of baptism (OP 2.1) and eucharist (OP 2.2). Especially noteworthy is how often Part One refers to the auditory or proclamatory dimension of this work. Before the Son's earthly ministry, the prophets "sounded" an "invitation to repentance" and John the Baptist "preached a baptism of repentance" (OP 1.1). The Son of God "calls" us out of darkness (OP 1.1), he "began

his work on earth by preaching” (OP 1.1), and he sent his apostles “to preach repentance and the forgiveness of sins” (OP 1.2). Led by the preaching of Peter (OP 1.3), the Church “calls” us to conversion (OP 1.3) and “proclaims its faith in ‘the one baptism for the forgiveness of sins’” (OP 2.1).

One way that the Church continues the work of reconciliation is by its pursuit of its own collective conversion. Part Two introduces this tenet of the liturgical-narrational model in several sentences, among which is what is perhaps OP’s most original and outstanding statement:

Thus the people of God becomes in the world a sign of conversion to God. (OP 4.1)

Not only is the Church like its holy and reconciling Head, not only is it “a sign . . . of communion with God” (LG 1), but it also is radically different and apart from Him. OP’s liturgical-narrational statements do not pretend that the Church is composed of either innocent or guilty members, with the innocent welcoming back the guilty when they are penitent. Nor do these statements support those who claim that “only when the Church reflects Jesus is the Church really Church.”<sup>77</sup> Instead, these statements recognize that the Church as a whole, as well as each individual within the Church, “is at the same time holy and always in need of purification” (OP 3.2). The Church cannot be expected to signify or reflect Jesus in all ways since part of the Church’s life involves repenting, converting, and receiving (as well as giving) forgiveness, experiences which are alien to the sinless One.

In addition to saying that the Church itself is a sign, the liturgical-narrational voice within Part Two also discusses the many other signs and expressions of conversion and reconciliation. These include the enduring of difficulties (OP 4.1), the proclamation of the word of God (OP 4.1), charity, example, and prayer (OP 4.2), absolution (OP 6.5), and the eucharist (OP 6.6). Of course, the confession of sins is one of these signs since such confession expresses individual (OP 6.1) and communal (OP 4.1) conversion. Part Two's discussion of confession also reminds us of the liturgical-narrational emphasis upon the auditory dimension of the work of reconciliation. This emphasis continues in OP 7.3—penitents ought to “follow the voice of the Spirit more attentively”—and in OP 7.5, which begins: “The celebration of this sacrament is thus always an act in which the Church proclaims its faith . . . .”

Part Three contains another of OP's outstanding liturgical-narrational assertions: the confession of sins is a ministry in the service of conversion and reconciliation. This claim is made or implied four times in OP 11. First, the acts of the confessing penitent—which, obviously, include his confession of sins—are discussed within a part of OP that is entitled, “Offices and Ministries in the Reconciliation of Penitents.” Second, these acts are said to be “of the greatest importance” (OP 11.1). Third, we are told that, when one confesses one's sins, one “shares by his actions in the sacrament itself” (OP 11.2). Finally, OP 11.3 says that the confessing penitent “proclaims the mercy of God in



his life” and “celebrates with the priest the liturgy by which the Church continually renews itself.” Confession is thus one of the different ways in which all of the priestly people do the work of reconciliation (q.v. OP 8).

Parts Four and Five, again, discuss OP’s three alternative rites of sacramental reconciliation, and penitential celebrations, respectively. These are presented not as private visits to a confessor but as true liturgies: they are centered upon prayer and the word of God, and they are to be a work of the people. What stands out the most in the discussion of these liturgies is the emphasis placed upon the word of God as being the basis, the context, and the final criterion of Christian morality.<sup>78</sup> Parts Four and Five contain not less than 19 statements about the relationship of scripture to the work of conversion and reconciliation.<sup>79</sup> Noteworthy among these is OP 24.1, which states that a hearing of God’s word is a part of the sacrament. This hearing helps individuals and communities in at least five ways: first, it calls them to conversion (OP 13.2, 17, 22.3, 24.1, 24.3, 36.1); second, it illuminates their examinations of conscience (OP 15, 17, 22.3, 25, 26.1, 26.2, 36.2); third, it forms consciences (OP 20.2, 24.1, 25, 36.2, 37.2); fourth, it increases awareness of, and confidence in, God’s merciful love (OP 17, 20.2, 22.3, 24.3, 25, 36.1); fifth, it guides prayer and thanksgiving (OP 19.1, 20.1). The liturgical-narrational model’s centering upon God’s word is thus concerned not with law-observance and act-analysis, but

with listening to the narrative of salvation and attempting to harmonize one's whole life with that narrative. This is summarized in OP 22.3:

Communal celebration shows more clearly the ecclesial nature of penance. The faithful listen together to the word of God, which proclaims his mercy and invites them to conversion; at the same time they examine the conformity of their lives with that word of God and help each other through common prayer. After each person has confessed his sins and received absolution, all praise God together for his wonderful deeds on behalf of the people he has gained for himself through the blood of his Son.

Of course, this emphasis upon the hearing of God's word reminds us of the aforementioned auditory dimension of the work of conversion and reconciliation. Parts Four and Five make other references to this dimension. There is to be individual (OP 18.1) and communal (OP 27) confession, individual (OP 19.1) and communal (OP 27, 36.3) prayer, and individual (OP 20.1) and communal (OP 29, 35.5) praise and thanksgiving. Furthermore, the celebrant is to pronounce the formula of absolution (OP 19.2) and proclaim Christ's victory over sin (OP 35.4). It is very interesting to notice that, in addition to the reading of the word of God, OP allows "readings from the Fathers or other writers . . . which will help the community and each person to . . . conversion of life" (OP 36.2).

This latter allowance by OP relates not only to the auditory dimension of conversion and reconciliation but also to the liturgical-narrational sensitivity to the fact that this is the work of all of Christ's priestly people. The best example of this sensitivity that can be found in Part Four is OP 26. Here we are told that a communal examination of conscience may take the place of a cleric's homily, and also that a lay

minister may lead this examination. Furthermore, in Part Five, OP 36.3 states that a lay minister may preside at penitential celebrations—liturgies which “are very useful in places where no priest is available” (OP 37.3) and which “are very helpful in promoting conversion of life and purification of heart” (OP 37.1).

Inclusion of the laity in the work of conversion and reconciliation also appears in the brief Part Six. OP 40.2 says that the laity may assist parish priests in choosing texts and adapting celebrations to the needs of the community or group. Such adaptation is the primary concern of Part Six, a concern that is rooted in the desire for “rich and fruitful” celebrations. OP 40.1 also asserts that the community can be reconciled as a whole.

To conclude my demonstration of the employment of the liturgical-narrational model within OP, I return to the fifteen characteristics of conversion which Witherup claims recur throughout the inspired books of the Bible. Previously, I pointed out that OP’s personalistic statements refer to seven of these characteristics.<sup>80</sup> Four of these seven, as we have already seen, are shared by the liturgical-narrational model: first, that conversion begins due to God’s initiative; second, that conversion depends upon the hearing of God’s word; third, that conversion is a process; fourth, that there is a communal dimension to conversion.

The eight remaining characteristics are also referred to by the liturgical-narrational model, thus showing that this model—like the

personalistic model—is deeply rooted in scripture. First, the mysterious dimension of conversion is referred to in OP 6.4. Second, that conversion is part of a process of saving a people can be seen in OP 13.2. Third, OP 7.5 refers to the view of conversion as being a foretaste of the coming kingdom of God. Fourth and fifth, OP 2 discusses the christological and symbolic orientations of conversion. Sixth, OP 8 highlights the fact that exhortations to conversion are primarily directed toward present members of the Church. Seventh, that conversion leads to an experience of newness is pointed out in OP 20.2. Finally, that conversion leads to evangelization can be seen in OP 1.3.

My demonstration of the employment of the liturgical-narrational model of sin and reconciliation in OP is now complete. I will now so demonstrate *vis à vis* RP.

#### Liturgical-Narrational Model in RP

RP contains nine tenets of the liturgical-narrational model. One of these tenets is that reconciliation is a work that is initiated by the divine persons. We are told that reconciliation is primarily a gift (RP 4.9, 5.4, 7.1), but that it also is a history (RP 4.9), a task (RP 7.1), a work (RP 7.4), and a plan (RP 10.2) that is centered on the mystery of Christ (RP 7.2, 10.4), who “entered into the history of the world, summing it up and recapitulating it in himself” (RP 10.5). This mystery is present within Christians (RP 20.4), and it opposes, and is opposed by, the mystery of sin within the economy of salvation (RP 19.1; also see 22.2). The latter

point brings to mind a second liturgical-narrational tenet in RP: sin is a mysterious and antagonistic force that is seen as present and operative within salvation history. RP's best articulation of this tenet is to be found within RP 14.1:

Clearly, sin is a product of man's freedom. But deep within its human reality there are factors at work which place it beyond the merely human, in the border-area where man's conscience, will and sensitivity are in contact with the dark forces which, according to Saint Paul, are active in the world almost to the point of ruling it.

Four other liturgical-narrational tenets that often overlap with each other in RP (e.g. RP 4.11 and 10.6) are: first, that the Church continues the work of reconciliation; second, that this work is done through the sacraments and other signs; third, that this work includes an auditory or proclamatory dimension; fourth, that this work depends upon and is similar to narratives. Since the latter two tenets overlap the most I will here focus my attention on illustrating them. RP 6.3 tells us that the parable of the Prodigal Son (Lk 15.11-32) is "the story of the human family: it describes our situation and shows the path to be followed." RP 14 and 15 show how the Eden (Gn 2-4) and Babel (Gn 11) narratives illuminate the mystery of sin, while RP 23.2 states that the image of King David in his penitence (2 Sm 12) motivates and influences the Church's work of reconciliation. RP 31.10 points out the liturgical and dramatic nature of the confession of sins: "It is the act of the Prodigal Son who returns to his Father and is welcomed by him with the

kiss of peace.” Finally, RP 35.3 emphasizes the evangelical basis of the Christian ethic.

That the work of conversion and reconciliation is dependent upon and similar to narratives is—as we saw in Parts Four and Five of OP—the tenet that overlaps the most with the auditory/proclamatory tenet. We are told that reconciliation is “good news” and a “message” which the Church “proclaims” (RP 4.11, 8.3, 10.6, 11.1), and that the Church reconciles by proclaiming (RP 8.6, 12.3). Indeed, this proclamation is said to be essential to the Church’s pastoral activity (RP 11.3, 23.5). We are also told that the reading and hearing of the word of God in community catalyzes conversion (RP 4.4, 22.1), highlights the ecclesial dimension of conversion and reconciliation (RP 32.4), and is anamnetic (RP 32.8). Also auditory are all of the many possible forms of dialogue, which are seen as means of promoting penance and reconciliation (RP 25).

There are three other liturgical-narrational tenets in RP: first, the necessity of giving careful attention to celebrations of sacramental reconciliation; second, the inclusion of all of the people of God in the work of conversion and reconciliation; third, the inclusion of the Church’s own collective conversion in this work. Regarding the first of these, RP 18.10 claims that a pervasive deadening of the sense of sin is due, in part, to celebrations which fail to balance the personal and communal dimensions of sin and conversion, and RP 28.3 states that

poor celebrations are one reason why the sacrament is in crisis.

Regarding the second of these latter three tenets, two passages point out that the whole community supports each penitent (RP 17.4, 31.14), and two passages state that each and every member of the Church can contribute in one of many ways to the work of conversion and reconciliation (RP 8.3, 23.6). The third of these tenets is expressed six times (RP 9.2, 9.3, 9.4, 12.5, 25.7, 25.11), all of which emphasize the point that the Church will reconcile only as well as it itself is converting and reconciling. RP 9.2, which develops a statement of Pope Paul VI<sup>81</sup> and which echoes OP 3-4, is the most articulate of these six passages:

. . . the Church, if she is to be *reconciling*, must begin by being a *reconciled Church*. Beneath this simple and indicative expression lies the conviction that the Church, in order ever more effectively to proclaim and propose reconciliation to the world, must become ever more genuinely a community of disciples of Christ . . . united in the commitment to be continually converted to the Lord and to live as new people in the spirit and practice of reconciliation.

In this second chapter I have described four post-Conciliar models of sin and sacramental reconciliation. I have also demonstrated how OP and RP employ each of these four models. In the following chapter, I will demonstrate how OP and RP establish one of these models—i.e. the juridical model—as the dominant model or paradigm.

## CHAPTER 2 NOTES

1. Throughout this dissertation I will employ parenthetical references to OP's and RP's cited paragraphs. Furthermore, I will employ a decimal-based identification system when referring to specific paragraph subdivisions of the officially numbered paragraphs of OP and RP. Such a system seems to be necessary given the frequency of multiple subdivisions within these documents. For example, RP 25 contains 15 paragraph subdivisions which have not been officially numbered. If I quoted a phrase from the 12<sup>th</sup> paragraph subdivision of RP 25, then I would refer to RP 25.12. I chose numbers over letters (e.g. RP 25 L) since the former save the reader time. After having devised this system I discovered that it is the same system employed *vis à vis* RP et al. in J. Michael Miller, ed., The Post-Synodal Apostolic Exhortations of John Paul II (Huntington, IN: Our Sunday Visitor, 1998). See especially Miller, 8, 762.

2. See also Pope John Paul II's later and shorter Apostolic Letter Misericordia Dei [By the Mercy of God] (Boston: Pauline Books and Media, 2002), which merely reaffirms RP.

3. Although RP, being an Apostolic Exhortation, technically possesses less authority than does an Apostolic Constitution or an Encyclical, my reasons for calling it "crucial" are supported by P. Gervais, who has argued that RP is the summit of Conciliar and post-Conciliar development. See his article, "*L'Exhortation apostolique 'Reconciliatio et Paenitentia,'*" Nouvelle Revue Théologique 108 (1986): 192-217.

4. See McCormick, 54-75, where his presentation on a "crime" model is one inspiration behind my presentation on a "juridical" model. Also see Dallen, 139-67.

5. Gula, 226. Chapters 15 and 16 in Gula explain well both physicalist and personalist approaches to natural law. Also see p. 8: . . . the interest of the ethics of doing has affinity with the interests of canon law and jurisprudence in general, and, in fact, moral theology was governed for a long time by a juridical perspective.



6. Declarative absolutions are those which are, naturally, “declared” by a confessor (i.e. “I absolve you”). Although they are so declared in the name of God and in the name of the Church, they imply that the confessor is a, or the, source of the absolution—much like a judge is a source of a pardon. The juridical tenor of declarative absolutions is contrasted by the liturgical/communal tenor of the older deprecative absolutions, which will be discussed below. For now, see Dallen, 142, 211, and Lawler, 120, 122.

7. Mahoney, 247-8. Also see Tatha Wiley, Original Sin: Origins, Developments, Contemporary Meanings (Mahwah, NJ: Paulist, 2002), 133.

8. Dallen, 227-8, 247 n. 61.

9. Mahoney, 35, writes that the legal image of the sacrament of penance “reached its most thoroughgoing literal application in the treatment of Trent, and particularly in the conciliar definition that the act of the confessor is a judicial one . . . .”

10. OP’s footnote to this quoted sentence refers to the Council of Trent, *ibid.*, canon 1; q.v. Neuner and Dupuis, no. 1641. With regard to the juridical emphasis upon the restoration of order, see Osborne, Reconciliation:

The revised sacrament of penance, in some of its theological description and in some of its pastoral practice, has given rise to the view that what one has lost through sin is now regained. . . . Rather, sinners are inundated with a superabundance of God’s forgiving and gracing love, far beyond anything which sinners lost and which sinners might strive to regain. (253)

11. McCormick also sees this artificial division as being a tenet of the crime/juridical model:

The crime model assumes that the sinner is different, [66] even separate, from the rest of humanity. It tends to deny the biblical data that all are sinners. Furthermore, the ambiguity of the experience of human evil is ignored or denied and a select group of persons is identified as the exclusive cause of sin, judged guilty and (quite logically) sentenced to punishment. (65-6)

12. See, for example: Raymond E. Brown, The Anchor Bible, vol. 29 A, The Gospel According To John (XIII-XXI) (New York: Doubleday, 1970), 1033-45; John L. McKenzie, “The Gospel According To Matthew,” chap. in The Jerome Biblical Commentary, vol. 2, The New Testament And Topical Articles, eds. Joseph A. Fitzmyer and Raymond E. Brown (Englewood Cliffs, NJ: Prentice-Hall, 1968), 95.

13. See, for example, Council of Trent, *ibid.*, Chapter 6 and canons 9-10; q.v. Neuner and Dupuis, nos. 1627-8, 1649-50.

14. Dallen, 3. “Ancient penance” is Dallen’s way of referring to forms of penance which developed in the first six centuries of Church history.

15. See *ibid.*, 141-2; above, 18, 70 n. 6. Also see Lawler, who writes:

The deprecativ formula continued with unquestioned validity in the East, but was replaced in the West in the thirteenth century by the declarative, judicial formula “I absolve you from your sins . . .” said by the priest. As long as the formula was deprecativ, the ritual connection between the forgiving and reconciling action of the Church in its minister and that of God in Christ was clear. But when that formula was replaced with the declarative formula, the ritual connection was obscured, not to say lost entirely, and the priest emerged [121] in the character of a presiding judge, in both ecclesiastical practice and theological theory. The new rite of reconciliation is schizophrenic here also. (120-1)

16. The term “mortal sin” is not used here—nor anywhere—in OP, but it is indubitable that in OP “grave” and “mortal” are synonymous. RP 17.11 explicitly identifies “grave” sin with “mortal” sin.

17. Neuner and Dupuis, no. 1647. OP’s wording is: “each and every grave sin.”

18. Neuner and Dupuis, no. 1620.

19. *Ibid.*

20. Rather, Paul wants to forget his former claims to perfect observance of, and uprightness from, the Law. See Phil 3.6-9 and Joseph A. Fitzmyer, “Pauline Theology,” chap. in The Jerome Biblical Commentary, vol. 2, 817: “Paul recognizes that as a Christian he no longer has an uprightness of his own, based on the Law, but one acquired through faith in Christ, an ‘uprightness from God’ (Phil. 3.8-9).”

21. Mahoney, 35-6.

22. Idealistic ecclesiology and the sinfulness of the Church—and the Second Vatican Council’s teaching on these—will be further discussed in later chapters. For now, note the observations of Francis A. Sullivan, The Church We Believe In (Mahwah, NJ: Paulist, 1988):

The realism with which the [Second Vatican] council admits that the church itself, and not just some of its members, is in need of purification and reform is a consequence of the new emphasis which the council put on the nature of the church as the “pilgrim people of God.” Focusing too one-sidedly on the idea of the church as mystical body of Christ, one could be led to identify the church so closely with Christ as to attribute to her the sinlessness that is unique to her head [brackets mine]. (81)

23. See Osborne, Reconciliation, 223, where it is argued that the form to be used when death is imminent (OP 64-5) constitutes a fourth distinct form.

24. Dallen, 230.

25. *Ibid.*, 65-73.

