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A table of contents for *The Churchman* can be found here:

https://biblicalstudies.org.uk/articles_churchman_os.php

PENANCE AND THE CONFESSORIAL.

BY THE REV. T. C. HAMMOND, M.A., Superintendent Irish Church Missions.

WE are confronted at the outset with some little difficulty in fixing accurately the definition of the word "penance." According to Oscar D. Watkins both the Latin word and its Greek equivalent are used in three distinct senses: (1) the emotion or sentiment of penitence; (2) the penance, penalty or course of humiliation assigned or undertaken; (3) the institution, ordinance or sacrament of penance. (Art. Penance: *Hastings' Dict. Rel. and Ethics.*)

Trench declares that the distinctively ethical meaning of the word derives largely, though not entirely, through its employment in Scripture. (*New Test. Synonyms.*)

Girdlestone draws attention to the fact that the employment of the word in the LXX imports into it an element of sorrow. (*Old Test. Synonyms.*)

Calvin who is similarly influenced by a consideration of the Hebrew as well as Greek usage, defines repentance as the "true conversion of our life to God, proceeding from a sincere and serious fear of God, and consisting in the mortification of our flesh and of the old man, and in the vivification of the spirit." (*Inst. Bk. III; cap. III, sect. 5.*)

The wide meaning given to the term "penance" received a permanent preservation through Jerome's rendering "poenitentiam agere" in the Vulgate, which the English college at Rheims with slavish literalness Englished into "do penance."

Erasmus, it is well known, tried valiantly to substitute "resipisco" and its cognates, and found a doughty supporter in Beza, but the old word with its old dual meaning resisted the attempt to dislodge it in the popular estimation. Although this makes the task of the investigator somewhat more difficult, the fact need not be resented. It is perhaps well to remember that there are depths in penitence unfathomed by the most competent lexicographical experts. The mania for the cut and dry requires occasionally a healthy check.

Penance or repentance properly considered contains two elements: (1) the inward revolt of the heart against sin; and (2) the outward change of conduct manifesting itself in a determined abandonment of evil.

In the Early Church the conception of repentance was narrowed in another way. The early Fathers preserved the idea of an inward revolt against sin and attached it pre-eminently to the proceedings connected with the administration of Baptism. But the rigorist school dominated the thought of the early centuries, and repentance was associated in their theology with the offer of one chance of

restoration to the Communion of the Church should a serious lapse occur after Baptism.

Tertullian is a leading early authority on this practice. He speaks of a "second and only remaining repentance," and contends that it should not be exhibited in the conscience alone but likewise carried into act. The external exhibition of repentance is called exomologesis and consisted in a public confession of sins before God, with the presbyters and "the beloved of God" as ambassadors deprecating God's wrath. The public restoration of the penitent could take place only once; and the public discipline associated with it was evidently designed to deepen the consciousness of sin and intensify the reality of the internal repentance which was the real ground of restoration in the sight of God.

Tertullian urges upon his readers the duty of exomologesis by some weird surmises. Volcanoes are little vent-holes of hell, the wounded stag heals itself with dittany, the swallow blinds its young, and restores their sight with swallow-wort, but it is more to the purpose that he cites as an example the public exomologesis of Nebuchadnezzar and encourages the timorous by the assurance that no insult shall be offered, but tears shed which are the tears of Christ, because the tears of the brethren. He regards this public confession as a confession of sins to the Lord by which satisfaction is settled and repentance is born. That the discipline involved was at least in many instances voluntarily undertaken may be gathered from his suggestion that men are able to shun it or defer it from day to day and from the question which he asks: "Is it better to be damned in secret than absolved in public?"

It has indeed been urged by a recent writer, Oscar D. Watkins, that exomologesis had already acquired a technical meaning in the writings of Tertullian and the other early fathers, and therefore it is not wise to assume that public penance was not preceded by private confession. The answer seems fairly obvious. All that we know about exomologesis is derived from the early writers, and they do not mention private confession as a preliminary or any essential part of it.