26. Individualism is also characteristic of personalistic thinking, although in its own way, which I will explain subsequently. Also, see Norbert J. Rigali, “Sin in a Relational World,” Chicago Studies 23 (November 1984): 321-32. Rigali, 323, writes, “. . . Neo-Scholastic moral theology is legalistic as well as individualistic, with legalism and individualism intertwined.”

27. See pp. 18, 21, 70 n.6, 71 n. 15, above.

28. See Chapter Five, below. Also see Dallen: The penitential celebration . . . is a crucial—though largely ignored—part of the reform, because only with the revitalization of the virtue of penance and the realization that the sacramental ritual recapitulates life experience can the new rites have hope of success. . . . The penitential celebration of the Word calling us to conversion not only offers the Church’s support but also proclaims the renewal and freedom from sin that is ours in Christ, that is, in the Church. The efficacy of God’s Word means that this power is realized and drawn on in the very proclamation and that the penitential celebration is therefore not completely extrinsic to the sacrament [emphases mine]. (235)

29. Osborne, Reconciliation, 198-220. See also Francis Sottocornola, A Look At The New Rite Of Penance, Trans. Thomas A. Krosnicki (Washington, DC: USCC, 1975), 4-5.

30. See Fitzmyer, “Pauline Theology,” 814-15, where he writes: The idea of reconciliation underlies many of Paul’s statements, but it is developed above all in 2 Cor 5.18-20; Rom 5.10-11; Col 1.20-21;

Eph 2.16.

31. See pp. 42-3, below. Also see Dallen, 251ff., who writes: By basing itself on a personal and relational view of sin, this [reconciliation] approach to redemption and the sacrament of penance situates the believer within the history of salvation and a historic community [brackets mine]. (252)

32. Gerald O'Collins, Interpreting Jesus, Introducing Catholic Theology Series, ed. Michael Richards, no. 2 (London: Geoffrey Chapman, 1983; reprint, Ramsey, NJ: Paulist, 1985), 144-5 (page references are to reprint edition). See also John J. O'Rourke, "The Second Letter To The Corinthians," chap. in The Jerome Biblical Commentary, vol. 2, 281.

33. My application of the image of "asymptotic" realization to reconciliation is based upon Karl Rahner's application of the same to morality/obedience. See his "On the Encyclical '*Humanae Vitae*,'" chap. in Theological Investigations, vol. 11, Confrontations 1 (London: Darton, Longman & Todd, 1974), 263-87.

34. This lacuna is related to another: OP's failure to provide a theology of justification. See Osborne, Reconciliation, 198-254.

35. The Latin editio typica of OP was published on February 7, 1974, but the date of OP's promulgation was December 2, 1973. See Dallen, 221 and Osborne, Reconciliation, 202.

36. One of these references: is to 1 Jn 5.21 only; another is to 1 Jn 5.18f.; a third is to 1 Jn 5.19. Nevertheless, 1 Jn 5 is cited five times (thrice in RP 17.4, and once each in RP 20.4 and 22.2), and the entire Epistle is cited ten times (twice more in RP 13.1, and once each in RP 17.6, 20.4, and 22.2)—more than is any other source in Part Two.

37. See the misinterpretation of 1 Tim 3.15f.:  
Without in the least betraying the literal sense of the text, we can broaden this magnificent theological insight . . . : "Great indeed," we repeat with him, "is the mystery of our religion," because it conquers sin. (RP 19.3)

Also see the liberty taken *vis à vis* 1 Jn 3.9:  
If by "God's seed" we understand, as some commentators suggest, Jesus the Son of God, then we can say that in order not to sin . . . the Christian has within himself . . . the mystery of Christ . . . . (RP 20.4)

In RP, the Pope seems to be ignoring the following rule as articulated in Raymond F. Collins, Introduction To The New Testament (Garden City, NY: Doubleday, 1983):

. . . the Magisterium must listen to exegetes insofar as the Magisterium is appointed to proclaim authentically the word of God and exegesis articulates the meaning of that word as embodied in the New Testament Scriptures. (301)

38. Raymond E. Brown, The Community Of The Beloved Disciple (New York: Paulist, 1979); Raymond E. Brown, The Anchor Bible, vol. 30, The Epistles of John (Garden City, NY: Doubleday, 1982).

39. Bruce Vawter, "The Johannine Epistles," in The Jerome Biblical Commentary, vol. 2, 404-13.

40. Rudolf Schnackenburg, The Johannine Epistles, trans. Reginald and Ilse Fuller (New York: Crossroad, 1992).

41. Brown, Community, 94.

42. *Ibid.*, 102.

43. *Ibid.*, 130, 133. See also Brown, Epistles, 615, 636, and Vawter, 412.

44. Brown, Community, 141-2; *ibid.*, Epistles, 368-76, 411, 431, 638-40; Schnackenburg, 175-6.

45. Brown, Community, 126. The concluding word "should" refers to the Christian obligation to strive for sinlessness. As for the Johannine author's recognizing that Christians may fall short, see, for example, 1 Jn 2.1. Agreeing with Brown are Vawter, 409, and Schnackenburg, 173.

46. The latter claim and implication will be criticized below in Chapter Three.

47. Again, the latter claim will be criticized below in Chapter Three. Also see p. 21, above.

48. This is the third form, or Rite "C," contained in OP. See OP 31-35.

49. RP 32.2 clearly establishes this latter individualistic limitation: *The second form—reconciliation of a number of penitents with individual confession and absolution—even though in the preparatory acts it helps to give greater emphasis to the community aspects of the Sacrament, is the same as the first form in the culminating sacramental act, namely,*

individual confession and individual absolution of sins. It can thus be regarded as equal to the first form as regard the normality of the rite.

The purely communal third form of celebration is technically permitted, but only as a temporary measure until one of the individualistic forms becomes possible or accessible. See RP 33.3.

50. See Chapter Five, below.

51. McCormick's presentation on the personalistic model is one inspiration behind my presentation on it. See McCormick, 76-83. Of course, all who write about personalism must pay heed to David Kelly's sobering statement, "Personalism defies exact definition or even adequate description," in his The Emergence of Roman Catholic Medical Ethics in North America (New York: Edwin Mellen, 1979), 417.

52. See McCormick, 82-3. Each model's individualism is nuanced distinctively: the juridical model focuses upon how the individual obeys or disobeys the laws of the community; the personalistic model focuses upon how the individual is faithful or unfaithful to all persons in the community.

53. Gula, in Chapters 5 and 16, explains well what a personalistic approach to natural law looks like.

54. See John Paul II, Encyclical Letter Redemptor Hominis [The Redeemer of Man] (Boston: Daughters of St. Paul, 1979), no. 20. See also RP 33.3.

55. See p. 70 n. 6, above.

56. My own understanding of personalism is that it is bipolar: subjectivity is the concern of the individualistic pole; relatedness is the concern of the communitarian pole. Furthermore, I hold that a personalistic philosophy or theology need not balance these two poles in order to be authentically personalistic—i.e. one pole may be ignored. As for my understanding of subjectivity, this is identical to that of Pope John Paul II, where subjectivity refers not to the Cartesian view of persons as being thinkers but to the Thomistic view of persons as being agents. See Karol Cardinal Wojtyła, The Acting Person, trans. Andrzej Potocki, ed. Anna-Teresa Tymieniecka, in Analecta Husserliana, vol. X, ed. Anna-Teresa Tymieniecka (Dordrecht, Holland: D. Reidel Publishing Co., 1979).

57. See p. 29, above.

58. Bernard Häring, Free And Faithful In Christ, vol.1, General Moral Theology (New York: The Seabury Press, 1978), 423-6.

59. James P. Hanigan, As I Have Loved You: The Challenge of Christian Ethics (Mahwah, NJ: Paulist, 1986), 38-44. This book is an especially valuable resource for understanding aspects of the personalistic and liturgical-narrational models.

60. As we will see subsequently, RP 7.7 uses the word “horizontal” as one way of referring to social sin.

61. Collective sin and the Church’s sinfulness will each be discussed in Chapters Four and Five, below.

62. Ronald D. Witherup, Conversion In The New Testament (Collegeville: The Liturgical Press, 1994), 107-10.

63. Dallen, 263.

64. Rigali claims that the “new” understanding of sin—i.e. that sin is always social—which John Paul II puts forth in RP is an understanding which leads logically to the need to abandon the traditional dichotomy between “personal ethics” and “social ethics,” as well as the method and principles of neo-scholasticism. See his article “Human Solidarity and Sin,” *ibid.*, especially 339.

65. See *ibid.*, 344, where Rigali criticizes this inconsistency:  
. . . when, in his profound discussion of personal sin, John Paul teaches that all persons are bound together in a mysterious and intangible solidarity of evil, in a communion of sin, he does not . . . relate this mysterious union in evil . . . to sins of nations or other communities. These sins are seen only as aggregates of personal sins, even when it is no longer possible to delimit and identify the individual items constituting the aggregate.

66. McCormick’s disease model is one inspiration behind my medical model. See McCormick, 123-45.

67. See Dallen, 90-1 n. 18.

68. See p. 70 n. 6, above.

69. McCormick, 138-43.

70. For example: with the personalistic model, it shares the tenet that conversion begins due to God's initiative; with the medical model, it agrees that human persons are not absolutely free nor responsible due to the prevenient and ubiquitous presence of evil/sin.

71. Gula, 7.

72. My references to and understanding of these ongoing implicit and explicit "liturgies" are indebted to Karl Rahner, "On The Theology Of Worship," above. As for my references to and understanding of personal and communal participation in ongoing "narratives," see Alasdair MacIntyre, After Virtue, above.

73. Again, this view of sin is synonymous with that of the medical model. These synonymous views are based upon Pauline and Johannine views of sin. See McCormick, 86-7.

74. See pp. 71-2 n. 22, above, especially the quotation of Sullivan.

75. This view of confession has roots in patristic understandings of *exomologesis*, in which confession is public and is situated within and focused upon God's ongoing salvific activity. See Chapter Five, below. Also see Dallen, 20, 277-83.

76. See p. 70 n. 6, p. 71 n.15, above.

77. Osborne, Sacramental Theology, 89.

78. I am here applying a phrase of Catherine M. LaCugna's to the relationship between God's word and Christian ethics. See her book God For Us: The Trinity And Christian Life (New York: HarperCollins, 1991), 22, where she writes, "the economy of salvation is the basis, the context, and the final criterion for every statement about God." Incidentally, this book is another valuable resource for understanding aspects of the personalistic and liturgical-narrational models.

79. These 19 statements are contained in the following paragraphs of OP: 13.2; 15; 17; 19.1; 20.1; 20.2; 22.1; 22.3; 24.1; 24.2; 24.3; 25; 26.2; 36.1; 36.2; 36.3; 37.1; 37.2; 37.3.

80. See p. 45, above.



81. See Paul VI, Apostolic Exhortation *Evangelii Nuntiandi* [On Evangelization in the Modern World] (Boston: Daughters of St. Paul, 1975):

Those who sincerely accept the Good News . . . make up a community which is in its turn evangelizing. (no. 13)

By the way, *Evangelii Nuntiandi*, in general, is an obvious inspiration behind RP and is another post-Conciliar document which contains tenets of the liturgical-narrational model.

CHAPTER 3  
THE DOMINANCE OF THE JURIDICAL MODEL

One of the most authoritative sources on the subject of the use of models in theology is the work of Avery Dulles. In light of the concerns of this dissertation, his most noteworthy comments are those which pertain to dominant models or paradigms. Following Thomas Kuhn's thought,<sup>1</sup> Dulles writes:

A model rises to the status of a paradigm when it has proved successful in solving a great variety of problems and is expected to be an appropriate tool for unraveling anomalies as yet unsolved.<sup>2</sup>

He then offers some caveats. One of these is that no one paradigm is sufficient since each one favors particular "images . . . rhetoric . . . values, certitudes, commitments, and priorities."<sup>3</sup> Another caveat, related to the first one, is that a paradigm can be cherished to the point where new paradigms are resisted.<sup>4</sup> Dulles argues that all valid models and paradigms are mutually complementary and so a pluralism of models must be accepted.<sup>5</sup> His conclusion is that, in the absence of some comprehensive supermodel, we need to harmonize or blend (the) different models and their respective values. He even grants that

theologians may legitimately begin with only one model and proceed to integrate within this model the values of (the) others.<sup>6</sup>

What I find disturbing in his work, however, is that Dulles seems to ignore the fact that he himself ultimately sets up one model as primary; that is, despite all of his urging for pluralism and blending, he still interprets other models by way of, or incorporates other models into, a model that he establishes as dominant.<sup>7</sup> My criticism is not of his failure to avoid such a preference, but is rather of his denial of this preference. Indeed, one of my claims is that anyone who employs a models approach probably cannot avoid preferring and positing one model as primary or dominant over the rest.

OP and RP, like Dulles, exemplify this claim. This is to say that OP and RP, despite employing three other models of sin and reconciliation, ultimately reestablish the juridical model as the dominant model or paradigm. This reestablishment is effected in two primary ways: first, OP and RP reduce the sacrament of reconciliation to individual confession and a declarative absolution;<sup>8</sup> second, OP and RP prefer an act-centered and classificatory hamartology. Furthermore, these two primary ways overlap, and they imply or are interdependent with other tenets of the juridical model, with these latter tenets serving as secondary ways to the establishment of the juridical model's dominance in OP and RP. I will attempt to demonstrate all of this in this third chapter.

Reduction of the Sacrament of Reconciliation  
To Individual Confession and Declarative Absolution

Both OP and RP explicitly and resolutely state that the essence of the sacrament of reconciliation is an individual absolution given to an individual penitent who has manifested his or her contrition via a private confession of sins. Perhaps the most explicit and resolute of these statements are the following:

Individual, integral confession and absolution remain the only ordinary way for the faithful to reconcile themselves with God and the Church . . . . (OP 31.1)

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 to be neglected. The second form . . . is the same as the first form in the culminating sacramental act, namely, individual confession and individual absolution of sins. It can thus be regarded as equal to the first form as regards the normality of the rite. (RP 32.2)

Even if these were the only such statements in OP and RP, they are so forceful that they would, by themselves, dominate whatever the other three models say about the sacrament in these two documents.

Nevertheless, their force is magnified by the presence of additional statements like them.

Many of these similar statements reduce the sacrament by reducing the ministry correlative with the sacrament. OP 9.3 tells us that there is only one minister of the sacrament: “. . . a priest who has the faculty to absolve in accordance with canon law.” This is so since Christ supposedly instituted the sacrament “when he gave to his apostles and their successors power to forgive sins” (OP 2.3; also see RP 8.3, 29.3,

30.2). All that really matters, therefore, besides the penitent's confession, is this power as exercised by an ordained priest, who is also called a "judge" (OP 6.3, 10.1; RP 31.3, 31.5, 31.10) and a "confessor" (OP 10.2, 10.3, 10.4, 31.4; RP 29.4, 29.6, 29.7, 31.11, 31.19, 32.4). In fact, OP 21 goes as far as saying that the exercise of this power alone is sufficient.

I affirm, of course, that Christ has this power to forgive, that he confers this power, and that this power is exercised in the sacrament of reconciliation. What I challenge is the juridical model's reduction of the sacrament to this power, its single understanding of this power, and its limiting of this power to the ordained.<sup>9</sup> By reducing the sacrament to the confession and—especially—to the absolution, OP and RP canonize the narrow scholastic theologies of the sacrament, about which Kenan Osborne rightly says "none of them nor any one of them can be set up as the 'normative' theology on the sacrament of penance against which any other theology of this sacrament must be judged."<sup>10</sup>

OP and RP also yield excessively to the juridical Council of Trent<sup>11</sup> in this reduction of the sacrament and its ministry. The key Tridentine passage as regards this reduction reads as follows:

But the Lord instituted the sacrament of penance, principally when after His resurrection He breathed upon His disciples and said: "Receive the Holy Spirit. If you forgive the sins of any, they are forgiven; if you retain the sins of any, they are retained" (Jn 20.22f). The universal consensus of the Fathers has always acknowledged that by so sublime an action and such clear words the power of forgiving and retaining sins was given to the apostles and their lawful successors for reconciling the faithful who have fallen after baptism . . . . Therefore this holy Council approves and accepts the words of the Lord in their full and true meaning . . . .<sup>12</sup>

This passage, as well as its correlative canon,<sup>13</sup> is cited in OP 2.3 and twice in RP 30.2, and it is an implicit foundation of most of the juridical statements in OP and RP. This excessive yielding to the Council of Trent must be seen for what it is: a reduction of the sacrament disguised as fidelity to what is supposedly normative doctrine. Meanwhile, true fidelity to the Tridentine teaching is mindful of the following three points: first, none of the Council's chapters and canons is necessarily *de iure divino*—that is, a statement of divine law;<sup>14</sup> second and third, historical consciousness and modern biblical criticism of Jn 20.22-4 and Mt 18.18 refute the claims that Jesus himself instituted a sacrament of reconciliation at a given historical time and that he conferred the power of forgiveness exclusively to members of the Church's hierarchy.<sup>15</sup>

The meaning of the sacrament is also reduced via the very formula of absolution that OP establishes (OP 19.2; OP 21) and RP reaffirms (RP 31.11). One of the specific tasks assigned by the Second Vatican Council to all prospective drafters of what would become OP was stated in SC 72:

The rite and formulae of penance are to be revised so that they more clearly express both the nature and effect of the sacrament.

Since elsewhere the Council favored an understanding of the nature and effect of the sacrament which pre-dates that of the juridical model,<sup>16</sup> the drafters of OP were free to offer a non-juridical absolution formula. To be specific, these drafters could have retrieved one of the deprecative formulae which are contained in the Gelasian Sacramentary.<sup>17</sup> These

formulae clearly expressed that the sacrament of penance is a process in community which only culminates in the community's prayer for its penitents that they be reconciled with God and the community.<sup>18</sup> Nevertheless, the final draft of OP posits a declarative absolution formula which calls attention to itself and thus symbolizes an understanding of the sacrament as one wherein an instantaneous pardon from a solitary judge is to be sought.<sup>19</sup>

OP and RP also reduce our understanding of the sacrament by how they view penitential celebrations and Rites "B" and "C." Although it is written in OP that penitential celebrations are "very helpful in promoting conversion of life and purification of heart," the same paragraph states: "Care should be taken that the faithful do not confuse these celebrations with the celebration of the sacrament of penance" (OP 37.1). We are then told that what prevents these celebrations from being truly sacramental is their lacking the all-important priestly absolution (OP 37.3).<sup>20</sup> RP belittles these celebrations further by completely ignoring them.

Rite C—the Rite for Reconciliation of Penitents with General Confession and Absolution—is fully sacramental, but OP and RP strongly discourage its celebration. This rite is allowed only if there is immediate danger of death and/or if sufficient "confessors" are not available (OP 31.3). Even if these extreme conditions arise and Rite C is celebrated, those who receive general absolution for grave sins are "strictly bound . . . to go to (individual) confession within a year" (OP 34).

In other words, general confession and absolution are seen as being a temporary emergency response to sin which will suffice until individual confession and absolution are possible. RP's warnings about the use of Rite C are just as strong as those of OP, for example:

The Bishop therefore, who is the only one competent in his own diocese to assess whether the conditions actually exist which Canon Law lays down for the use of the third form, will give this judgment *with a grave obligation on his own conscience . . . .* (RP 33.3)

RP 32.5 even momentarily ignores Rite C when it says that one of only two forms of celebration—that is, Rite A or Rite B—may be chosen.<sup>21</sup>

The use of Rite B—the Rite for Reconciliation of Several Penitents with Individual Confession and Absolution—is not discouraged by OP nor by RP. This is so since Rite B “is the same as the first form in the culminating sacramental act, namely, individual confession and individual absolution of sins” (RP 32.2). Thus, Rite B is a communal liturgy of the Word which leads toward priests reconciling penitents individually (OP 22.4; RP 32.4).<sup>22</sup>

In addition to being itself a dominating tenet of the juridical model, this reduction of the sacrament to individual confession and absolution implies other such tenets. It implies that (1) there exists an orderly society which, (2) through empowered officers only, can (3) convict, (4) punish, and (5) instantly pardon its (6) isolated and (7) law-bound members. These implications can also be expressed negatively: the Church is not a community of holy sinners which progressively, through



various means, and as community, converts and reconciles. These implied tenets, again, add strength to the dominating force of the explicit tenet.

### Act-Centered and Classificatory Hamartology

The second primary way in which OP and RP reestablish the dominance of the juridical model is by their preference for an act-centered and classificatory hamartology. This kind of hamartology is juridical since, like the civil justice system, it is concerned with ensuring that laws are not transgressed and with proportionate reparation when they are transgressed. Also like the civil justice system, this type of hamartology is not really concerned with such things as personal and communal character, relationships, and civil/moral progress. Furthermore, it very simply and sharply dichotomizes the community into innocent and guilty groups, and it assumes that each individual acts independently and with absolute freedom.

This hamartological preference is obvious in OP and RP when it overlaps with those statements which reduce the sacrament of penance to individual confession and absolution. Here are two examples:

In order that the faithful may profit from sacramental absolution given to several persons at the same time, it is absolutely necessary that they be properly disposed. Each one should be sorry for his sins and resolve to avoid committing them again. He should intend to repair any scandal and harm he may have caused and likewise resolve to confess in due time each one of the grave sins which he cannot confess at present. (OP 33)

. . . every serious sin must always be stated, with its determining circumstances, in an individual confession. (RP 33.2)

This preference is also obvious in OP's definitions of contrition (OP 6.2) and satisfaction (OP 6.4), and in RP's special chapter on sin (RP 14-18). We can see in these paragraphs that "sins" are morally evil individual acts which have been committed. Indeed, there are 15 instances where RP's chapter on sin limits sin to an act committed.<sup>23</sup> This centering upon moral evils committed ignores other kinds of sin—that is, it ignores sins of omission and, perhaps more importantly, it ignores the existence of morally evil habits and attitudes. Nevertheless, like the civil justice system, OP and RP do not require that these "invisible" evils be addressed, and they thus contribute to an atmosphere of legalism and minimalism.

Not only do OP and RP limit their concern to sins of commission—they further limit this concern to those sins which can supposedly be classified as "grave," "mortal," or "serious." Although OP never reaffirms the traditional term "mortal sin," it does perpetuate classification by discussing "grave" sins—sins which OP contrasts against the traditionally subordinate "venial" sins (OP 7.1, 7.3). RP employs the term "mortal" sin—which it identifies with "grave" and "serious" sin—as well as the term "venial" sin (RP 17, 27, 33). In OP there are four instances where the confession of grave sin is commanded (OP 7.2, 33, 34, 35.2), whereas the confession of venial sin is said to be optional (OP 7.2). RP commands the confession of serious sin six times (twice in RP 27.6, 31.2,

twice in RP 33.2, 33.3), while it also calls the confession of venial sin optional (RP 32.6, 32.7). In fact, RP claims that the traditional concept of mortal sin—that is to say, the juridical model of mortal sin—is unchangeable (RP 17.17), and it is implied that the teaching on sin as contained in the juridical tradition is identifiable with the teaching on sin that is given in the word of God (RP 17.18).

This classificatory hamartology, which is analogous to the distinction made in the civil justice system between misdemeanors and felonies,<sup>24</sup> is interdependent with the view that conversion and participation in the sacrament of reconciliation are required only of those individuals who are presently “guilty” of mortal sin.<sup>25</sup> The latter have disrupted the order of things by their crimes, they are antagonistic toward the innocent community, and so they each must be judged, convicted, and punished accordingly. Furthermore, after they repair the damage they have caused, these reformed criminals must rejoin those who comprise the innocent and balanced society in the latter’s perfect observance of the society’s laws. As long as the reformed ones never again commit “felonies,” they need never again reform nor “go to court.”

In other words, OP and RP emphasize the performance of satisfaction and reparation by mortal sinners while they rarely call for the pursuit of gradual conversion by all. The restoring and maintaining of an alleged personal innocence and universal order (which are allegedly lost and disrupted, respectively, via mortal sin) are valued more than are

personal and communal discipleship and maturity. OP 6.4 declares that suitable satisfaction and reparation, once performed, brings conversion to completion and restores order. RP 26.6 echoes this when it says that doing penance “means above all to re-establish the balance and harmony broken by sin . . . .” Meanwhile, those who have committed venial sin are only encouraged to use—but are, ultimately, free to use or not use—the sacrament of penance (OP 7.3). This is so since “mortal sin is the sin which, if unforgiven, leads to eternal punishment; whereas venial sin is the sin that merits merely temporal punishment” (RP 17.10).

This classificatory hamartology is also interdependent with the juridical reduction of penitential ministry to ordained priests who have the faculty to absolve. That is to say, such priests not only pardon via absolution, but they also officially judge whether or not absolution is necessary—i.e. whether or not those confessing to them are, in fact, guilty of mortal sin. Thus, only two persons are essential for the celebration of the sacrament of penance: the one who committed mortally sinful acts and who “accuses” himself of such, and the one who officially verifies this accusation (OP 6.3-4).

Furthermore, this classificatory hamartology is interdependent with a punitive understanding of the sacrament of reconciliation. Since the penitent is to confess each and every grave sin committed (OP 33, 34, 35; RP 33.2), the judging priest is to help in this complete confession (OP 18.1; RP 29.6, 31.10). Then, fulfilling “his office of judge wisely”

(OP 10.1), the priest is to impose an act of penance which should “correspond to the seriousness and nature of the sins” (OP 18.3). Although OP 18.3 says that the act of penance may include “service of one’s neighbor,” it is important to note the line drawn between works of penance on the one hand and charity toward neighbor on the other hand in OP 25. RP 31.3 explicitly calls the act of penance “punishment.” Finally, both OP and RP—despite some usage of the term “reconciliation”—more often continue to call the sacrament one of “penance” or “confession,”<sup>26</sup> and they speak of “penitents” rather than “converts.”<sup>27</sup>

Sin classification is also interdependent with the possession of an idealistic ecclesiology. If I know that I have done nothing which can be classified as mortal sin, then I can pretend that I am a full-fledged member of a sinless Church and enjoy a (false) sense of security in it.<sup>28</sup> Excellent examples of this link between sin classification and ecclesiological idealism are statements about the relationship between penance and eucharist:

In the sacrament of penance the Father receives the repentant son who comes back to him . . . . This is finally expressed in a renewed and more fervent sharing of the Lord’s table, and there is great joy at the banquet of God’s Church over the son who has returned from afar. (OP 6.5)

. . . no one who is conscious of being in mortal sin, however contrite he may believe himself to be, is to approach the holy eucharist without having first made a sacramental confession. (RP 27.6)

While the language of OP 6.5 is less direct than that of RP 27.6, both of these statements convey the message that “sin that matters” is not to be found within the Church’s innocent confines.

These and similar statements also convey the message that those who are now contrite after having committed mortal sin are, for the most part, “on their own” in their return to communion with the Church. This is to say that OP and RP prefer to deny that the “innocent” Church shares somehow in the sinfulness of mortally sinning persons and that the Church is co-responsible for their conversion. In OP we are told that serious sinners return not with the help of an actively concerned community but “by the grace of a merciful God” (OP 5.1) and by being “moved by the Holy Spirit” (OP 6.1). Indeed, OP 6, which discusses the parts of the sacrament of penance, leaves the penitent almost utterly alone in his or her return to communion: the judging priest is the only other member of the community mentioned as one who is to give assistance to the penitent, assistance which is itself only momentary (OP 6.5). In the paragraph devoted to the act of penance (OP 6.4), nary a word is said about how the community may participate in this act nor about the community doing some shared act of penance related to the penitent’s. OP 31.1 even says that serious sinners are to “reconcile themselves.”

As for RP, one of its major biblical references *vis à vis* conversion is Lk 15.11-32 (see RP 5-6). The parable contained in these verses tells of a

prodigal son who returns to communion only via his own personal contrition. This image is fine, but it needs to be balanced by another: that of the paralytic whose sins Jesus forgave due to the faith of those who brought him to Jesus (Mk 2.1-12). The latter image, however, is ignored by RP since RP insists that “there is a certain solitude of the sinner in his sin” (RP 31.14). In RP, as in OP, the “sinless” Church can only wait for the internal contrition and external lifestyle changes of its mortally sinful members.

An act-centered and classificatory hamartology is also interdependent with an overemphasis on the priority of true (or proper) sins as distinguished from sins by analogy.<sup>29</sup> According to St. Thomas Aquinas, the primary type of sin is mortal sin, sin which he defined as a disorder in which one voluntarily turns away from one’s last end.<sup>30</sup> This is sin in the true or proper sense of the word. Thomas then explained that all other types of sin—e.g. original sin, venial sin—are sins only in a derivative or analogous sense.<sup>31</sup>

Thomas’ hamartological starting point was the individual human person in abstraction, including the requirements for human agency—intellect and will.<sup>32</sup> This starting point is implicit in OP and explicit in RP. For example:

Sin, in the proper sense, is always a personal act, since it is an act of freedom on the part of an individual person. . . . This truth cannot be disregarded in order to place the blame for individual sins on external factors such as structures, systems or other people. Above all, this would be to deny the person’s dignity and freedom, which are manifested . . . also in this responsibility for

sin committed. (RP 16.1)

The problem with this and similar statements is that they seem to be theoretical choices made by proponents of the juridical model. This is obvious when one recognizes that there is at least one other hamartological point of departure: the experience of sin as being simultaneously chosen yet externally inflicted.<sup>33</sup> Indeed, both OP and RP momentarily acknowledge the latter bipartite experience:

The members of the Church, however, are exposed to temptation and unfortunately often fall into sin. (OP 3.2)

Clearly, sin is a product of man's freedom. But deep within its human reality there are factors at work which place it beyond the merely human, in the border-area where man's conscience, will and sensitivity are in contact with the dark forces which, according to Saint Paul, are active in the world almost to the point of ruling it. (RP 14.1)

Nevertheless, such an awareness is immediately disregarded and replaced with the individualistic/voluntaristic hamartology.

I cannot emphasize enough the fact that the authors of OP and RP were free to avoid an act-centered and classificatory hamartology (as well as the reduction of the sacrament of reconciliation to individual confession and absolution). If, as RP 17.17 implies, the Council of Trent's teaching prohibits the employment of anything except its own (classificatory) hamartology, why then does OP not reaffirm the traditional term "mortal sin?"<sup>34</sup> And if, as RP 17.12 claims, the 1983 Synod of Bishops reaffirmed Trent's hamartological classifications, why then did the same Synod consider a threefold distinction of sins



(see RP 17.16)?<sup>35</sup> The probable answer to these questions is that both the drafters of OP and the 1983 Synod of Bishops were aware of the facts that there have been plural hamartological schools throughout Christian Tradition and that the Council of Trent did not actually establish any of these schools as the normative one.<sup>36</sup> Nevertheless, despite this probable awareness, OP and RP prefer the juridical model of sin and reconciliation, and they disguise this preference as fidelity to “unchangeable” teaching.<sup>37</sup>

Having shown that the juridical model is the dominant model—or paradigm—in OP and RP, I will, in the following chapter, demonstrate how the juridical paradigm is an inadequate paradigm of sin and reconciliation in this post-Conciliar age of the Church.

## CHAPTER 3 NOTES

1. See Thomas S. Kuhn, The Structure Of Scientific Revolutions, 2d ed. (Chicago: U of Chicago Press, 1970).

2. Dulles, 33.

3. Ibid., 35.

4. Ibid.

5. Ibid., 36.

6. Ibid., 203-5.

7. Ibid., 204. Dulles obviously prefers the sacramental model of the Church.

8. A concise description of the declarative type of absolution is given above, p. 70 n. 6.

9. See Peter E. Fink, "History of the Sacrament of Reconciliation," chap. in Fink, Alternative Futures, where it is written that in 2 Cor 5: . . . the whole Church community is named as that which is entrusted with the mission and the ministry of reconciliation. (74)

Also see Osborne, Reconciliation, who writes:

Throughout this [patristic] period, however, there was a constant belief that in the church of Jesus there was indeed a power to isolate, repel, and negate sin. This was never questioned. The application of this power to individual circumstances and the ritualized celebration of this power was not always clear. Even the theological interpretation of this ecclesial power varied from writer to writer. . . . The very elasticity which we find in this early reconciliation process helps us today to open ourselves to new patterns of pastoral practice and to see how change can make this power to isolate, repel, and negate sin . . . ever more meaningful to the life and experience of contemporary Christian communities [brackets mine]. (79)

10. Osborne, Reconciliation, 119. Also see Lawler, 122: “Trent . . . cannot be used to forbid absolutely general confession and general absolution.”
11. See above, p. 70 n. 9.
12. Council of Trent, *ibid.*, Chapter 1; q.v. Neuner and Dupuis, no. 1617.
13. *Ibid.*, canon 1; q.v. Neuner and Dupuis, no. 1641.
14. Osborne, Reconciliation, 159-85.
15. *Ibid.*, 17-24.
16. See the sentence in LG 11 that is devoted to the sacrament of penance. This sentence respects the non-juridical patristic concern for reconciliation with the Church—q.v. above, p. 14 n. 16.
17. Two different Vatican committees were established to prepare a revised rite of penance. Before the work of the second—and more conservative—committee became official, the draft rites of the first committee included optative, declarative, and deprecative absolution formulae. See Dallen, 209-15.
18. Dallen reprints one of these formulae:  
 “We ask you, Lord, to grant your servant the fitting fruit of penitence so that by obtaining pardon for what he/she has done he/she may be restored blameless to your holy Church, from whose wholeness he/she has strayed by sinning. [We ask this] through Christ our Lord” [emphasis mine]. (240 n. 22)
19. See above, p. 71 n. 15.
20. See above, p.72 n. 28, for a contrary position.
21. A strong defense of Rite C is given in Osborne, Reconciliation, 221-35; see especially 222 and 224.
22. See above, p. 74 n. 49.
23. See RP 14.4, 15.4 (twice), 16.1 (twice), 16.2, 17.12 (twice), 17.14, 17.15 (thrice), 17.17, 18.6, and 18.7.
24. McCormick, 62.

25. This view was non-existent in ancient penance; see Regis A. Duffy, Real Presence: Worship, Sacraments, and Commitment (San Francisco: Harper & Row, 1982):

. . . Penance and conversion were seen as a lifetime process: once in Penance, one remained there. (There was no conception of a Christian being at one moment “in the state of sin” and, at the next, “in the state of grace.”) (167)

26. OP calls the sacrament one “of penance” in 23 paragraphs, while it calls the sacrament one “of reconciliation” in only 7 paragraphs. RP calls the sacrament one “of penance” in 32 paragraphs and one “of confession” in 3 paragraphs, while, like OP, it calls the sacrament one “of reconciliation” in only 7 paragraphs.

27. “Penitents” has a strong juridical connotation. “Converts,” on the other hand, connotes discipleship and retrieves the early Church’s term “*conversi*.” See Dallen, 82-5.

28. See above, pp. 71-2 n. 22.

29. Contemporary Catholic theologians are questioning the necessity or validity of this distinction. Among these are: Norbert J. Rigali, “Human Solidarity,” above; Patrick Kerans, above, 59; Thomas F. Schindler, Ethics: The Social Dimension, Theology and Life Series, vol.27 (Wilmington, DE: Michael Glazier, 1989), 140; Rosemary Radford Ruether, Sexism and God-Talk: Toward A Feminist Theology (Boston: Beacon, 1983), 181. Also see O’Keefe, who writes:

If one begins the discussion of sin from the traditional starting point and with traditional categories of the requirements for human agency, then social sin appears as “sin by analogy.” . . . If, however, one begins from the *experience* of sin as both freely chosen and yet almost imposed from without, then personal and social sin seem co-essential to any definition of sin. (23)

30. ST I-II Q.72 a.5.

31. ST I-II Q.88 a.1.

32. ST I-II Q.1 a.1.

33. See O’Keefe, *ibid.*

34. Furthermore, OP momentarily implies—in OP 6.3—that hamartological classification is not necessary. See David M. Coffey, The Sacrament of Reconciliation, *Lex Orandi* Series, ed. John D. Laurance (Collegeville: The Liturgical Press, 2001), 105-7.

35. Osborne, Reconciliation, 238.

36. *Ibid.*, 237.

37. See Ladislav Orsy, The Evolving Church And The Sacrament Of Penance (Denville, NJ: Dimension Books, 1978), 28-51. Orsy summarizes the history of the sacrament of penance in terms of two major patterns: first, a Mediterranean pattern, where penance is public and liturgical; second, an Irish pattern, where penance is private and juridical. Then, in light of the historical replacement of the Mediterranean with the Irish pattern, Orsy posits three possible theological interpretations or hypotheses: first, an inauthentic evolution has been superseded by an authentic one; second, the Mediterranean pattern was an imperfect development that was perfected by its successor; third, both patterns were authentic expressions of the apostolic tradition. Finally, Orsy accepts the third of these hypotheses as the correct one (since, “at one time or another, each system had the support of the universal Church, certainly of the universal episcopate”), and he concludes that “it is legitimate to think of new manifestations of the power of pardon that is present in the Church . . . .” (50-1)

## CHAPTER 4

### THE INADEQUACIES OF THE JURIDICAL PARADIGM

In 1984, agreeing with an observation made by the Sixth General Assembly of the Synod of Bishops, Pope John Paul II admitted that “the Sacrament of Penance is in crisis” (RP 28.2).<sup>1</sup> This crisis is still very much with us. Many Catholic faithful continue to see sacramental penance as optional and/or private; they either try to fit into and find meaning in the predominantly juridical practice of penance, or they shun such practice and pursue their need for reconciliation and conversion within irreligious support groups, addiction-recovery programs, psychotherapy, and/or religions other than Catholicism.<sup>2</sup> Those who shun sacramental penance participate in parochial life as people who are possibly being formed by value systems which are alien to, and perhaps antagonistic toward, that of Catholicism. As for those who claim that they find meaning in private penance, they may do so ignorant of the ecclesial and social dimensions of sin, conversion, and reconciliation.