The reference in Origen (*Hom. II on Levit.*) is not determinant. He instances as the seventh way of remission, of which baptism is the first, the way through penance when the sinner "is not ashamed to publish his sin to the priest of the Lord and to seek medicine." That the reference is to exomologesis may be gathered from the use of the word "penance" in Rufinus' translation and from the quotation of the Psalms, "I will confess my iniquity unto the Lord"; and from James, "Let them call for the elders of the Church," with which he supports his opinion.

There is more cogency in the passage on Psalm xxxvii. from the same writer; but even there the suggestion has reference to advice as to whether the sin is meet for confession in the assembly of the whole church; and there is no suggestion that this private confession was in the nature of a practice enjoined by Church authority. Indeed the injunction as to carefulness in the choice of "the phy-

sician to whom confession should be made" makes rather against the idea of an established church custom operative in all cases. Bishop Reichel notes further concerning both these passages that they "are only from the translation of Rufinus, who is known to have taken serious liberties with his author, a fact which strengthens the case as it carries down the maxim of confessing merely for the purpose of obtaining advice a century and a half below the time of Origen." (*His. and Claims of the Confess.*, p. 32.)

It is quite evident that a discipline which could only take place once in individual experience has little relation to the modern development of penance as an institution governing the whole of the normal experience of the Christian from years of discretion until death. It cannot be denied that the procedure outlined by Tertullian is an evidence of the moral earnestness of the primitive church. These early Christians in their desperate struggle against the pervading corruptions of heathendom voluntarily imposed upon themselves humiliation and shame as an incentive to the complete abandonment of those sins which had obtained again a temporary dominion over them after the first renunciation of baptism. But the student ought not to be blind to the fact that the standard indicated, while from some points of view commendable, falls below the New Testament ideal. The cheerful conception of Tertullian that repentance is completed normally before baptism, that the penitent need never require "the second repentance" and that such repentance is only effective once, reads strangely in comparison with the anguished cry of the apostle in Romans vii.

The externalising of the act of confession exercised no doubt a salutary influence upon those who had returned to the "wallowing in the mire," but on the other hand it tended to blunt the higher sensibilities and lower the conception of repentance to that of an act of renunciation of grave evils, rather than to present the New Testament conception of a discipline of continual purifying; drawing the soul nearer to God.

Gradually the system lost its voluntary character and hardened into a code of laws ministered by the ecclesiastical authorities. The sins demanding public penance were specified by Augustine. Incidentally it may be noted that the specification consisted of those offences which in the second century were regarded as altogether unpardonable. The specifying of the sins and the exercise of judicial power gradually supplanting the self-accusation of the penitent produced the impression that the exercise of church discipline had other ends than the preservation of purity in the corporation, that it was in fact the direct infliction of the judgment of God, having eternal as well as temporal consequences, and in all cases ratified by the most High.

The subtle suggestion of change appears as early as Cyprian's time. The problem of restoration had become complicated. There was an excessive number of the lapsed following on the Decian persecution. There arose also a peculiar reverence for "Confessors," as those who had suffered on account of their steadfastness

were called, which introduced irregularity into church discipline and a dangerous laxity in the matter of restoring offenders. Certificates of restoration to communion were issued almost broadcast by "Confessors." Rigorism displayed itself in the severe judgment of some of the brethren that the lapsed had forfeited all title to restoration. The consequent discussions in Cyprian's time created the initial mistake in the matter of repentance. The Church in the person of the accredited minister, the bishop, is to Cyprian's mind the bestower of pardon. The sentence delivered by her is definitely endorsed by God. There is a more definite conception of a judicial process which in itself secures the pardon the penitent seeks. It is true that Cyprian has not lost all sense of the Divine prerogative. He still can say, "The Lord alone can have mercy. He alone can bestow pardon for sins which have been committed against Himself." (On the Lapsed, sec. 17, p. 363, Vol. I, T. & T. Clark's Transl.) But he can add, "Each one should confess his own sin, while he who has sinned is still in this world, while his confession may be received while the satisfaction and remission made by the priests are pleasing to God. . . . He can regard as effectual whatever in behalf of such as these, either martyrs have besought or priests have done." (Ibid. secs. 29 and 36.)