Ironically, the Pope, in RP, while reestablishing a juridical paradigm of sin and reconciliation, possesses some awareness of this paradigm’s contribution to the crisis in which penance is:

. . . certain deficiencies in the practice of sacramental Penance . . . include the tendency to obscure the ecclesial significance of sin and of conversion and to reduce them to merely personal matters. . . . There also exists the danger . . . of routine ritualism that deprives the Sacrament of its full significance and formative effectiveness. (RP 18.10)

Although here “deficiencies in the practice of sacramental Penance” are highlighted, the juridical paradigm’s theological influences are implicitly blameworthy. Indeed, it is the task of this fourth chapter to demonstrate how the juridical paradigm is an inadequate paradigm of sin and reconciliation in this post-Conciliar age of the Church. I will demonstrate this by specifying the following thesis: the juridical paradigm, with all of its constituent juridical tenets, is significantly divergent from, or discordant with, the theological and pastoral methods, teachings, and tendencies of the Second Vatican Council. In other words, Chapter Four will show how documents which establish the juridical model as the dominant model or paradigm (e.g. OP and RP) do so without sufficient respect due to the doctrinally authoritative and existentially relevant documents of this Council.<sup>3</sup> I now proceed by demonstrating the inconsistencies between the moral theology, ecclesiology, and sacramental theology of the juridical paradigm versus those of Conciliar theology.

## Moral Theology

One of the theological categories in which the juridical paradigm is discordant with the Council—and with all thought which seeks to faithfully and meaningfully develop the Conciliar mind<sup>4</sup>—is the category of moral theology. In Chapter One of this dissertation I stated that legalism/juridicism in Catholic moral theology had been accumulating ever since the early Church, but that they calcified via the manualist tradition.<sup>5</sup> My use of the word “calcification” intends to convey a sense of hardening and sticking in a detrimental and almost ineradicable way. This is to say that it was not until the development of a manualist tradition that legalism/juridicism became the paradigm of Catholic moral theology,<sup>6</sup> a paradigm which, I am arguing, is like a mass of unwanted barnacles on the ship that is the Church.

After we trace the development of the manualist tradition, we ought to ask at least two questions: first, what need(s) did/does the juridical manualist tradition meet?; second, what need(s) did/does this tradition fail to meet? In pursuing answers to these questions we may better understand both why the juridical model became the paradigm of Catholic moral theology, and why this paradigm was considered inadequate by the Second Vatican Council and by Council-minded theologians.

The manualist tradition begins, arguably, with the Celtic penitentials. Appearing in the sixth century, these penitentials were



books which listed sins and their corresponding penances.<sup>7</sup> These books both reflected and perpetuated how Celtic monks viewed and practiced “sacramental” penance.<sup>8</sup>

The Celtic form of penance differed from the older Mediterranean form in several ways: it was repeatable and private, and it emphasized the confession of the penitent (over his or her performance of penance) as well as the “sentencing” of a confessor (not the liturgical prayer of a community). In other words, the widespread Celtic practice of juridical dialogues between confessing penitents and judging religious created the need for the books which, in turn, perpetuated the dialogues and their accompanying juridical and legalistic vision. Furthermore, while prospective penitents did dialogue with *episkopoi* in the Mediterranean form of penance, this dialogue concluded with a bishop’s pastoral decision about the necessary penance, and it was only a prelude to an eventual and climactic communal prayer for reconciliation.<sup>9</sup> However, in the Celtic form, this dialogue concluded with a monk’s observance or defense of codified laws, and it was the climax of the form.<sup>10</sup> Finally, the juridical/legalistic tenor of the Celtic penitentials was compounded by the fact that these books imposed legal sanctions as well as ecclesial penances.<sup>11</sup>

The penitentials would directly affect Catholic moral theology and sacramental penance from the sixth to the tenth centuries. Also, they

would do so throughout much of Europe, thanks to the monks who brought them there from Ireland.<sup>12</sup>

The manualist tradition also includes the *Summae Confessorum*. These were the penitentials of the eleventh and twelfth centuries: they, too, were legalistic handbooks to be implemented by Catholic confessors.<sup>13</sup> However, unlike the penitentials, these *Summae* reflect a more hierarchical (and less monastic) ecclesiology, since they were produced at a time when bishops and priests—not monks—were the primary ministers of the Church. Furthermore, these *Summae* include a sophisticated legalism; for example, they distinguish between mortal and venial sin.<sup>14</sup> Perhaps the climactic *Summa* was that of Raymond of Penaforte (i.e. the *Raymundina*), which was composed in the thirteenth century and was still being published at the beginning of the sixteenth century.<sup>15</sup>

The manualist tradition climaxes, of course, in the manuals of moral theology. However, the manuals owe much to at least three other antecedents: the writings of St. Thomas Aquinas; the Fourth Lateran Council; the Council of Trent.<sup>16</sup> St. Thomas' linking of morality with law is a basis of every manual.<sup>17</sup> The Council of Trent reaffirmed the Fourth Lateran Council's teaching that every (serious) sin ought to be confessed according to number and species. Furthermore, in the sixteenth century, the Council of Trent established the seminary system, i.e. ecclesiastically controlled schools devoted to a standardized (Tridentine)

preparation of prospective priests. Taken together, these last three antecedents summarize the manuals: legalistic handbooks used by confessors in the post-Tridentine Church. Indeed, manuals of Catholic moral theology were published and used from the sixteenth to the twentieth centuries, and they continue to significantly influence official Catholic teaching.<sup>18</sup>

The juridical model became the paradigm of Catholic moral theology because the juridical manualist tradition meets a profound human and Christian need: the need for universal moral laws.<sup>19</sup> The rationality and consistency of these laws are as desirable today as they were during the ignorance and chaos of the Middle Ages. Unfortunately, the manualist tradition fails to meet several other profound needs.<sup>20</sup>

Perhaps the most profound of these needs is the need for a personalistic or relational view of the moral life. It is just such a view that we find in the documents of the Second Vatican Council.<sup>21</sup> Although the Conciliar documents do refer to the moral law, nevertheless, in these references the law is seen as secondary to the personal relationships which the law serves:<sup>22</sup>

Often refusing to acknowledge God as his source, man has also upset the relationship which should link him to his last end; and at the same time he has broken the right order that should reign within himself as well as between himself and other men and all creatures. (GS 13)

Furthermore, although the Council does refer to particular sins as crimes,<sup>23</sup> it does not view sinners as criminals; contrary to the juridical

model, the Council's hamartology is relational in that it teaches that there are social or communitarian causes and effects of sin. Regarding such effects, the Council writes:

Those who approach the sacrament of Penance . . . are . . . reconciled with the Church which they have wounded by their sins . . . . (LG 11)

Regarding such causes, the Council writes:

. . . it cannot be denied that [man] is often turned away from the good and urged to evil by the social environment in which he lives and in which he is immersed since the day of his birth. (GS 25)

The Council's morality is relational since the Council teaches as it challenges the Church's theologians to teach:

. . . theological subjects should be renewed through a more vivid contact with the mystery of Christ and the history of salvation. Special care should be given to the perfecting of moral theology. Its scientific presentation should draw more fully on the teaching of holy Scripture . . . . (OT 16)

In other words, a relational view of the moral life is inevitable when one "draws more fully" upon the Bible. In order to understand better the latter, let us take a close look at how the Council treats a specific moral issue.

The Pastoral Constitution on the Church in the Modern World (GS) is the primary and most comprehensive expression of the moral theology of the Second Vatican Council.<sup>24</sup> Having stated and explained principles of Catholic doctrinal and moral theology in GS 1-45, GS 47-52 contain the Council's first extended application of these principles: an application to the nature of marriage and human sexuality. This

application exemplifies the Council's shift from legalism/juridicism and to a relational theology which has been called "Christian personalist."<sup>25</sup>

Before the Council, the closest thing to the Church's official definition of marriage was contained, in part, in Canon 1081.2 of the original (A.D. 1917) Code of Canon Law.<sup>26</sup> Preceded by the first canon on marriage—Canon 1012—which calls marriage a "contract," Canon 1081.2 elaborates upon this juridical/contractual understanding:

Marital consent is an act of the will by which each party gives and accepts a perpetual and exclusive right over the body for acts which are of themselves suitable for the generation of children.<sup>27</sup>

A dramatic contrast is visible in the Council's relational/biblical understanding of marriage:

Thus a man and a woman, who by the marriage covenant of conjugal love "are no longer two, but one flesh" (Mt. 19:6), render mutual help and service to each other through an intimate union of their persons and of their actions. Through this union they experience the meaning of their oneness and attain to it with growing perfection day by day. (GS 48)

In the Code of Canon Law, marriage is a contract wherein rights to potentially procreative actions are exchanged in one act of the will.

However, in GS, marriage is a covenant wherein two persons give all of themselves and gradually experience the unitive meaning of their marriage whether or not its procreative meaning is fulfilled.<sup>28</sup>

Since the closing of the Second Vatican Council in 1965, Catholic theologians who have accepted the Conciliar challenge as issued in OT 16 have not only shifted their methodological basis from law to relationship. These theologians have also discovered that a biblical

approach to morality emphasizes character over acts, and, more profoundly, that it represents the superiority of images and stories over laws in effecting the conversion and formation of persons. With thinkers in mind such as Donald D. Evans, Paul Ricoeur, and James M. Gustafson, Richard M. Gula argues:

Properly to understand moral behavior, then, we need to pay attention first to the images shaping the imagination, and the stories giving rise to these images, before we consider moral rules. . . . Each world we enter makes demands on our loyalty and is alive with many forms of communicating that loyalty. Rules and regulations try to do it, but stories, images, rituals do it better.<sup>29</sup>

Similarly, with the sociology of religion in mind, James P. Hanigan writes:

The attitudes and convictions generated by a religious symbol system produce in turn a commitment to action and to a special way of life. It is because we think and feel in certain ways at the deepest levels of our being that we are moved to act in certain ways.<sup>30</sup>

Sacred scripture, especially the Gospels, offers story after story wherein we come to know and are moved by the divine persons and human characters. Furthermore, Jesus himself is frequently portrayed as preferring to teach morality through parables and images.<sup>31</sup> Since the Bible is more of a story-book than a legal code, a predominantly legalistic morality cannot sufficiently reflect scripture—especially the Christian scriptures.

Not only do we learn morality best through stories, but also each of our own moral lives are stories themselves.<sup>32</sup> Respecting this narrative

character of our individual and communal lives is a third result of a biblically based approach to morality. If the first result can be summarized as a shift from law to relationship, and if the second result can be summarized as a shift from codes to stories, then this third result can be summarized as a shift from analysis to synthesis.<sup>33</sup> In other words, this third shift calls for a movement away from emphasizing a juridical act-analysis and toward emphasizing a narrational life-synthesis, toward a vision and revision of one's "big (moral) picture." This shift also is rooted in scripture since the focus of the Bible is the ongoing story of God's historical relationship with His chosen people. Like those biblical characters, we in our own time continue that grand story via the living out of our own life stories. Gula explains well how analysis is subordinate to synthesis:

Individual actions are like the incidents which make up the story. No action has its proper moral significance in isolation from the whole narrative. Since all moral action is interaction, each individual action finds its proper meaning from within the total narrative that is the moral life.<sup>34</sup>

I have demonstrated that the moral theology of the juridical paradigm is inconsistent with that of both the Second Vatican Council and all thought which seeks to faithfully and meaningfully develop Conciliar teaching. I now continue such a demonstration *vis à vis* ecclesiology and sacramental theology.

### Ecclesiology and Sacramental Theology

In Chapter Three, while discussing the juridical paradigm's preference for a classificatory hamartology, I pointed out that asserting and maintaining a rigid conceptual distinction between "mortal" (or "grave") and "venial" sins is interdependent with the possession of an idealistic ecclesiology.<sup>35</sup> That is, a mortal sinner is seen as being someone who has forfeited full incorporation in a supposedly pure Church. The problem with such an ecclesiology is its deemphasizing of the Church as simultaneously being a sociological entity—i.e. a finite group of sinful persons. To put this yet another way: the idealistic ecclesiology of the juridical paradigm can obscure or distract us from futuristic eschatology; unfortunately, the former emphasizes the Church as being already the "stainless bride"<sup>36</sup> or sinless "Body"<sup>37</sup> of Christ.

Such an ecclesiology is inconsistent with the teachings and spirit of the Second Vatican Council. The Council's ecclesiological statements are supported by its primary metaphor for the Church: the "People of God."<sup>38</sup> Unlike the tendency of the "Body of Christ" metaphor, the equally biblical "People of God" metaphor does not "obscure the personal responsibility and freedom of the members,"<sup>39</sup> nor does it "make the presence of sin and error in the Church—even on the corporate and official level—unintelligible."<sup>40</sup> Furthermore, the "People of God"



metaphor highlights the fact that the Church as a community of laity, religious, and clergy is progressing toward perfection in history.<sup>41</sup>

In light of these points, we can call the Council's ecclesiology personalistic, anthropological, existential, or realistic<sup>42</sup> in contrast to the idealistic ecclesiology of the juridical paradigm. A realistic ecclesiology is visible in at least three of the Conciliar documents. In The Dogmatic Constitution on the Church, six of the first eight paragraphs refer to the Church's imperfection: the Church "will be brought to glorious completion" (LG 2); the Church "grows visibly" (LG 3); the Church is inferior to God's Kingdom and it "slowly grows to maturity" (LG 5); the Church "journeys" (LG 6); all members "must be formed in [Christ's] likeness" (LG 7); the Church is "at once holy and always in need of purification" and it is constantly on "the path of penance and renewal" (LG 8).<sup>43</sup> In The Pastoral Constitution on the Church in the Modern World, the Council confesses the past and present sinfulness of the Church:

The Church . . . is by no means unaware that down through the centuries there have been among its members, both clerical and lay, some who were disloyal to the Spirit of God. Today, as well, the Church is not blind to the discrepancy between the message it proclaims and the human weakness of those to whom the Gospel has been entrusted. (GS 43)

The Decree on Ecumenism reaffirms the former: "Christ summons the Church, as she goes her pilgrim way, to that continual reformation of which she always has need . . ." (UR 6).

This realistic ecclesiology of the Council does not harmonize with a hamartology—such as that of the juridical paradigm—wherein a rigid conceptual distinction between mortal sin and venial sin is asserted and maintained. In fact, the Council emphasizes the tenet that all Christians are constantly called to progress in holiness—not to merely avoid committing mortal sins:

. . . all Christians, in the conditions, duties and circumstances of their life and through all these, will sanctify themselves more and more if they receive all things with faith from the hand of the heavenly Father and cooperate with the divine will, thus showing forth in that temporal service the love with which God has loved the world. (LG 41)

The Council’s ecclesiology—as we are about to see—can also be called “sacramental.” This fact leads us to a third theological category whereby the juridical paradigm of sin and reconciliation is shown to be inadequate in this post-Conciliar age of the Church. That category is sacramental theology.

In the juridical paradigm the sacraments of the Church are narrowly understood. As we can see in canon law, all that the juridical paradigm is concerned with are the minimal conditions necessary for a sacrament to be an efficient cause.<sup>44</sup> A sacrament is said to be “administered” by one ordained minister in one particular moment and via specific matter and form.<sup>45</sup> Active participation by the local ecclesial community is not considered as being essential since the ordained minister performs the sacramental work for community members.

The sacraments are also viewed in this paradigm as being not symbols but merely signs of God's (created) grace wherein God is understood as acting extrinsically toward the Church—by providing grace understood as a quantity—but not intrinsically within the relationships shared by Church members.<sup>46</sup> For example, according to the juridical paradigm, reconciliation with God is objectively effected in the sacrament of reconciliation whether or not the penitent and his/her local fellow Christians are subjectively reconciled. In other words, reconciliation with God is seen as being unrelated or extrinsic to interpersonal reconciliation.

Once again—this time via sacramental theology—the juridical paradigm is inconsistent with the teachings and spirit of the Second Vatican Council. According to the Council, the Church itself, despite its aforementioned imperfection, is a sacrament (LG 1), which means that the entire People of God must symbolize or express or make tangible whatever the intangible God intends.<sup>47</sup> In order to better understand the non-juridical point that “the Church itself is a sacrament,” and to better understand the effect of this point upon the theology of sacramental reconciliation, let us follow the thought of one of the leading proponents of this point: Conciliar *peritus* Karl Rahner.

Rahner was contemporaneous with the generation of Catholic theologians in the twentieth century which sought to respond to modern philosophy via Thomism without the paranoia that was characteristic of

nineteenth century neo-Thomism. This new generation (the *nouvelle théologie*), like the condemned modernists before them, argued that neo-Thomism misappropriated Thomistic thought; the former claimed that St. Thomas was not really ahistorical. Rather, Rahner and his peers sought to be historically critical, epistemologically sensitive, and pastoral.<sup>48</sup>

Prominent members of this generation were Marie-Dominique Chenu and Henri de Lubac. Chenu, inspired by his fellow Dominican Ambroise Gardeil, argued that faith is primarily transcendental, which is to say that it transcends the categories and language of historical dogmas. He based this claim on Aquinas' distinction between *ratio* and *intellectus*: *intellectus*, the drive to understand, seeks not a dogmatic positivism but an increasing and open-ended intelligibility of Christian history. According to Chenu, the human spirit possesses the power of faith, a power which philosophical effort would aid in reformulating doctrine in ever relevant ways.<sup>49</sup>

Encouraged by fellow Jesuits Pierre Rousselot and Joseph Maréchal, de Lubac posited that knowledge of God is not a supernatural acquisition—contra neo-Thomism—but a natural experience. For de Lubac, God is the transcendental condition for human knowledge and freedom, a tenet which implies that human persons subjectively experience God in every explicit act of knowledge and freedom. In his controversial *Surnaturel* he concluded that the neo-Thomist concept of a

pure human nature receiving utterly extrinsically imposed grace—i.e. extrinsicism—is a distortion of both Augustine’s and Aquinas’ teaching. Humanity is “naturally supernatural,” maintained de Lubac.<sup>50</sup>

What prevented Rahner from being scolded by neo-Thomist authorities along with the likes of Chenu and de Lubac was his “selective and discreet appropriation of Kantian and Heideggerian categories within a Thomistic framework.”<sup>51</sup> From Kant Rahner takes an epistemology which begins with subjective experience. Unlike essentialist theology, which is theocentric and which presupposes a static cosmos that is to be objectively conceptualized, Rahner’s starting point, and constant reference point, is the experiential knowledge and transcendental freedom of human subjects.<sup>52</sup> Like Chenu and de Lubac, Rahner does not follow the legalistic/juridical method of neo-Thomism with its complacency in limiting knowledge of God to clear and distinct dogmas. Although Rahner sees a need for conceptual knowledge—i.e. dogma—he emphasizes the primacy of experiential knowledge (as well as that of transcendental freedom). Examining the differences between these different types of knowledge and freedom justifies this latter emphasis.

Conceptual knowledge seeks to categorize its objects. In order to do this the immediate experiencing of something must be temporarily interrupted so that this something can be analyzed in its facets. A strength of conceptual knowledge is that it enables us to share our knowledge about things with others—to agree with others via

objectivity.<sup>53</sup> However, this type of knowledge is secondary since it depends upon experience. Moreover, conceptualization is incomplete and avoidable: incomplete in its inability to be open to the totality of an object; avoidable in that not everyone takes the time and effort to analyze their experiences.<sup>54</sup>

Experiential knowledge, on the other hand, is immediate knowledge of something beyond our control. It is a knowledge that is utterly open to the totality of a thing. Its strengths are the lacunae of conceptual knowledge: completeness and inevitability. All normally functioning human persons have experiential knowledge, whether or not they can and do explicitly conceptualize it. Moreover, experiential knowledge points to the fact that we can continually learn more and more about the things we experience.<sup>55</sup>

As for transcendental freedom, it is analogous to experiential knowledge. This type of freedom (in contrast to categorical freedom) is the preconceptual freedom of ours that is hidden behind every conscious categorical choice that we make in our everyday lives. At best we only have an intuition of this freedom as it is the condition of our categorical freedom. It shares the same qualities with experiential knowledge: it is primary, complete, and inevitable. Transcendental freedom is that which has made, makes, and will make one's self to be; it is what makes a person morally responsible.<sup>56</sup>

Rahner furthers his anthropocentrism with a doctrine of Thomas': human knowledge can transcend the physical world and attain to the metaphysical. Rahner, like Maréchal, addresses modern philosophy via Thomas when he argues that in the human experience of knowing and choosing finite realities we preconceptually or implicitly experience the infinite reality of God.<sup>57</sup> Rahner elaborates on this via an adaptation of Heidegger: we can know things only because of an a priori structure or "existential" which transcends these things; a human being is a dynamism thrust toward Absolute Being, of which he or she has a pre-apprehension or "*Vorgriff*."<sup>58</sup> That is to say that we grasp finite realities—we understand particular horizons—against the backdrop of an infinite reality or horizon.<sup>59</sup> Indeed, God, the horizon without a horizon, is the "supernatural existential," the basic and hidden structure—given by God in his own self-gift—permeating all of a human person which enables the person to know and to choose categorically.<sup>60</sup>

All of this enables Rahner to go on to say that human persons are naturally open to the supernatural. The transcendental and the categorical are united: they mutually cause each other. This means that God is not an efficient cause who effects an extrinsic grace to be present in our otherwise "purely natural" lives. Rather, God is a "quasi-formal" cause: God's self is intrinsic to the effected human person.<sup>61</sup> To be human is to be open to the divine. In Scholastic terminology, Rahner would say that God's self is uncreated grace.<sup>62</sup> Grace, that is God, is

thus experienced and responded to—consciously or unconsciously—within human history.<sup>63</sup>

A crucial part of Rahner's theology is his understanding of real symbols; this serves as a support for his "supernatural existential" doctrine. His basic principle here is that all beings are symbolic because in order to realize themselves they must express themselves. The original unity of a being fulfills itself by developing into plurality. Unity and distinction increase not in inverse proportion, but in like proportion. This explains formal causality, i.e. how the physical and the spiritual cause each other. In other words, the symbol or expression of any thing is both caused by and causes the presence of the thing symbolized.<sup>64</sup>

If the essence of human persons is to share in divinity, this essence cannot be realized apart from—i.e. extrinsic to—its symbol. Since the symbol of humans is the human body, then humans realize themselves through physical acts. Moving toward the divine through one's acts is not a threat to human autonomy but is rather the guarantee of autonomy.<sup>65</sup> Every free action taken in history by a human person is simultaneously a spiritual action. Behind every categorical option one makes lies one's transcendental or fundamental option: one moves either toward or away from God's gracious self-gift. One's transcendental option to fulfill oneself as a supernatural being is manifested in and affected by one's categorical choices. This transcendental option is inevitable and continuous during our free agency in history.



In light of this unity of the physical and the spiritual, we can understand Rahner's assertion that secular and salvation histories are inseparable. Since non-Christians as well as Christians share the same humanity, all members of human history are called to symbolically realize their humanity, which is to say that all humans act out of a transcendental option either for or against God. Since the fundamental way in which the option for God is manifested is loving behavior, loving actions imply faith, whether these acts are performed by Christians or non-Christians.<sup>66</sup> Salvation—including reconciliation—happens in human history or it does not happen at all.<sup>67</sup>

The latter can be further understood in terms of Rahner's distinction between explicit and implicit Christianity: all humans are called to be Christians, whether or not they are conscious of it.<sup>68</sup> This point is based upon the divinity of Christ and the dependence of knowing and free human persons upon God as the condition of knowledge and freedom. Even the professed atheist is implicitly Christian as long as he or she is loving in his or her categorical acts. In explicitly loving self and neighbor, the implicit Christian implicitly or preconceptually says "yes" to God who enables such love.<sup>69</sup> And since Christ is the expression of God, this "yes" is a yes to Christ.

Since every free act in history is at least implicitly spiritual, any time and place is a context of spiritual activity. Rahner can thus speak of the "liturgy of the world."<sup>70</sup> The secular is not alien to the sacred but

is rather coextensive with it. But if this is so, then why celebrate a ritualized liturgy in the Church of Christ? Rahner responds to this question by admitting that Church liturgies and sacraments are not essential for any one person's salvation, since, as we have seen, persons can find salvation apart from an explicit profession of Christian faith. However, Rahner goes on to say that the liturgy and sacraments of the Church best prepare one to respond positively to God as this God is hidden in everyday life, including interpersonal relationships.<sup>71</sup> Indeed, just as implicit "yes's" to God are expressed by humans in explicit acts of love, so too is the implicit presence/self-gift of God to humans—as hidden in transcendental knowledge and freedom—expressed explicitly by God in the person of Christ, in the Church, and in word and sacrament. The liturgy of the Church, being symbolic, is the realization or culmination of God's implicit self-gift. Since we have seen that God's self-gift is identified with uncreated grace,<sup>72</sup> we can say with Rahner that grace culminates in its symbolic expression: the sacraments.<sup>73</sup>

This is to say that in the liturgy of the world a dialogue occurs. God's saving gift of self is hidden in general human history in the universal human experience of transcendence. And human persons implicitly accept this gift by doing loving deeds in history. But in order to realize itself, general history—i.e. the liturgy of the world—must express itself. This expression or symbol is salvation history—i.e. the liturgy of the Church. Salvation history is the explicit manifestation of what is

already implicit in general history: God's saving gift of self and its acceptance by human persons. The liturgy of the Church is thus the symbol or realization of the liturgy of the world; Church liturgy causes an explicit awareness of what has been, and is, already happening implicitly in general history, and Church liturgy, reciprocally, is caused by this worldly liturgy.<sup>74</sup>

If this connection between everyday life and the Church's sacraments is not observed, Christians run the dreadful risk of reducing religious or spiritual action to liturgical action. Appearing to incarnate neo-Thomism, they will sharply separate the sacred and the "profane;" they will fail to experience and express their faith in everyday activities and relationships, and they will see the sacraments as magical medicine for, or as escapes from, or as meaningless in relation to, the everyday. Concerned about this possible disintegration, Rahner calls the Church's sacraments "outbursts" of the giving of the divine and human persons to each other that is—or should be—happening silently in everyday life.<sup>75</sup> Indeed, far from being magic, or escapes, or meaningless, the sacraments assign the everyday to us as the place where God is hidden and where he calls us to accept his offer of salvation—including reconciliation.<sup>76</sup>

Rahner elaborates upon how the sacraments are the highest realization or expression of grace via a theology of the word of God. Of course, God's word of salvation is given silently in history as the transcendental knowledge and freedom of all human persons. But this

implicit gift possesses the least degree of concentration and intensity.<sup>77</sup>

Since God's word can realize its essence only in a historical process, this word has deficient and preparatory degrees or phases. Thus, every part of salvation history that preceded the Church of Christ was a deficient phase.<sup>78</sup> Indeed, even the scriptural word is only preparatory.

Rahner's major question here is how one can "reconcile a theology of the intrinsically efficacious word with the doctrine of the sacraments as the efficacious signs and words of grace."<sup>79</sup> He proposes that, in order to distinguish "word" from "sacrament," there is a need to define the concept "*opus operatum*." He points out that there are two features which constitute the objective content of the concept "*opus operatum*" in its unity: first, the word as the highest realization of the Church in its absolute commitment; second, the word spoken in situations that are decisive for human salvation.<sup>80</sup> This can be understood by recognizing the nature of the Church as being the primary sacrament. That is, the Church is the primary sacrament because the historical process of the increasing realization of God's word reaches its finality and permanence in the Church:

The Church is the permanent sign that God not only offers the grace of justification to the world but also that this grace *is here*.<sup>81</sup>

What distinguishes "word" from "sacrament" is that in the sacraments the Church actualizes itself in a total commitment of its essence towards an individual, becoming God's saving word in an individual's decisive situation.<sup>82</sup>

Having taken a close look at the non-judicial sacramental theology of Karl Rahner, we can see and understand his contribution in the following Conciliar teaching on the sacrament of penance:

Those who approach the sacrament of Penance obtain pardon from God's mercy for the offense committed against him, and are, at the same time, reconciled with the Church which they have wounded by their sins and which by charity, by example and by prayer labors for their conversion. (LG 11)

In this teaching there are at least three points of divergence from the juridical paradigm. First, we can see that the Second Vatican Council asserts an interrelationship between God and the Church whereby a penitent's reconciliation with one is inseparable from his or her reconciliation with the other. This implies that if I want to be reconciled with God then I must pursue reconciliation within myself and amongst my fellows. Second, the Church is expected to "labor" for the desired sacramental effect.<sup>83</sup> Given this expectation, the Council obviously rejects all kinds of sacramental minimalism/reductionism—for example, a reduction of sacramental reconciliation to the "essential" priestly absolution.<sup>84</sup> Third, the aforementioned labor includes "example," which implies the need for a penitent's conversion-focused relationships with like-minded Christians to be more enduring than the moment which one spends in isolation with an ordained confessor.

Besides this specific teaching on sacramental penance, the Council issued several general norms which are not valued—and are often opposed—by the juridical paradigm. Unlike the juridical fixation on what

the ordained minister “has a right to do,”<sup>85</sup> The Constitution on the Sacred Liturgy includes the Council’s preference for communal celebrations (SC 26-7, 110) and repeatedly urges that all should participate fully, consciously, and actively (SC 11, 14, 21, 27). Such participation is said to be “demanded by the very nature of the liturgy” and something “to which the Christian people . . . have a right and obligation by reason of their baptism” (SC 14). Also, unlike the juridical interest in the universal rigidity of sacramental rites,<sup>86</sup> the liturgy Constitution frequently invites adaptation and inculturation (SC 1,4,21, 37-8). This is so since the Council “desires that . . . the rites . . . be given new vigor to meet present-day circumstances and needs” (SC 4). Furthermore, unlike the minimal—if any—inclusion of sacred scripture and instruction in the juridical approach to the sacraments,<sup>87</sup> the Council decreed that “a more ample, more varied, and more suitable reading from sacred scripture should be restored” (SC 35), and that “instruction which is more explicitly liturgical should also be given in a variety of ways” (SC 35). Finally, unlike the juridical paradigm’s separation of the religious from the secular, the Council taught as follows:

They are mistaken . . . who think that religion consists in acts of worship alone and in the discharge of certain moral obligations, and who imagine they can plunge themselves into earthly affairs in such a way as to imply that these are altogether divorced from the religious life. (GS 43)

Although OP and RP have been published in this post-Conciliar age, they maintain the pre-Conciliar preference for the juridical paradigm of sin and reconciliation. In this fourth chapter I have demonstrated that the juridical paradigm and the teaching of the Second Vatican Council are discordant according to the key categories of moral theology, ecclesiology, and sacramental theology. Given the doctrinal authority and existential relevance of Conciliar teaching, I have ultimately demonstrated that the juridical model is an inadequate supermodel or paradigm in this post-Conciliar age. Post-Conciliar documents such as OP and RP should elevate the liturgical-narrational model—not the juridical model—to the status of paradigm. A more developed and revealing treatment of the liturgical-narrational model is the task of the following chapter.

## CHAPTER 4 NOTES

1. Pope John Paul II described the crisis as follows:

For the Sacrament of Confession is indeed being undermined, on the one hand by the obscuring of the moral and religious conscience, the lessening of a sense of sin, the distortion of the concept of repentance, and the lack of effort to live an authentically Christian life. And on the other hand it is being undermined by the sometimes widespread idea that one can obtain forgiveness directly from God, even in an habitual way, without approaching the Sacrament of reconciliation. (RP 28.3)

2. See Martos, 311-12, which includes the following:

For a variety of reasons the Tridentine form of confession stopped being an effective sacrament for many Catholics, and the newer forms, although they aroused some interest and hope when they were first introduced, have been unable to take its place. (312) See also Paul DeClerck, "Celebrating Penance or Reconciliation," The Clergy Review 68 (1983): 310-21; see especially the surveys cited on p. 311.

3. See James Dallen, "Recent Documents on Penance and Reconciliation," in Reconciliation: The Continuing Agenda, ed. Robert J. Kennedy (Collegeville: The Liturgical Press, 1987), 95-113, which includes the following:

. . . in the area of the sacrament of penance and reconciliation there is a clear evidence that the trends apparent throughout the twentieth century and given official status in the [Second Vatican] Council and in conciliar reforms have, to some extent, been suspended, minimized, or reversed in recent documents [brackets mine]. (95)

Among these recent documents Dallen includes RP.

4. Regarding the phrase "Conciliar mind," see Ladislav Orsy, Theology and Canon Law: New Horizons for Legislation and Interpretation (Collegeville: The Liturgical Press, 1992), 14.

5. See above, pp. 1-2.

6. Gula, 25-8. Also see David Kelly, "Aspects of Sin in Today's Theology," Louvain Studies 9 (1982): 191-7; see especially p. 193.



7. Osborne, Reconciliation, 87. Also see John T. McNeill and Helena M. Gamer, trans., Medieval Handbooks of Penance (New York: Octagon Books, 1965), which includes English translations of the Penitentials of Finnian, Cummean, Theodore, et al.

8. The word “sacramental” is set in quotation marks since the term “sacrament” *vis à vis* penance/reconciliation does not appear until the twelfth century. See Osborne, Reconciliation, 70, 89.

9. Dallen, Reconciling Community, 59, 67.

10. *Ibid.*, 107.

11. Gallagher, 9.

12. *Ibid.*, 7.

13. *Ibid.*, 18-20.

14. *Ibid.*, 19-20.

15. *Ibid.*, 18.

16. *Ibid.*, 45.

17. ST I-II Q.90 a.4. Also see: Gula, 26f.; Gallagher, 84; Vincent MacNamara, Faith And Ethics: Recent Roman Catholicism (Washington, DC: Georgetown U Press, 1985), 10.

18. Gula, 35.

19. See Rigali, “Sin in a Relational World.” See especially p. 323, where Rigali writes: “Thus, the classical manuals of moral theology . . . generally define sin as a free transgression of divine law.”

20. These ignored needs include: the need to respect the personal conscience of the penitent; the need to respect the virtue of *epikeia*; the need for respect for the historical circumstances of the penitent; the need for concern for the character development or personal growth of the penitent; the needs for a sense of social sin and communal penance. On the virtue of *epikeia*, see: ST II-II Q.120; Mahoney, 231-53; Timothy E. O’Connell, Principles For A Catholic Morality, Revised ed. (New York: HarperCollins, 1990), 229-38.

21. Gula, 63.

22. In addition to the following quotation of GS 13, also see GS 38: “The Word of God . . . teaches that the fundamental law of human perfection . . . is the new commandment of love.”

23. GS 27.

24. See Francis A. Sullivan, Creative Fidelity: Weighing and Interpreting Documents of the Magisterium (Mahwah, NJ: Paulist, 1996), who writes:

. . . it would be a mistake to conclude that it was only in those two “dogmatic constitutions” [i.e. LG and DV] that the [Second Vatican] council has spoken authoritatively on matters of doctrine. It certainly did so in a number of other documents, including the one it called a “pastoral constitution” [brackets mine]. (170)

25. Theodore Mackin, What Is Marriage? (Ramsey, NJ: Paulist, 1982), 226.

26. Codex Iuris Canonici [Code of Canon Law], *Pii X Pontificis Maximi iusso digestus Benedicti Papae XV auctoritate promulgatus* (Rome: Typis Vaticanis, 1917).

27. Mackin, 210, contains this translation of Canon 1081.2.

28. See Mackin, 255, for Cardinal Alfrink’s anti-juridical statements at the Council. Pope Paul VI opts for this relational/biblical language of GS in his post-Conciliar Encyclical Letter Humanae Vitae [Of Human Life] (Boston: Daughters of St. Paul, 1968), nos. 8, 9, 12.

29. Gula, 142-4.

30. Hanigan, 30-1.

31. See Stephen Happel and James J. Walter, Conversion And Discipleship: A Christian Foundation For Ethics And Doctrine (Philadelphia: Fortress, 1986):

The first object of these stories is not to teach concepts but to point the way through our lives, often indirectly. . . . A crisis erupts in the tale, provoking a change in the hearer. Disoriented, the listener must make some reversal to see the world whole. (11)

32. Duffy, Real Presence, 170 ff.

33. Mahoney, 321.

34. Gula, 111. Also see: Dallen, 253 ff.; Mahoney, 253.

35. I pointed out this interdependence above, p. 90. As for the asserting and maintaining of such a distinction, see Gula:  
Determining this line [between mortal and venial sin] is the goal of the minimalistic and legalistic mentality which wants to know “How far can I go?” Theologians today generally agree that we cannot give an exact determination of where venial sin ends and mortal sin begins. The reason seems to lie basically in realizing that sin is not in the action itself, but primarily in the person [brackets mine]. (115)

36. Eph. 5.27.

37. 1 Cor. 6.15-20.

38. See LG, Chapter 2. Also see: Dulles, 34, 57; above, pp. 71-2 n. 22.

39. Dulles, 59.

40. Ibid.

41. Aloys Grillmeier, “The People of God,” trans. Kevin Smyth, chap. in Commentary On The Documents Of Vatican II, vol. 1, Constitution On The Sacred Liturgy et al., ed. Herbert Vorgrimler (New York: Herder and Herder, 1967), 153-6.

42. See Sullivan, Church, 81.

43. See Aloys Grillmeier, “The Mystery of the Church,” chap. in Commentary, *ibid.*:

Though the preservation of the sign of salvation as such is promised and guaranteed by Christ, the Council insists again and again that the luminosity of this sign in the concrete Church can and has been at times diminished. Hence the Church, and not only the individual faithful, must always take the path of repentance and renewal [emphasis mine]. (152)

44. Osborne, Sacramental Theology, 50. Also see Karl Rahner, Foundations Of Christian Faith: An Introduction to the Idea of Christianity, trans. William V. Dych (New York: Crossroad, 1978), 121.