It would occupy too much time to trace the progress of this judicial idea of the administration of penance through the various forms it exhibits in the early canons regulating the length of satisfaction demanded for specified sins, but the curious will find ample information in Hekele's Councils. The monastic system introduced a rigorous penitential discipline, and gradually the practice of voluntary but now secret self-accusation spread to the laity until in the Council of Lateran, 1215, compulsory auricular confession was enjoined and the system of Penance as it now obtains in the Roman Communion was fully formulated. The link which connects all the various forms that external penance has taken is the underlying idea that the discipline of the Church has direct relation to the forgiveness of God. At first sight the relation was expressed more in accordance with New Testament teaching as being ministerial and declaratory. Little by little approach was made to the view that the minister was not a suppliant joining his tears to the tears of the penitent, nor yet an adviser pointing out the way of life to a wanderer, tortured by doubt and blinded by sin, but a judge hearing the case of the penitent with authority and bestowing, by God's direction, not only the seal of pardon, but the very pardon itself or else withholding by authority the blessing of peace with God. The slow growth of the power of compelling confession is a witness to the magnitude of the revolution that the new theory effected. It seems but truth to say with Canon Meyrick, "These assumptions of the mediæval priesthood, ignorantly acquiesced in, laid the layman a slave at the foot of the priest." (*Scripture and Catholic Truth*, new impression, 1911, p. 144.) For a period of four hundred and fifty years the attempt was made at varying times to compel universal confessions with varying success. Innocent III at length accom-

plished the feat, and the so-called "Tribunal of Penance" became a necessity in the spiritual life of the faithful.

The Church of England consciously and deliberately rejected this serious development of priestly authority. The evidence for this is conclusive and fortunately can be put into small compass. On November 25, 1551, the Council of Trent decreed, "If anyone saith, that the sacramental absolution of the priest is not a judicial act, but a bare ministry of pronouncing and declaring sins to be forgiven to him who confesses . . . or saith, that the confession of the penitent is not required, in order that the priest may be able to absolve him, let him be anathema. If anyone saith that there are two parts only of penance, to wit, the terrors with which the conscience is smitten upon being convinced of sin, and the faith generated by the Gospel or by the absolution whereby one believes that his sins are forgiven him through Christ, let him be anathema." (Sess. xiv., Waterworth's Transl.)

On March 9, 1552, the revised English Prayer Book was introduced into Parliament. It contained "The Absolution to be pronounced by the Minister alone." It defines the ministerial power in the terms rejected by Trent, "To declare and pronounce to his people being penitent the absolution and remission of their sins." It defines repentance in the terms rejected by Trent, "He pardoneth and absolveth all them which truly repent and unfeignedly believe his holy gospel." Thus in 1552 the charter of a Christian man's liberty was reaffirmed against an ecclesiastical usurpation that sought to destroy it. A smitten conscience and faith generated by the Gospel brings pardon to a guilty soul. There can be no mistaking this definite attitude. The exhortation to private confession of a particular grief was altered by the exclusion of all reference to "the auricular and secret confession to a priest," the substitution of the wider word "minister" for the more definite word "priest" in the exhortation to the troubled "to open his grief" and the substitution of the "benefit of absolution" for the word "absolution." The Homilies go further and invite those whose conscience is troubled to repair to their "learned curate or pastor or to some other Godly learned man." In 1662 the suggestion to restore the narrower definition of the minister of reconciliation by inserting the words "priest the" before the word "minister" in this declaration was deliberately rejected.

But it has been urged that in spite of the cogency of the argument based on the Book of Common Prayer, the position of the Church of England is closely analogous to that of the Church of Rome, as evidenced by the fact that she retains in her Ordinal the crucial words "Whosoever sins ye remit, they are remitted, and whosoever sins ye retain, they are retained."

It is important, of course, to remember that the words employed in the English Ordinal in the consecration of priests are of very late insertion, probably not dating beyond the thirteenth century, but at the moment the inclusion of the words in the Ordinal rather than any question as to the antiquity of the practice demands notice.