45. Martos, 67. Also see Codex Iuris Canonici (Vatican City: Libreria Editrice Vaticana, 1983; trans. Washington, DC: Canon Law Society of America, 1983), Canons 960, 965.

46. Osborne, Sacramental Theology, 58-68.

47. Rahner, Foundations, 416.
48. Gallagher, 143.
49. Ibid., 144-6.
50. Ibid., 144, 146-9.
51. Ibid., 153, 155-6.
52. Karl Rahner, Spirit In The World, trans. William V. Dych (New York: Herder and Herder, 1968), 57-63.
53. William V. Dych, "Theology In A New Key," in A World Of Grace, ed. Leo J. O'Donovan (New York: Crossroad, 1991), 7.
54. Michael Skelley, The Liturgy of the World: Karl Rahner's Theology of Worship (Collegeville: The Liturgical Press, 1991) 65-9.
55. Hence its supposed "threat" to dogma as perceived by neo-Thomists, q.v. Francis Schussler Fiorenza, "Systematic Theology: Task And Methods," in Systematic Theology: Roman Catholic Perspectives, vol. 1, ed. Francis Schussler Fiorenza and John P. Galvin (Minneapolis: Fortress Press, 1991), 27-36.
56. Anne E. Carr, "Starting with the Human," in O'Donovan, 23-6.
57. Rahner, Spirit, 180-6, 225-6.
58. Karl Rahner, Hearers Of The Word, ed. Andrew Tallon, trans. Joseph Donceel (Milwaukee: Marquette U Press, 1988), 18-21.
59. Ibid.
60. John P. Galvin, "The Invitation of Grace," in O'Donovan, 71-2.
61. Karl Rahner, "Some Implications of the Scholastic Concept of Uncreated Grace," in Theological Investigations, vol. 1, God, Christ, Mary and Grace (London: Darton, Longman and Todd, 1961), 319-46. See especially 329-31.
62. Galvin, 66.
63. Rahner, Hearers, 43-5.
64. Rahner, "The Theology of the Symbol," *ibid.*

65. Rahner, Hearers, 43-5.
66. Galvin, 69.
67. Roger Haight, The Experience and Language of Grace (New York: Paulist, 1979), 134.
68. Ibid., 132-3.
69. James F. Bresnahan, "An Ethics of Faith," in O'Donovan, 178.
70. Rahner, "On the Theology of Worship," 146.
71. Ibid., 143-9.
72. Above, 116.
73. Rahner, "On the Theology of Worship," 143-9.
74. I suspect that this point of Rahner's is a source for SC 10, particularly the following statement:  
Nevertheless the liturgy is the summit toward which the activity of the Church is directed; it is also the fount from which all her power flows.
75. Rahner, "On the Theology of Worship," 143.
76. Karl Rahner, "The Eucharist and Our Daily Lives," in Theological Investigations, vol. 7, Further Theology of the Spiritual Life (London: Darton, Longman and Todd, 1971), 211-26.
77. Rahner, "The Theology of the Symbol," 260.
78. Ibid., 272-9.
79. Ibid., 269.
80. Ibid., 272.
81. Ibid., 272-4. See also his Foundations, 398-99. Here, Rahner's thought is similar to Odo Casel's understanding of liturgy as mystery: the congregation/Church, via its performance of the rite, participates in the saving act, and thereby experiences salvation.
82. Rahner, "The Theology of the Symbol," 274.

83. The urgency of the community's "laboring at prayer" for penitents is an ancient emphasis that is here retrieved by the Council. See Godfrey Diekmann, "Reconciliation Through the Prayer of the Community," chap. in The Rite of Penance: Commentaries, vol. 3, Background and Directions, ed. Nathan Mitchell (Washington, DC: The Liturgical Conference, 1978), 38-49. See especially the following:

Previously, that is for nearly two-thirds of the church's history in the West, reconciliation was effected by prayer plus the laying on of hands by the bishop or priest. Moreover, the prayer asking God's forgiveness, even though officially spoken by the bishop or priest, was understood to be the prayer of the entire Christian community. Their intercessions, their pleading for their brothers and sisters and their weeping were essential. . . . The evidence is overwhelming. Moreover, it is this crucial relationship between community intercession and reconciliation that has inspired our recent efforts to underscore the truly communal character of the sacrament of penance. (45)

84. See Godfrey Diekmann, "The New Rite of Penance: A Theological Evaluation," chap. in The Rite of Penance: Commentaries, vol. 3, *ibid.*, 82-91. See especially the following:

Reductionism is infatuation with the "barest minimum for validity." This has probably done more to impoverish penance than any other single factor. For by reducing the sacrament to the "essential words of absolution," we have seriously disregarded the role of the Spirit and of the entire praying community in the process of reconciliation. The result has been a mechanistic and quasi-magical preoccupation with the effect of the [declarative] absolution formula [brackets mine]. (91)

85. James Empereur, Worship: Exploring The Sacred (Washington, DC: The Pastoral Press, 1987), 68-70.

86. *Ibid.*

87. One of the many ways that OP shows itself to be dominated by the juridical model is its view of scriptural readings within celebrations of sacramental reconciliation as being optional. See, for example, the heading that is situated immediately above OP 43.

## CHAPTER 5

### TOWARDS A CONTEMPORARY PARADIGM

The central proposal of this dissertation is that now, in the wake of the Second Vatican Council, official Roman Catholic teaching on sin and reconciliation is not, but ought to be, based upon a contemporary paradigm—i.e. a paradigm which is concordant with, and adequate in light of, the doctrinally authoritative and existentially relevant teachings and goals of the Council. The argument in Chapter Four was not that the juridical model is an inadequate model, but rather that it is inadequate as a paradigm. A contemporary paradigm of sin and reconciliation would not jettison the juridical model, but would rather include what is still relevant and fecund in that and other models. For example, respect for confession and absolution—which has long been intrinsic to the juridical model—ought to be included within the new paradigm. Nevertheless, the new paradigm would be a model that would replace the juridical model in terms of primacy.

I nominate the liturgical-narrational model as the contemporary paradigm of sin and reconciliation. In Chapter Two I demonstrated that this model is employed in OP and RP. The statements by which OP and RP employ this model may be summarized as follows: the Church is a

sign of conversion to God, and all of its priestly people are called to reconcile primarily via proclaiming and hearing the history of salvation. In this fifth chapter I will expand upon this summary so that the theological principles and pastoral possibilities of the liturgical-narrational model will be more fully revealed and developed. Amidst this elaboration I will also point out how the liturgical-narrational model is concordant with, and adequate in light of, the teachings and goals of the Second Vatican Council.

Chapter Five consists of five sections. In the first section I will argue that salvation history contains myriad sin-salvation narratives, and that the confession of sins is narrative proclamation. In the second section I will point out moral and ecclesial needs that are met best by a communal confession of sins. In the third section I will argue that the sacrament of reconciliation need not and should not be reduced to individual confession and a declarative absolution. In the fourth section I will suggest ways—i.e. ministries and forms of celebration—in which the theological principles of the liturgical-narrational paradigm can be pastorally practiced or implemented. Finally, the fifth section contains concluding remarks.

#### Confession As Narrative Proclamation

My arguments in this chapter are related primarily to a contemporary proposal offered by theologian Patrick McCormick.<sup>1</sup> After he surveys contemporary scholarship in the field of hamartology, especially



scholarship which employs a models approach, and after demonstrating the inadequacy of several models of sin, particularly what he calls the crime model, McCormick defends a disease model of sin and a healing model of reconciliation.<sup>2</sup> He then develops these models into his major proposal: that there is need for an addiction model of sin and a correlative recovery model of reconciliation.<sup>3</sup> These models recognize that sin is partly beyond the will of a sinning person, that it is often repetitive, cyclical, ingrained and reinforced by other persons and communities, and that it can even be codependent and multigenerational. These models also encourage us to see ourselves as sinning persons who are responsible for commitment to individual and communal recovery, a recovery that is progressive, integrating, confessional and centered upon God's word and the virtues.<sup>4</sup>

While I agree with much of what McCormick argues, I am recognizing and developing what I call a liturgical-narrational model of sin and reconciliation, a model that is both more comprehensive and more firmly based in Christian tradition than are McCormick's models. The liturgical-narrational model sees sin and reconciliation in terms of the many subsidiary stories or narratives that are part of the one overarching narrative of salvation. My development of this model emphasizes a crucial aspect of addiction-recovery: the honest telling and retelling of one's narrative of sin and salvation to and with a community of converting story-hearers and story-tellers. McCormick discusses such

story-telling,<sup>5</sup> but his focus on addiction and recovery fails to sufficiently situate this story-telling within the overarching story of salvation and the Church's multidimensional mission in this ongoing story.<sup>6</sup> I do so situate this story-telling by seeing it as proclamation by and in the Church. In other words, I see the confession of sins and the sharing of one's ongoing moral narrative as proclamation, a proclamation that is joined to the proclamation of God's word.

There are four premises which support the conclusion that the confession of sins is narrative proclamation. The first premise is that the universal history of salvation contains personal and microcosmic histories of salvation. The second premise is that sin histories are intrinsic components of salvation histories. The third premise is that the proclamation and hearing of salvation history are both rights and obligations of every Christian person. The fourth premise is that we can understand all of these sin and salvation histories as being narratives. Let us examine the first two premises via the thought of theologian Gerald O'Collins.

Calling upon contributions by Karl Rahner<sup>7</sup> and Paul Tillich,<sup>8</sup> among others, O'Collins distinguishes three types of salvation history.<sup>9</sup> Foundational salvation history refers to what the first Christians experienced and testified to: the primordial Acts (upper case) of God in His incarnate, crucified, and resurrected Son. This original type of salvation history is the normative basis of the two types of dependent

salvation history. Collective dependent salvation history refers to the continuing acts (lower case) of God that communities are experiencing and cooperating in today. The latter are “the signs of the times”—those public movements to which Jesus urges attentiveness<sup>10</sup> and with which the Second Vatican Council cooperated.<sup>11</sup> These signs are also encountered and responded to on a personal level, a level which O’Collins calls individual dependent salvation history.

Although the two types of dependent salvation history are, by definition, subordinate to the foundational type, O’Collins reminds us that they are no less important. Furthermore, O’Collins agrees with the premise that sin histories are intrinsic components of salvation histories:

If out of love the Father “gave his Son up for us all” (Rom 8:32), Pilate, Judas and Caiaphas brought about the crucifixion through less than loving motives. . . . Likewise today we can find the divine purposes being conveyed through episodes and situations in which evil bulks large and the (infinitely more powerful) reality of grace seems less apparent.<sup>12</sup>

We will fail to recognize our individual and collective salvation histories if we ignore the intertwined sin histories, for God saves amidst sin and evil—not apart from them. St. Paul himself exemplifies this comprehensive awareness in his inspired Letter to the Romans: he sees that Pharaoh’s sinful obstinacy helped prepare for the universal proclamation of Yahweh’s saving name.<sup>13</sup>

The third aforementioned premise—that the proclamation and hearing of salvation history are both rights and obligations of every Christian person—is an established doctrine in official Roman Catholic

teaching. Proclamation pertains to the prophetic office of Christ, an office in which all the People of God share (LG 12). The Dogmatic Constitution on the Church states that the laity ought to be “heralds of the faith” by word as well as by testimony of life (LG 35). Similarly, in the Decree on the Apostolate of Lay People, lay people are said to possess a “right and duty to be apostles,” a ministry which obligates them to “bring all men throughout the whole world to hear and accept the divine message of salvation” (AA 3).

The fourth aforementioned premise—that we can understand all of these sin and salvation histories as being narratives—is based upon a cogent argument made by philosopher Alasdair MacIntyre.<sup>14</sup> Arguing against modernity’s atomizing of human action, MacIntyre claims that human actions are intelligible only when they are seen as elements in a sequence and in a context. Hence our lives are more than histories—they are narratives which we “author.” He then quickly amends the latter statement:

. . . we are never more (and sometimes less) than the co-authors of our own narratives. . . . We enter upon a stage which we did not design and we find ourselves part of an action that was not of our making. Each of us being a main character in his own drama plays subordinate parts in the dramas of others, and each drama constrains the others.<sup>15</sup>

Furthermore, lives are narrative-like since they possess a teleological character; each co-author anticipates and progresses toward individual and collective goals that ought to be intelligible.<sup>16</sup> Finally, MacIntyre

states that these narratives which have been, and continue to be, “written” need to be told and heard if they are to continue intelligibly.<sup>17</sup>

If personal and collective sins are part of the narrative of salvation, and if the proclamation and hearing of this narrative are both rights and obligations of every Christian person, then it follows that the confession of sins ought to be—in some appropriate manner—proclaimed in community.<sup>18</sup> Many will argue, of course, that, in the Church’s current form of sacramental penance, the cleric who hears a confession represents the community, and thus that confession as communal proclamation is realized in the private confessional.<sup>19</sup> However, the word “proclamation” connotes an imparting to as many as possible—not to one representative person.<sup>20</sup> Indeed, it must be acknowledged that ancient penance<sup>21</sup> is a precedent for the view of confession which I am proposing.

In ancient penance, one of the climactic actions that was performed by penitents before or after their prolonged participation in a penitential process was an *exomologesis*.<sup>22</sup> The *exomologesis* was a general confession of personal sinfulness and a proclamation of God’s mercy. This action differed from modern confession in four ways. First, it was, usually, unrepeatable. Second, it was not a detailed listing of sins committed. Third, its focus was God and His mercy—not the penitent and his sins. Fourth, and most importantly for this chapter, it was performed in a public liturgy among fellow Christians. Although there may have been a private non-sacramental confession of sins to a

bishop—so that the bishop could determine if the one confessing was ready for enrollment in the Order of Penitents—nevertheless the *exomologesis* was the only sacramental confession.<sup>23</sup> This public confession and proclamation symbolized the penitent’s relationship and accountability to the entire community of God’s people, and it also enabled each community member to witness, and challenged each to cooperate in, salvation history as this history continued in the life of the penitent.

I said that the *exomologesis* of ancient penance is a precedent for the view of confession which I am proposing. The word “precedent” implies that my view is an augmentation of the *exomologesis*. There are at least three ways in which my augmentation differs. First, each penitent’s confession/proclamation needs to be made relatively frequently—i.e. at least once per month. Second, each penitent’s confession/proclamation needs to specify the sins from which the penitent is being saved. Third, all who are present at celebrations of sacramental reconciliation are to consider themselves penitents who need to confess/proclaim. I will discuss further these ways in which my augmentation differs in the following sections of this chapter.

Before moving on to point out various needs that are met best by communal confession, it is urgent to recall how OP and RP themselves do hold some respect for the liturgical-narrational model of reconciliation which I am here developing. Early in its Introduction, OP states that the

Church is “a sign of conversion to God,” and that the Church expresses this conversion “when the faithful confess . . .” (OP 4). In OP 11, the claim that the confession of sins is a ministry in the service of conversion and reconciliation is made four times; confession is a ministry (Part Three’s heading), an act “of the greatest importance” (OP 11.1), a “[sharing] in the sacrament itself” (OP 11.2), and a way in which the penitent “proclaims the mercy of God in his life” and “celebrates . . . the liturgy by which the Church continually renews itself” (OP 11.3). Furthermore, OP realizes that, in addition to hearing the word of God, hearing “readings from the Fathers or other writers . . . will help the community and each person to . . . conversion of life” (OP 36.2). In fact, these other readings (i.e. examples of dependent salvation history) may be chosen by the laity and in light of the needs of the community or group (OP 40.2).

RP includes at least four statements that especially reflect the liturgical-narrational model of reconciliation. In RP 9.2 it is urged that the Church must become a community “united in the commitment to be continually converted.” In RP 18.10 it is said that practicing sacramental penance in a way that obscures “the ecclesial significance of sin and conversion” has contributed to a “decline of the sense of sin.” In RP 23 the pastoral activity of penance and reconciliation is called the Church’s “specific mission,” and it includes various activities to be performed by every Church member. Finally, in RP 31.10 confession is called a

“liturgical act” which “forces sin out of the secret of the heart and thus out of the area of pure individuality, emphasizing its social character ....”

### Needs Best Met By Communal Confession

There are at least three moral and ecclesial needs that would be best met by confessions given publicly in a communal liturgy. These three needs are compassion, prophecy, and symbolism. Let us examine each of these needs *vis à vis* communal confession.

No one can be a faithful disciple of Jesus’, no one can continue to grow as a Christian person, without receiving and giving compassion. According to the Gospel of John, Jesus ultimately calls his disciples to share friendship with Him and with each other.<sup>24</sup> Now if the Church is to be characterized by friendship it would seem to be essential that its members be compassionate, for it is compassion that enables us to establish and maintain true friendship. Theologian James P. Hanigan reminds us that compassion is “the ability to feel with, suffer with, experience with the other ....”<sup>25</sup> Hanigan also points out that compassion is not automatic:

We must be willing to let it occur, be willing to listen to the other, be willing to enter into the life of the other and experience the world through his or her eyes.<sup>26</sup>

Given these truths about compassion, and given the important role that compassion plays in the mission of the Church, it is understandable that we question the quality and degree of compassion that is given and received in a celebration of sacramental reconciliation which limits



compassion-giving to only one fellow Christian (i.e. the ordained confessor). Would not celebrations which involve public confessions provide an excellent opportunity for all Church members to enact their willingness to enter into their fellows' lives—that is, their willingness to be compassionate? And would not such celebrations enable the confessing penitents to attract companions who more fully understand the complexity of their spiritual journey, and who can be much more available than is an ordained confessor? Although Twelve Step programs (e.g. Alcoholics Anonymous) and similar support groups do provide compassionate contexts for participants who are pursuing some sort of conversion, these groups cannot guarantee that participants will encounter fellows who will understand the principles, demands, and general experience of each participant's own religious tradition. For example, a Catholic Christian who pursues supportive companions at one or another Twelve Step program's meetings will have to keep to himself his conviction that there are several specific ways by which our loving triune God reveals or "expresses" Himself: Christian Scripture; Christian Tradition; the Magisterium; human reason and experience (DV 6-10). This suppression will be necessary because the second of the Twelve Traditions—which are to be respected as much as the Twelve Steps—reads as follows:

For our group purpose there is but one ultimate authority—a loving God as He may express Himself in our group conscience.<sup>27</sup>

Due to this and other non-Catholic tenets,<sup>28</sup> the support which the aforementioned Catholic Christian may find will most likely be incomplete and frustrating, and it will do more harm than good if it leads him away from his Catholic formation. This criticism applies as well to other modern therapeutic movements, many of which hold presuppositions—e.g. ethical relativism—which contradict Catholic teaching.<sup>29</sup>

Prophecy is another need which would be best met by communal confession. I am referring, of course, to the need for speech which focuses a community on both God's demands and the community's response to these.<sup>30</sup> The ministry of prophecy is unfulfilled if it is limited to the preaching, teaching, and spiritual direction of the clergy. It would make little sense for the Church, in practice, to limit this ministry to the one or more ordained members of each local community, for doing so would constantly stifle the expression of unique prophetic insights possessed by many of the non-ordained members of each such community. Indeed, the Church's enduring recognition of and respect for the *sensus fidelium* argues against such a limiting (LG 12, 35, 37). As I have written in the first section of this chapter, the confession of sins ought to be proclaimed in community because personal and collective sins are part of the narrative of salvation, and the proclaiming and hearing of this narrative are rights and obligations of every Christian person.<sup>31</sup>

Public confessions would extend the prophetic ministry in at least four ways. When an individual would confess his own narrative of sin and salvation, each other community member would: first, witness dependent salvation history; second, be challenged to resume or continue a life of Christian conversion; third, improve his sense of sin.<sup>32</sup> Earlier in this chapter I elaborated upon the first two of these ways;<sup>33</sup> upon the third of these, I will elaborate now.

RP reaffirms Pope Pius XII's statement that "the sin of the century is the loss of the sense of sin."<sup>34</sup> RP then goes on to list some probable causes of this loss, and concludes that a healthy sense of sin will return through sound catechetics, attentive listening to the Magisterium, and "by an ever more careful practice of the Sacrament of Penance" (RP 18.12). I agree with this conclusion, and I would add that our practice of this sacrament must also be more dialogical; i.e. it must provide each and every penitent with dialogue partners beyond the presiding priest.<sup>35</sup>

Dialogical examinations of conscience and public confessions would enable us to share (theoretically, at least) with all of our fellows, face to face, our thinking about sin, conversion, and reconciliation. Although a presiding priest's spiritual direction would continue to assist each penitent in his conscience examinations and confessions, the fact remains that there exists a local Catholic community full of fellows each of whom could offer the penitent a conscience-expanding insight not had by the presider. Reciprocally, if the penitent has conscience-expanding

insights, these are likely to be withheld from the community if he only shares them with the presider in a private confession.

The fourth way that public confessions would extend the ministry of prophecy involves a unique kind of confession: the community's collective confession of its collective sin and salvation narrative. As I wrote earlier in this chapter, just as an individual will fail to recognize his personal salvation history if he ignores his intertwined sin history, so a community will fail to recognize or appreciate its collective salvation history if it ignores its intertwined collective sin history.<sup>36</sup> Allow me to elaborate upon the relatively young concept of collective sin.

A community as a whole can acquire moral guilt, for example, by omitting morally good acts that require a community's organized activity. Enda McDonagh argues for a recognition of this kind of sin:

In many situations today where one experiences moral obligation the source is not an individual but a group or society. . . . one observes that very little response can be made to the situations by single individuals. It is only in organized groups . . . that any effective response can be made. . . . The group itself as moral subject has received little attention.<sup>37</sup>

Another example of collective sin is something pointed out in RP: the conspiracy of silence (RP 16.9). Indeed, a sin by a group, or personal sins that feed off of each other within a group, are too often covered over and festering due to the group's unspoken agreement to keep silent about these sins. By way of his recovery model of reconciliation, McCormick writes:

Recovery . . . is particularly concerned with the elimination of lies, propaganda and those secrets which divide the community and protect vested interests, or attempt to “keep the peace” by not telling the truth or not playing fair.<sup>38</sup>

Turning to family reconciliation, but with other and larger groups in mind, McCormick continues:

Real reconciliation calls for not only the separate confessions of husband and wife or parents and children, but also some form of communal reconciliation. It is insufficient for the priest . . . to encourage them individually to deal with each other better.<sup>39</sup>

Interestingly, OP contains at least one acknowledgment of the existence of collective sin, and of the need to deal with it:

In fact, men frequently join together to commit injustice. It is thus only fitting that they should help each other in doing penance.<sup>40</sup>

Unfortunately, the pre-modern conceptual distinction between proper sins and sins by analogy<sup>41</sup> is, at times, unjustly used in other official Catholic documents to deny the existence of, and the need to treat, collective sins.<sup>42</sup> On the contrary, I submit that if we do not jointly name our shared sins in communal confessions then we will be guilty of a new type of social sin: the sin of a group against itself.<sup>43</sup>

Having argued that compassion and prophecy are needs best met by public confessions, I now argue so regarding the need for symbolism. Three aspects of sacramental reconciliation would be symbolized best by communal confessions: first, each penitent’s relationship and accountability to his community; second, the community’s relationship and accountability to each penitent; third, the sinful dimension of the Church as a whole. I will discuss the first two of these aspects together.

The Second Vatican Council stated that “liturgical services are not private functions but are celebrations of the Church . . .” (SC 26).

Proponents of private confessions claim that such confessions do not contradict the latter quotation because these proponents see the ordained confessor as symbolizing the Church (e.g. RP 31.10).

Challenging this claim is the fact that the ordained presider is not seen this way *vis à vis* the other six Catholic sacraments: baptism, confirmation, eucharist, marriage, holy orders, and anointing of the sick ordinarily also involve the presence of a congregation of the faithful. Why should the sacrament of reconciliation be exceptional?

The answer to this question is that it should not be exceptional. Penitents should be surrounded by laity (and non-ordained religious) just as are baptisandi, confirmandi, communicandi, etc. Indeed, before the juridical model of sacramental reconciliation arose in the sixth century, penitents were surrounded by a congregation of laity. Ancient penance was truly a celebration of the Church.

A celebration of sacramental reconciliation cannot be considered fully communal—and thus fully sacramental—unless all parts of the sacrament, including confession, are performed in community.<sup>44</sup> Such celebration would—as it already does in the contemporary communal celebration of the other six sacraments—respect the modern Catholic sacramental theology which was embraced and recommended by the Second Vatican Council. This theology includes the following teachings.

First, the saving grace of Jesus Christ is visibly present in history—i.e. is symbolized—only in the whole Church. Second, the whole Church consists of two distinct and inseparable states of life: hierarchy and laity.<sup>45</sup> From these teachings it would seem to follow that the lone presider in a private confessional cannot by himself adequately symbolize the grace which God intends for repentant sinners. Or, to put this in the form of a question, if the whole Church consists of two distinct states, then how can the ordained confessor be said to represent both of these states when he is exercising a hierarchical ministry in the private confessional? Thus, if the whole Church—laity as well as hierarchy—is not visibly present when a penitent confesses and is prayed over (i.e. absolved), then the reciprocal relationship and accountability between penitent and community will not be properly symbolized.<sup>46</sup>

The third aspect of sacramental reconciliation that would be symbolized best by communal confession is the sinful dimension of the universal Church. This dimension, which Hans Küng has appropriately called the Church's "un-nature,"<sup>47</sup> needs to be sacramentally expressed, just as the Church's nature as "sign of communion with God" is sacramentally expressed at eucharist (LG 1, 3). The Church's sinful dimension would be so expressed in the aforementioned confession of communal sins confessed by a local ecclesial community—through a spokesperson—to itself. This claim is supported somewhat by Peter E. Fink's argument for a universal Christian Day of Atonement:

What is envisioned is a day of fast and repentance on which the community will offer its prayer for God's forgiveness and healing of sins that are elusive to personal grasp. Included in this are the sins of the community itself, the sins of the Church, and the sins of the world.<sup>48</sup>

In this chapter's first section, I proposed that we view the confession of sins—and of faith in God's mercy—as narrative proclamations which ought to be presented to the local ecclesial community by penitents. In this second section, I have explained how such confessions best meet certain moral and ecclesial needs. In the following section, I will argue that the sacrament of reconciliation need not and should not be reduced to individual confession and a declarative absolution.

### A Broader Understanding of the Sacrament

In Chapter Three I demonstrated that a prominent sign of the juridical model's dominance in OP and RP is their reduction of the sacrament of reconciliation to a private confession of personal sins and to a declarative individual absolution given by an ordained confessor. These two acts are seen by proponents of the juridical model as constituting what they claim is the unchangeable bipartite essence of the sacrament (OP 31.1; RP 33.2). Furthermore, of these two acts, the declarative absolution is regarded as being more important (OP 21; RP 30.2). This reduction and unchangeable status is also said to be justified and warranted by the Council of Trent.<sup>49</sup> My primary arguments against these claims were the following: first, that none of the Tridentine chapters and canons is necessarily a statement of divine law



(i.e. *de iure divino*);<sup>50</sup> second, that a much broader understanding of sacramental penance was held and practiced long before the reduction of the sacrament took place.<sup>51</sup> The latter point requires elaboration.

In the eastern and western Mediterranean Church, from the mid-second century to the eleventh century, penance was an extended public ritualized process; it was not focused upon two specific acts performed in a specific moment.<sup>52</sup> Confession (i.e. *exomologesis*) and absolution were considered important, but they were part of a crescendo in a symphony of many “essential” acts. These other acts included: enrollment in an order of penitents; separation from the community and eucharist; distinctive dress; continual prayer and lamentation; fasting, almsgiving, and other penitential works; cooperation with a sponsor.<sup>53</sup> Furthermore, confession and absolution were communal acts: confession was a proclamation to many fellow Christians, and absolution was the prayer of these supportive fellows. Indeed, the prayer of the community, led by its official presider, was the most prominent characteristic of penance in the patristic age.<sup>54</sup>

Proponents of the juridical model of penance will argue that the broader liturgical model was replaced by the juridical model because the liturgical model became ineffective. Indeed, it must be acknowledged that the ancient Mediterranean approach eventually was observed only by dying Christians because only they—due to their few remaining days on earth—could tolerate what had become a demanding and humiliating

life-long state.<sup>55</sup> The juridical model's first comprehensive penitential system—the repeatable private individual confession and tariff penance of the Celtic Church—satisfied the majority of Christians who were far from their deathbeds because this system presupposed that plural backsliding episodes are forgivable, and that the types and duration of penance can be varied and terminal.<sup>56</sup>

Unfortunately, valuable elements were forgotten when the ancient model was abandoned. Perhaps the most valuable elements were the emphasis on conversion and reconciliation as happening progressively, that the penitent was not isolated from fellow penitents, that these penitents were ministered to by—and reconciled with—the local ecclesial community, the lay ministry of sponsorship, and communal confession and absolution in a liturgical context. Of the latter valuable elements, the one to which I have not yet given extended attention is the ministry of sponsorship.

The ministry of sponsorship here refers to special encouragement and co-discernment given to a penitent by a fellow lay person.<sup>57</sup> Although a similar ministry was an element of the Celtic form of penance,<sup>58</sup> it was officially outlawed in the thirteenth century by the Fourth Lateran Council.<sup>59</sup> This legislation represented and furthered the theologizing and practicing of the clerical monopolization of all Church ministries which had been developing in the Middle Ages. It did this by assuming that the one who establishes objectively a penitent's

reconciliation (i.e. the absolving priest) is also the only one who can be that penitent's subjective counselor (i.e. sponsor/spiritual director).

Today in the Catholic Church this assumption is being challenged: the ancient recognition of a ministry of sponsorship/spiritual direction to penitents that is distinguishable from the presidential ministry is—at least implicitly—being reconsidered.<sup>60</sup> Such consideration is expressed in both OP and RP:

. . . the confessor . . . should fulfill his office of judge wisely and should acquire the knowledge and prudence necessary for this task . . . . Discernment of spirits is a deep knowledge of God's action in the hearts of men; it is a gift of the Spirit as well as the fruit of charity. (OP 10.1)

. . . the confessor must necessarily have *human qualities* of prudence, discretion, discernment and a firmness tempered by gentleness and kindness. He must likewise have . . . preparation . . . in the different branches of theology, pedagogy and psychology . . . and communicable knowledge of the word of God. . . . it is even more necessary that he should live an intense and genuine spiritual life. . . . All this fund of human gifts, Christian virtues and pastoral capabilities has to be worked for and is only acquired with effort. (RP 29.7-8)

Obviously, these passages agree that the gifts necessary for the ministry of sponsorship/spiritual direction are separate from the powers conferred by priestly ordination.<sup>61</sup> Furthermore, these passages do not offer resistance to the claim that the Holy Spirit may call and empower lay persons to and for this ministry. Sponsorship/spiritual direction by lay persons is an urgent need because “people in trouble seek out others who have navigated these same treacherous waters at least slightly

ahead of them.”<sup>62</sup> Rarely do we find clergy who have survived our specific “treacherous waters.”

Reconsidering this and the other once-forgotten valuable elements of ancient penance will inspire us to transcend the narrow-mindedness of the juridical model, and to pursue and apply the insights of the liturgical-narrational model. We will see that private confession and declarative absolution are contrary to the nature of liturgy which, by definition, is “the activity of the Church” (SC 7, 10, 26). Furthermore, we will understand that the many tasks essential to this communal work of conversion and reconciliation are all parts of the sacrament.<sup>63</sup>

In the following section of this chapter I will suggest ways—i.e. ministries and forms of celebration—in which the theological principles of the liturgical-narrational paradigm can be pastorally practiced or implemented. Before doing so, however, let us compare the juridical and liturgical-narrational models of sacramental reconciliation via a table. This table will summarize the broader understanding of the sacrament which the liturgical-narrational model possesses.

Table 2.—Tenets of the Juridical vs. Liturgical-Narrational Models of Sacramental Reconciliation

Juridical	Liturgical-Narrational
1. Council of Trent limits development	1. Council of Trent not final word
2. Sacraments are things received and/or given (extrinsic view of grace)	2. Sacraments are encounters with other persons (intrinsic view of grace)
3. Instrumental, efficient causality	3. Symbolic causality
4. Fixation on matter and form	4. Celebration of multifaceted ritual
5. Values uniformity	5. Values flexibility
6. Clergy ministers	6. Community ministers
7. Sacramental reconciliation is confession and absolution	7. Sacramental reconciliation is a liturgy-centered conversion process
8. Conversion precedes reception of the sacrament	8. The sacrament celebrates and facilitates ongoing conversion
9. Confession is a private self-accusation	9. Confession is a public proclamation
10. Absolution is a priest's pardon	10. Absolution is a community's petition

### Implementing the Liturgical-Narrational Paradigm

In this fourth section I will consider possible ministries and forms of celebration that enable the implementation of the liturgical-narrational paradigm of sin and reconciliation. As far as ministries are concerned, I envision the primary ministries to be those of narrative proclamation and narrative listening. For a Catholic who seeks to practice these interrelated ministries there are only two requirements: first, reception of the sacraments of Christian initiation; second, a commitment to holistic conversion in and with the Church. Since every initiated member of each Catholic community has his own sin and salvation narrative, and since the community as a whole has such a narrative, every such member is equally called to these primary ministries.

Beyond these ministries, I envision ministries which facilitate the primary ones. Of course, there is need for an officially appointed presider of the community and of its worship. There is also need for spiritual directors, those who are to assist individuals in certain specifics of their ongoing conversion and in preparing their personal proclamations to the community. Two possible criteria for discerning who is gifted for giving spiritual direction are, first, evidence of perennial dedicated conversion, and, second, capacity for informative and sensitive communication. These spiritual directors may also be seen as and/or called sponsors.

The last two ministries suggested—presider and sponsor/spiritual director—are very traditional. Less traditional would be prophet-proclaimers, those who would regularly synthesize and proclaim the local community’s sin and salvation narrative. Also less traditional would be dialogue facilitators, those who would lead those aforementioned dialogical rites wherein each participant’s sense of sin is publicly nourished. All of these secondary ministries, whether they are more or less traditional, would require special training under ecclesiastical auspices.

Finally, regarding possible forms of celebration, the preferences of the liturgical-narrational model are forms already provided for in OP: those labeled as “Rite C” and “Penitential Celebrations” (OP 31-37, 60-66, Appendix II).<sup>64</sup> Since the liturgical-narrational model, like the Second Vatican Council (SC 1, 4, 21), values the adaptation of rituals, most, if not all, of the model’s ideals and goals can be realized via these adaptable and community-oriented rites.

To be more specific regarding celebrations, there are five special foci of the liturgical-narrational model: first, the proclamation of the foundational or universal narrative of sin and salvation; second, each person’s proclamation of his individual sin and salvation narrative; third, the proclamation of group sin and salvation narratives including shared or collective sins; fourth, communal dialogue about sin and conversion; fifth, celebration of the Church’s sinful and converting dimension. Of

these foci, the first can be, as it already is, addressed within all Rites' Celebrations of the Word of God. The second, third, and fifth foci can be addressed within an adapted Rite of Reconciliation within Rite C. The fourth focus, communal dialogue about sin and conversion, can be addressed within Penitential Celebrations as well as within Rite C.

All absolutions in these reconciliation rites would, of course, be prayers by the whole community, not declarations by the presider only.<sup>65</sup> I recommend the usage of either the Lord's Prayer<sup>66</sup> or the following prayer from the Gelasian Sacramentary:

Hear our petitions, Lord, and let not the mercy of your compassion be far from this servant of yours; heal the wounds and forgive the sins so that no longer kept away from you by iniquity your servant may always be strong enough to cling to you as lord.<sup>67</sup>

As for acts of penance, these would be renamed "acts of conversion," and these would be seen as ongoing requirements, not as "debts" that can be "satisfied." These acts could be agreed upon by the whole community, and they should be meaningful signs of conversion.

The following outlines are proposed adaptations of Rite C, and of the Penitential Celebration, respectively, in light of the ideals and goals of the liturgical-narrational model.



Table 3.—Outline of Liturgical-Narrational Adaptation of OP Rite C

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- I. Introductory Rite
    - A. Penitential Hymn
    - B. Greeting
    - C. Opening Prayer
  - II. Liturgy of the Word
    - A. First Reading
    - B. Psalm
    - C. Gospel
    - D. Homily
    - E. Dialogical Examination of Conscience
    - F. Silent Reflection
  - III. Rite of Reconciliation
    - A. Prayer of Contrition
    - B. Proclamations of Individual Narratives
    - C. Proclamation of Community's Narrative
    - D. Assignment of Acts of Conversion
    - E. Communal Absolution Prayer
    - F. Sign of Peace/Reconciliation
  - IV. Concluding Rite
    - A. Concluding Prayer
    - B. Thanksgiving Hymn
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Table 4.—Outline of Liturgical-Narrational Adaptation of  
OP Penitential Celebration

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- I. Introductory Rite
    - A. Penitential Hymn
    - B. Greeting
    - C. Opening Prayer
  - II. Liturgy of the Word
    - A. First Reading
    - B. Psalm
    - C. Gospel
    - D. Homily or Appropriate Non-Biblical Reading
    - E. Dialogical Examination of Conscience
    - F. Silent Reflection
  - III. Penitential Rite
    - A. Prayer of Contrition
    - B. Lord's Prayer
  - IV. Concluding Rite
    - A. Concluding Prayer
    - B. Recessional Hymn
-

## Conclusion

In this fifth and final chapter, the theological principles and pastoral possibilities of the liturgical-narrational model of sin and reconciliation have been more fully revealed and developed. Also, this model's concordance with, and adequacy in light of, the teachings and goals of the Second Vatican Council have been pointed out. In the first section of this chapter, I proposed that we view the confession of sins as a narrative proclamation. In section two, I pointed out moral and ecclesial needs that are met best by such communal confessions. In section three, I argued for a broader understanding of sacramental reconciliation. In the previous section, I suggested specifically how a liturgical-narrational paradigm could realize the Church's pursuit of conversion and reconciliation in Christ. In this final section, I submit some concluding remarks.