The Church of Rome regards the message of Our Lord to the company assembled on the first day of the week as "the commission stamped by the broad seal of heaven by virtue of which the pastors of Christ's Church absolve repenting sinners upon their confession." (Note in Rhemish Test.) There are not wanting those in the communion of the Church of England who would impose upon the words the same meaning. But it is worth noticing first of all that the English Ordinal does more than quote the divine commission. It adds to it the words, "and be thou a faithful dispenser of the word of God, and of his holy sacrament." It follows the declaration by a solemn investiture of authority which again is defined as authority "to preach the word of God and to minister the holy sacrament." If we are to interpret the authoritative language of commission by the exhortation which preceded it in the service, then the priests exercise their function by being "Messenger, Watchmen and Stewards of the Lord," by teaching, premonishing, feeding and providing for the Lord's family, and the manner of compassing the doing of so weighty a work is with doctrine and exhortation taken out of the holy scriptures and with a life agreeable to the same. This interpretation imposed upon the words "Whosoever sins ye remit" is in no way qualified by any reference to a tribunal of penance or even by a remote suggestion of judicial authority exercised therein by the accredited pastor. The cumulative evidence thus afforded indicates that there is an alternative to the interpretation offered by the Roman Church.

The Fulham Conference agreed that the statement in John xx. 23 conveyed a power to the whole church and not merely to the ministry. But it is more important to discover in what manner the power here given was duly exercised. Dwellers in Christian lands where evangelization is widely diffused even though it dare not be said it is completed, have but little conception of the magnitude of the task which confronted the early Christians. To destroy the strongholds of heathenism, to induce a break with age-long custom, and to bring a proud empire to the obedience of the doctrine of Christ. Nothing less than this was the task enjoined upon the affrighted company that gathered behind closed doors for fear of the Jews. To break inveterate customs which were from the moral standpoint inveterate evils required supernatural power. It was therefore that our Lord said, "Receive ye the Holy Ghost."

The declaratory power resident in the preached word was something different from mere declaration. Behind the message was the power of the Holy Ghost. The apostles and their fellows received from the Lord the intimation that the declaration of His Word would indeed prove effective. Sins would be remitted to the penitent believer and the Day of Judgment would endorse the solemn warnings such as that delivered by St. Paul, "Behold ye despisers and wonder and perish."

Attention needs to be directed to the apparently unconditioned character of Our Lord's utterance. As the words stand they seem to confer a power of jurisdiction without any limit or qualification

except such as the administrator may impose at his own caprice. "Whosoever sins ye remit" are absolutely remitted, and "Whosoever sins ye retain" are absolutely retained. No church in Christendom has as yet ventured to declare that the issues of life and death have been so placed unconditionally in the hands of her officers. The Pope's control of the treasury of indulgence is the nearest approach to absolutism that has been devised.

The manner of expression, however, can be readily paralleled from other passages where the implied conditions are at least more obvious. When St. Paul informs us that "the powers that be are ordained of God," and that "rulers are not a terror to good works, but to the evil," it is obvious, particularly in view of the latter sentence, that he is defining for us the ideal of governmental authority rightly exercised in accordance with the sacred duties that appertain to that office, and deliberately excluding those instances of aberration with which even he was familiar under the dominion of Nero, in order that the divine purpose might stand clear, unobscured by the frailty of human administration. Similarly it is just to argue that the Lord is here emphasizing the efficacy of the gospel with the implied condition that it is *His* gospel.

Interpreted in accordance with this necessary limitation the message of the Risen Lord may be properly understood as conferring upon the Christian community (and it needs to be emphasized that the company addressed represented the Christian community at large, and not merely the proper offices of that community) the power of effecting remission or retention of sins whenever it carried out the will and purpose of its Risen Head. The proclamation of pardon procured pardon, the denunciation of wrath anticipated and procured wrath. Viewed from this standpoint the words as the Divine Charter of the world's evangelists find a proper place as introductory to the Church's Authorization of her ministers as true dispensers of God's Holy Word and Sacraments. It may readily be conceded that reasonable ecclesiastical discipline based upon Scriptural warrant falls within the scope of the Divine authorization and thus the primitive use of these words as indicating the power of re-admission to communion resident in the Bishop can be defended. But such extraordinary functions, even if included under the commission, by no means exhaust it nor can they be said to correctly and fully interpret it. When the Church of God assayed the early and most difficult stage of pioneer missionary work; when she assaulted the Strongholds of Satan and created in the hearts of the heathen listeners to her message that conviction of sin which drove the anxious inquirer to seek the waters of baptism, she drew ever fresh strength and inspiration from those words of the Risen Lord. They are at once her commission, her authority and her enabling for the mighty task of bringing a rebellious world to the feet of the Crucified. In the free atmosphere of the New Testament that is ever the character which attaches to them. St. Paul in his earliest Epistle declares that his Gospel "came not in word only, but also in power and the Holy Ghost," that it was "The Word of God, which effectu-