During the late 1980s and early 1990s I noticed that various types of Twelve Step programs were enjoying widespread popularity in the United States. When I investigated the goals and means of these programs, I realized why they had become so popular. It was because members of these programs were being delivered from the enslaving grip of various addictions, and they were doing this largely because they finally found fellows with whom they could "share their experience, strength, and hope"<sup>68</sup> simply by telling and hearing their life stories.

I wondered: can the Church—which is the symbol of Christ<sup>69</sup>—also deliver its members from the same and other evils as well or better? The answer seems to be yes—if we see the storytelling that is crucial in Twelve Step programs as being a prototype of a new form of confession.

This is to point out that I have not, by myself, created the liturgical-narrational model of sin and reconciliation; if I had done so, it, obviously, would not have a foundation in the Church's Tradition.<sup>70</sup> Rather, this model is based in Tradition, e.g. in ancient penance. It continues to be present in post-Conciliar documents such as OP and RP, and I have developed it further. For example, my proposal that we view the confession of sins as narrative proclamation is a synthesis of the liturgical character of the ancient public *exomologesis* and of the detail-oriented character of private confession.

This leads us to a second issue: am I suggesting that an implemented liturgical-narrational paradigm of sin and reconciliation be the replacement of Twelve Step programs? For Catholics, the answer is yes. There is at least one good reason: because liturgical-narrational celebrations of reconciliation would better deliver Catholic persons and communities from the evils that plague them. Recall my earlier observation: although Twelve Step programs do provide compassionate contexts for participants who are pursuing some sort of conversion, these programs cannot guarantee that participants will encounter fellows who will understand the principles, demands, and general experience of each

participant's own religious tradition. For example, a Catholic who pursues supportive companions at one or another Twelve Step program's meetings will have to keep to himself his conviction that there are several specific ways by which God expresses Himself—not only one general way, as Tradition 2 states. On the other hand, if Catholics gathered to publicly confess—i.e. proclaim—their sin and salvation narratives among fellow Catholics, each would attract companions who would more fully understand the complexity of their spiritual journey.<sup>71</sup>

Remark number three: I have not, above, explicitly identified what I think was/is the overall theological paradigm of the Second Vatican Council itself. Such identification is not a real necessity given the aims of this dissertation. Nevertheless, if the Council did, in fact, teach according to, or within, such a paradigm, then what is the character or name of that paradigm? Several interrelated candidates may be identified: historical consciousness;<sup>72</sup> personalism;<sup>73</sup> existentialism;<sup>74</sup> anthropology.<sup>75</sup> Any of these candidates is compatible with the liturgical-narrational model of sin and reconciliation.

My fourth closing remark is concerned with the frequency of conducting liturgical-narrational penitential and reconciliation celebrations. OP Rite C, as I have adapted it, would probably take between one and two hours to celebrate. Given this amount of time, a realistic goal regarding frequency is once per month. If a parishioner needs sacramental reconciliation more frequently than this, Rite A is

accessible. Rite C should especially be celebrated once during Holy Week,<sup>76</sup> perhaps once during Advent, and near the end of communal retreats.

OP's penitential celebration, as I have adapted it, would probably take between 30 and 60 minutes to celebrate. Given this shorter amount of time, and given the fact that it does not require the preparatory efforts nor the presence of a Catholic priest, it is not unreasonable to expect each local Catholic community to conduct such a celebration at least once per week—perhaps every Friday evening.<sup>77</sup>

I could not consider this dissertation complete if I failed to include within its pages some praise for one of whom I have presently been so critical: the venerable author of RP et al, Pope John Paul II. I must admit that I agree with the Pope as often as I disagree with him. For example, I agree with his views on anthropology and moral theology—including his personalistic approach to the natural moral law<sup>78</sup>—while I disagree with his hierarchicalism.<sup>79</sup>

Although I may never agree with the latter, I ought to consider whether or not I've tried to understand it. George Weigel, the American Catholic theologian whose recently published biography of the Pope is partly the fruit of unprecedented access to the Pope, has written that John Paul II has been greatly misunderstood, including by Catholics in America.<sup>80</sup> Unfortunately, many of us Americans, who take political and economic freedom for granted, have failed to notice that this Pope's

teachings and actions are often driven by his bent against incarnations of totalitarianism which have sinned against him, his fellow Poles, and his fellow Europeans. I have long suspected that the Pope believes in fighting a fire with fire: i.e. the way for the Church to overcome the evils inflicted by totalitarian States is to have the Church, to a certain extent, mirror such States. If this has indeed been his *modus operandi*, then I can at least understand his hierarchicalism, for it helped to solidify a Church that, in Poland and elsewhere, has outlasted Nazi and Communist oppression.<sup>81</sup>

I hope and pray that my central and subsidiary proposals, as presented in this dissertation, will help to reconcile a Church that, everywhere, will outlast all sin and evil.

## CHAPTER 5 NOTES

1. McCormick, above.
2. Ibid., 123-45.
3. Ibid., 146-200.
4. Ibid., 178-200.
5. Ibid., 193-200.
6. Ibid., 193. In his therapeutic model of liturgy, James Empereur does situate personal storytelling within the overarching story of salvation. Thus, what I call the liturgical-narrational model is similar to this therapeutic model. Furthermore, there are elements of his liberation model of liturgy in the liturgical-narrational model. See Empereur, 85-118, especially:

There is something in all of us that inhibits us from wanting to know the truth and recognizing the evil in our lives and society. The clarification that is involved in dealing with this is assisted by God and because this is so, one can speak of this clarification as being salvational. The liturgy is the event of the community which both brings this clarification to common acceptance and which gives the individual worshiper the permission, the support, and the direction to engage in this clarification process. (87)
7. Rahner, Foundations, 138-75.
8. Paul Tillich, Systematic Theology, vol. 1 (London: 1978), 126-28.
9. O'Collins, Fundamental Theology, 101-13.
10. Matthew 16.3.
11. See, for example, GS 2.
12. O'Collins, Fundamental Theology, 104-5.



13. Romans 9.17. See Joseph A. Fitzmyer, “The Letter To The Romans,” in *The Jerome Biblical Commentary*, vol. 2, above, especially: The Pharaoh was an instrument in God’s plan, just as Moses was. Indeed, his very obstinacy was the means God used to save Israel. (319)

14. MacIntyre, 204-25. See also my quotation of Gula, above, 108.

15. MacIntyre, 213.

16. *Ibid.*, 215-16.

17. *Ibid.*, 216. See also Bellah et al., especially the following: Communities, in the sense in which we are using the term, have a history—in an important sense they are constituted by their past—and for this reason we can speak of a real community as a “community of memory,” one that does not forget its past. In order not to forget that past, a community is involved in retelling its story, its constitutive narrative, and in so doing, it offers examples of the men and women who have embodied and exemplified the meaning of the community. (153)

18. For example, an appropriate way to confess sins in community would be one wherein excessively detailed confessions are avoided. Furthermore, it would be appropriate to schedule group-specific gatherings for the sacrament: e.g. for those who’ve indulged their aggressive appetite; e.g. for men who’ve sinned against their wives; e.g. for teens only. Such scheduling might be facilitated if parishioners were to complete and submit anonymous survey forms beforehand. That is, surveys could help liturgical planners to divide all of the penitent parishioners into groups according to sins and/or situations which they share. This is not to say that all reconciliation celebrations ought to be group-specific, since all of our specific sins are forms of selfishness.

19. Also, many may argue that communal confessions would be illicit. However, in principle, confessing sins simultaneously to more than one other human person is licit according to Canon Law. See the revised *Codex Iuris Canonici* (Vatican City: Libreria Editrice Vaticana, 1983); trans. Canon Law Society of America (Washington, DC: Canon Law Society of America, 1983). In particular, see Canon 983.2:

An interpreter, if there is one present, is also obliged to preserve the secret, and also all others to whom knowledge of sins from confession shall come in any way.

Also, in light of this concern to “preserve the secret,” it is important to recognize that my view of confession as proclamation emphasizes the

proclamation of the penitent's salvation from his sins, not the proclamation or revealing of the sins themselves. It is hoped that this emphasis will eventually eradicate an "eavesdropping" mentality which may initially be possessed by those who hear the sins that will be confessed/proclaimed. Of course, my view of confession requires confidentiality among the community of narrative listeners.

20. See Empereur, who writes:

The eventful word both depends on the community and is constitutive of community. A community is that group of people who share the same language, who assent to the same proclamation in their lives. (78)

21. Above, p. 71 n. 14.

22. Dallen, Reconciling Community, 20 ff. See also Osborne, Reconciliation, 56-62.

23. Osborne, *ibid.*, 68.

24. Jn 15.9-17.

25. Hanigan, 217.

26. *Ibid.*, 218. See also James Lopresti, "The Church As Sinful Reconciler," in Robert J. Kennedy, ed., Reconciliation: The Continuing Agenda (Collegeville: The Liturgical Press, 1987), 1-13; see especially the following:

. . . people in trouble connect with others who suffer the same deprivation, malaise, or captivity. . . . We might call this the "community principle." (11)

27. Alcoholics Anonymous World Services, Inc., Twelve Steps And Twelve Traditions (New York: Alcoholics Anonymous World Services, Inc., 1953).

28. For example, note the utilitarian understanding of prayer in Step 11:

Sought through prayer and meditation to improve our conscious contact with God *as we understood Him*, praying only for knowledge of His will for us and the power to carry that out.

Step 11 limits prayer to petition for personal knowledge and power, while it ignores prayer of adoration, thanksgiving, etc. Another example is the lack of social concern in Tradition 10:

Alcoholics Anonymous has no opinion on outside issues; hence the A.A. name ought never be drawn into public controversy. See *ibid.*

29. See Bellah et al., 113-41, especially 129. See also Benedict M. Ashley and Kevin D. O'Rourke, Healthcare Ethics: A Theological Analysis, 3d ed. (St. Louis: The Catholic Health Assn. of the U.S., 1989), 342-5.

30. Lawrence Boadt, Reading The Old Testament: An Introduction (Mahwah, NJ: Paulist, 1984), 307. See also Fink, "History Of The Sacrament Of Reconciliation," 87-8.

31. Above, 135-8.

32. Duffy, Real Presence, 170-2.

33. Above, 136-9.

34. RP 18.3 citing Pope Pius XII, Radio Message to the United States National Catechetical Congress held in Boston, MA (October 26, 1946): Discorsi e Radiomessaggi, VIII (1946), 288.

35. Incidentally, RP 25 is a long paragraph which urges various types of dialogue as necessary means to reconciliation.

36. Above, 136.

37. Enda McDonagh, "The Structure and Basis of the Moral Experience," Irish Theological Quarterly 38 (1971): 3-20; excerpted in Ronald P. Hamel and Kenneth R. Himes, eds., Introduction To Christian Ethics: A Reader (Mahwah, NJ: Paulist, 1989), 106-19 (reference to 108).

38. McCormick, 189. See also James L. Empeur and Christopher G. Kiesling, The Liturgy That Does Justice (Collegeville: The Liturgical Press, 1990), 151. Also, other examples of collective sin can be found in Sullivan, Church:

. . . there is sometimes reason to admit that the church at large shares in the guilt of sins that have been committed by its leaders. One example of this is the blame which the Catholic Church must share for the breakdowns of Christian unity which took place in the eleventh and sixteenth centuries. . . . One might think of other examples of historical sins for which the church in some way shares a collective responsibility: such as ill-treatment of the Jewish people, racial discrimination, the exploitation (83) of colonized nations, and the toleration of slavery. (82-3)

39. McCormick, 196.

40. OP 5.3. For RP's acknowledgement of the existence of collective sin see RP 2.3, 12.5, and 18.10. For such an acknowledgement in sacred scripture, see e.g. Lam 1.14, 18a, 22.

41. Above, p. 97 n. 29.

42. For examples, see: RP 16.1, 7; the International Theological Commission, Memory And Reconciliation: The Church And The Faults Of The Past (International Theological Commission, 2000), no. 1.3.

43. Prior to this claim of mine, social sin has been limited either to the sin of an individual against a group, or to the sin of a group against an individual, or to the sin of one group against another. See RP 16.6-7. Also note Bellah et al.:

. . . if the community is completely honest, it will remember stories not only of suffering received but of suffering inflicted—dangerous memories, for they call the community to alter ancient evils. (153)

44. OP's Rite B (OP 22-30) is not fully communal. See above, pp.74-5 n. 49.

45. Schillebeeckx, 47-52.

46. See Peter E. Fink, "Reconciliation And Forgiveness: A Theological Reflection," chap. in Alternative Futures, 43-72; see especially the following:

The priest remains presider over the assembly's prayer and action, but he never absorbs its totality into himself. Others in the assembly have an important role to play in the reconciliation of penitents, and that role needs actively to be pursued and liturgically expressed [emphasis mine]. (70)

47. Hans Küng, The Church (New York: Sheed and Ward, 1967), 28 ff.

48. Peter E. Fink, "Liturgy For A Christian Day Of Atonement," chap. in Alternative Futures, 127-145; quotation from p. 131.

49. OP 2.3, 7.2, and RP 30.2 cite Council of Trent, Session XIV, De sacramento Paenitentiae, chapter 1 and canons 1, 7, and 8; q.v. Neuner and Dupuis, nos. 1617, 1641, 1647-8.

50. Above, p. 83.

51. Ibid., pp. 98 n. 37, 131 n. 84.

52. Osborne, Reconciliation, 54, 206. See also Dallen, Reconciling Community, 253:

Just as God's dealings with humanity have a history, so do God's workings in the life of the individual. Ancient penance showed greater sophistication in this regard than later forms, because its framers knew that neither divine grace nor the human response to it can be realized in a moment.

53. Osborne, Reconciliation, 57-73.

54. Ibid., 70. See also above, 131 n. 83.

55. Osborne, Reconciliation, 67.

56. Dallen, Reconciling Community, 110, 362. See also Diekmann, "Theological Evaluation," 88.

57. Osborne, Reconciliation, 73.

58. Dallen, Reconciling Community, 100-138, especially 110.

59. Ibid., 149.

60. Ibid., 308 f., 369 f.

61. See Regis A. Duffy, "Concelebration of Penance And a Therapeutic Model," Worship 48 (1974): 258-69. Duffy points out the following:

Canon Law has always recognized at least implicitly that ordination did not necessarily ensure that the individual was suited for the ministry of confessor. (267)

62. Lopresti, 11. See also the Pontifical Council for the Family, From Despair To Hope: The Family and Drug Addiction (Boston: St. Paul Books & Media, 1991), where it is written:

Ex-drug users become specialists in confronting the drug problem because they have gone through this suffering themselves. They know how to accept the proposal of the Gospel and, consequently, are more suitable to transmit what they have received to those who now find themselves in the same situation. (27)

63. See Fink, "Reconciliation And Forgiveness," where it is written: It will be necessary in the future to abandon the sense of one enactment of the sacrament "doing it all" and begin to see many sacramental enactments (69) in relation to each other and to the full human process of reconciliation they serve and guide. (68-9)

64. The legitimacy of Rite C/general confession and absolution is defended well by Osborne, Reconciliation, 221-35, especially 222 & 224.

65. See above: 70 n. 6; 71 n. 15; 84; 131 n. 83. Also see: Dallen, Reconciling Community, 69-70, 141-2, 211; Lawler, 120-2.

66. See Diekmann, "Reconciliation Through the Prayer of the Community," 38-41.

67. Dallen, Reconciling Community, 69. Minimal adaptation is warranted: "this servant" should become "us servants" or simply "us;" "your servant" should become "we servants" or simply "we."

68. This quoted phrase is present in "The A.A. Preamble." I here reprint this Preamble in its entirety since such a reprinting is the expressed wish of the A.A. Grapevine, Inc.:

Alcoholics Anonymous is a fellowship of men and women who share their experience, strength and hope with each other that they may solve their common problem and help others to recover from alcoholism.

The only requirement for membership is a desire to stop drinking. There are no dues or fees for A.A. membership; we are self-supporting through our own contributions. A.A. is not allied with any sect, denomination, politics, organization or institution; does not wish to engage in any controversy; neither endorses nor opposes any causes. Our primary purpose is to stay sober and help other alcoholics to achieve sobriety.

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69. Above, 121.

70. See Hans Küng, Theology For The Third Millennium: An Ecumenical View, trans. Peter Heinegg (New York: Doubleday, 1988), where it is written:

This much at least is certain: Neither the individual theologian nor theology as a whole can simply create a paradigm. Rather, a paradigm takes shape in an extraordinary complex of various social, political, ecclesiastical, and theological factors. It grows out of them and matures in them. (173)

71. See above, 142. For two more good reasons, see above, 143-9.

72. Above, 3-5.

73. Above, 1, 4, 104-8, 110-22.

74. Above, 4-5, 110-22.

75. Ibid. See also Charles Moeller, "History of the Constitution," chap. in Commentary on the Documents of Vatican II, vol. 5, Pastoral Constitution on the Church in the Modern World, ed. Herbert Vorgrimler (New York: Herder and Herder, 1969), where it is written:

Christian anthropology . . . is the nucleus which, with the theme of man made to the image of God, was already in the texts of the Preparatory Commission. This theme, new for a conciliar text, was to appear in a number of passages in the Pastoral Constitution and play a part in other conciliar texts. Its acceptance by Vatican II is an important event, for it oriented Vatican II along the axis of this Christian anthropology, the elaboration of which is perhaps the most urgent task of the 20<sup>th</sup> century. (71)

76. A traditional day would be Holy Thursday. See Dallen, Reconciling Community, 70.

77. Recall above, 72 n. 28.

78. See, for example, John Paul II, Encyclical Letter Veritatis Splendor [The Splendor of Truth](Boston: St. Paul Books & Media, 1993), nos. 57-61. See also Rocco Buttiglione, Karol Wojtyla: The Thought of the Man Who Became Pope John Paul II, trans. Paolo Guietti and Francesca Murphy (Grand Rapids, MI: Eerdmans, 1997), 149-53, which includes the following understanding of the Pope's personalism:

. . . being in truth is linked to experiencing truth in one's own life and not simply to conforming one's behavior to the norm. The norm ought to be obeyed in a personal way; that is to say, it must be accepted by the conscience as true. (152)

79. See, for example, RP 29. Interestingly, the Pope's hierarchicalism is accompanied by a seemingly contradictory advocacy for the apostolic rights of the laity. See Buttiglione, 188-90.

80. George Weigel, Witness To Hope: The Biography of Pope John Paul II (New York: HarperCollins, 1999), 7. See also his Catholicism and the Renewal of American Democracy (Mahwah, NJ: Paulist, 1989), 27-44.

81. Given this bent of his, I can also understand the Pope's emphasis on personal sin as being primary vs. collective sin. I share this bent against totalitarianism, but I don't allow it to lead me to assume that seeing collective sin as being as serious as personal sin is beginning down a slippery slope toward a totalitarian-like abolition of personal sin and, thus, of all things personal. See RP 16 and above, 97 n. 29, 145-6.



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