ally worketh." There is surely a suggestion here of that Divine authority which Our Saviour conferred when He said, " Receive ye the Holy Ghost."

It is not for nothing that St. Luke, the companion of the Apostle to the Gentiles, instead of supplying the actual words spoken by our Lord supplies a summary of His post-Resurrection teaching which makes the burden of it " That repentance and remission of sins should be preached in His name among all nations beginning at Jerusalem." It is confirmatory of the same great conception that St. Peter and St. James concur in attributing to the Word of God that regenerative efficacy which is the divine confirmation of the remission of sins. " It was God's good pleasure through the foolishness of preaching to save them that believe," declares Paul, and further adds that God leads His messengers in triumph and makes manifest through them the savour of His knowledge sometimes from life unto life, sometimes from death unto death. Conscious further of the magnitude of his claim the Apostle humbly declares, " We have this treasure in earthen vessels that the exceeding greatness of the power may be of God." There could be no more striking commentary upon the real meaning of John xx. 22-23. If the positive and emphatic declarations of the New Testament concerning the efficacy of the preached word and also the significance of the baptismal washing both ministered by the authority of the Church of God be carefully noticed in contrast to the striking reticence upon any other agency for dealing with impenitence as it concerns the relation of men to God, there can be little doubt that the honest student will definitely connect the words " Whosoever sins ye remit " with the ministry of the Word of God and of the Sacraments even as does the English Ordinal.

To accomplish her design of making the words the charter of " Penance " in its narrower and unscriptural sense the Church of Rome is compelled to import into the passage a requirement as to detailed confession of sins which is not even remotely suggested by the original utterance. The very form of the Greek with its genitive plural of the persons, seems to indicate a mode of treatment applicable to classes of men rather than an individual inquisition into the frailties of a particular penitent. With singular inconsistency she admits that " by baptism . . . we are made . . . entirely a new creature obtaining a full and entire remission of all sins," and yet that " the minister of baptism need not be a judge " (Council of Trent, Sess. XIV), that it is only to the " penitence after Baptism " there is attached " the sacramental confession of sins and sacerdotal absolution " (Sess. VI). So then the fullest, freest and widest form by which the Church of God minister remission is, on her own showing, strangely excluded from the encouraging authorization that came from the lips of the Son of God. After thus introducing this serious limitation to sins committed after Baptism, of which certainly the words themselves are innocent, the Council of Trent proceeds to import feature after feature into the original commission. It asserts as has been seen the right to demand a detailed confession of all sins

that in its judgment are mortal together with the circumstances which change the species of sin ; it requires such confession to be secret and insists that it is also sacramental. It reserves certain more atrocious and heinous crimes (such for example as attending a Protestant place of worship) so that except at the point of death they may not be absolved by all priests, but only by the highest priests, it permits a lower form of contrition arising from the fear of hell to be pleaded and contends that with the aid of the sacrament such contrition called attrition secures forgiveness although without the sacrament it would prove ineffective. The Council ignores the fact that this cumbrous yet somewhat engaging theory finds no countenance in any portion of the New Testament. It is somewhat startling to find that in the whole exposition of the subject nothing in the nature of real proof texts are adduced except the passage in John xx. 22-23, and the passage " Whatsoever you shall bind upon earth shall be bound also in heaven," which obviously relates to things not to persons, to customs and practices rather than to sins. The poverty of proof may help the Protestant to endure with equanimity the Council's anathema on those who " wrest the words contrary to the institution of this sacrament to the power of preaching the Gospel." One possible contention might remain. Perhaps it might be argued that the Church having our Lord's authority to remit sins discovered in her experience that the discipline of the Confessional although not strictly *jure divino* was nevertheless salutary and effective. It would be a matter of some interest to discuss how far such an alteration of procedure might or might not be regarded as an infringement of the limits assigned to the Church's authority. But there is no serious occasion to pursue such an investigation. The history of the Confessional has been written and its unequivocal testimony has been that as an instrument of moral culture it has proved a dismal failure. The thirteenth century witnessed its full enforcement under the presiding genius of a zealous and capable Pontiff, Innocent III. There was need of a moral revolution in his days. A recent admiring biographer has given a description of the Church in the South of France at the time. " The Archbishop of Narbonne . . . had not visited his archdiocese for thirteen years, and amassed riches by the sale of the Sacrament of Orders, benefices and dispensations. His clergy were corrupt pluralists of a low standard of learning, who wore secular clothes, followed secular professions, and openly lived with their wives. The Archbishop himself habitually sheltered robbers and brigands in return for a share of their plunder ; and also countenanced (if he did not personally practise) open usury " (C. Pirie-Gordon, " Innocent the Great," p. 105). Things were not much better in Rome. " (Innocent) seemed to be bidden to fish in Tiber—the first cast of the net brought up eighty-seven murdered infants, and the second three hundred and forty. His attention being thus drawn to the most crying evil of the time, habitual infanticide as blatant as that of the dirty-knuckled Lakonians, he established . . . the Foundling Hospital and Maternity Home " (Ibid. p. 172). Into such an age with its venial Court of

Rome, its corruption in the Church in high places, its general disorder and flagrancy, two instruments of reform were introduced. The new Order of Friars and the new order concerning compulsory sacramental confession. The Friars did something to check the growing evil. Their preaching produced revivals "half sincere, half theatrical, but always fierce and short-lived" (G. G. Coulton, "A revivalist of six centuries ago"). But they yielded at length to the pressure of prevailing viciousness so that Roger Bacon could write "The new Orders are already horribly decayed from their first dignity." (*Ibid.*, "Romanism and Morals.") Did the agency of sacramental and compulsory confession wear down the abuses which overpowered the Friars after their first temporary successes? The answer is recorded in the miserable and continued decay of righteousness during the three hundred years of its uninterrupted authority. The sixteenth century witnesses to the same moral degradation that flaunts itself in the thirteenth. A new method which is nevertheless an old method has since been tried. Men have been accorded liberty, but a liberty tempered by a faithful presentation of the truths of the Gospel and a wide diffusion in the vernacular tongues of God's living oracles. The agency has seemed wholly inadequate for the task of calling back a ruined world to faith and obedience, the agents indeed have to hang their heads in shame at their slothfulness and hesitancy, but a cleaner world, an awakening conscience and the steady march of an emancipated people towards the height of purity which have at least been restored within the ambit of their horizon, justify the change and prove to those who dare to search and see that in a Gospel of free grace, in an open Bible and a fully proclaimed Saviour there is still resident the divine power with which the newly Crucified in His risen might invested the cowering company to whom he said, Receive ye the Holy Ghost; whosoever sins ye remit they are remitted unto them; and whosoever sins ye retain they are retained.

Who is better qualified than Mr. Samuel Hinds Wilkinson, Director of the Mildmay Mission to the Jews, to deal with the theory that the ancient ten-tribed Kingdom of Israel has been re-discovered in the modern British Empire? Many of the arguments in favour of this theory are ingenious, but a careful study of his volume, *British Israelism Examined* (Bale, Sons and Danielsson), will show every one with an open mind that (as the Rev. E. L. Langston says in his foreword) the theory "has not one substantial fact to stand upon, whether the investigation be in the realm of Scriptural inspiration or historical facts; from beginning to end it is pure conjecture, built up upon coincidences." As an error, then, that must be taken seriously and not treated as a joke, Mr. Wilkinson goes point by point through the argument. A merciless critic, he is yet never discourteous, and we congratulate him upon a work which should be consulted by all who desire to study the question.