ABSTRACT

THE VIRTUE OF PENANCE IN THE UNITED STATES, 1955-1975

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This dissertation examines the conception of sin and the practice of penance among Catholics in the United States from 1955 to 1975. It begins with a brief historical account of sin and penance in Christian history, indicating the long tradition of performing penitential acts in response to the identification of one’s self as a sinner. The dissertation then considers the Thomistic account of sin and the response of penance, which is understood both as a sacrament (which destroys the sin) and as a virtue (the acts of which constitute the matter of the sacrament but also extend to include non-sacramental acts). This serves to provide a framework for understanding the way Catholics in the United States identified sin and sought to amend for it by use of the sacrament of penance as well as non-sacramental penitential acts of the virtue of penance. The dissertation argues that there was a change in the conception of sin both at popular and academic levels, and that this coincided with the decline of practices of the virtue of penance, including, but not limited to the sacrament of penance. With the change in the concept of sin, American Catholics became less likely to identify their actions in terms of sin or themselves primarily as sinners. Given this change in self-understanding, Catholics perceived the need to do penance in a different light. Both sacramental and non-sacramental penances were criticized for being too routine and unreflective, and there were numerous approaches to counter these perceived problems and to revitalize penitential practices among American Catholics in the 1960s. One particular response was the National Catholic Conference of Bishops’ Pastoral Statement that changed non-sacramental penitential practices in the U.S. in its implementation of Paul VI’s
The language of this document reflects the change in academic moral theology toward an emphasis on individual freedom and responsibility and the willing acceptance to live out one’s faith commitment in a more personally authentic way in contrast to personal obedience to routine communal obligations. All of these changes did not produce the desired effect of revitalizing Catholics’ full participation in the sacrament of penance and other penitential practices. The changes made to the sacrament of penance as well as the non-sacramental penitential practices did not strengthen the virtue of penance as described by Thomas, and they did not lead to a revitalization of penance. This dissertation examines the decline in the sacrament in the broad context of the decline in Catholics’ participation in obligatory communal penitential practices and hence adheres to the long tradition in Catholic moral theology, articulated succinctly in Thomas’s *Summa Theologiae*, that understands penance as a virtue that requires habitual practices that include but are not limited to frequent reception of the sacrament of penance.
Dedicated with love to Jeffrey

And in thanks to St. Joseph the Worker
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One professor of mine was fond of saying that “theology is a team sport.” While the emphasis is no doubt to be on the “team” rather than the “sport,” some of us women students proposed another less-competitive metaphor, namely, that “theology is a quilting bee.” The point of both metaphors is that the work of theology is a communal undertaking, wherein each person seeks to contribute her individual work to a larger project. The various people involved support each other in the process, encouraging constant progress while also challenging each other to ever greater quality in the task, for the benefit of both the individual and the team.

I have certainly felt the need of communal support during the writing of my dissertation, and I have benefited greatly from those who have accompanied me along the way. In the realm of academia, I thank first and foremost, my director Sandra A. Yocum, for her attention to my work and encouragement even in the midst of her own busy life, including a long tenure as Chair of Dayton’s Religious Studies Department. Thanks as well to the other members of my committee: William Portier, Kelly Johnson, Jana Bennett, and William C. Mattison, III for their helpful comments as well as challenges to help me improve. Thanks are also due to my wonderful doctoral classmates at the University of Dayton, who did always make it feel as though we were on the same team, even in the midst of disagreement, as well as when our classes ended and dissertation writing began. I also offer a heartfelt thanks to the University of Dayton Graduate School for providing me with the 2012-2013 Dissertation Year Fellowship. This very generous support allowed me the resources to focus my time and attention on finishing this project.
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At a practical level, I also wish to offer a thank you to several priests who have helped me to keep my academic work related to my life, and in particular to assist me in thinking through the practicalities of the sacrament of penance. Fr. Jim Schimelpfening, S.M. first initiated the challenge of how to integrate my academic work with everything else, and his words have been a constant reminder to me that motherhood and theology, especially under the guidance of the Blessed Virgin Mary, have the potential to be mutually enriching. Fr. Pablo Gadenz set an example for me of dedication to academic pursuits in the midst of a particular vocation. I owe a great thanks to Fr. Jim Spera not only for his excellent service as a parish pastor and confessor, but also for his seemingly endless knowledge of Church liturgical traditions and historical details from the American Church in the 1960s. It was information which he was always happy to share, along with various liturgical books, such as the interim editions of the Sacramentary and Divine Office and the current Rite of Penance.

A parent can never really leave her family behind when doing her academic work, and this is especially the case when that family involves several young children and the parent is the primary childcare provider! My academic work would never have been possible without hours
of generous (and free!) childcare provided by my friends. I remember and thank particularly Nikki Coffey Tousley, Sue Sack, Mary Lou Guizzo, Suzanne Covine, Cindy and Don Readlinger, and Anna Nuñez, among others. My parents, Robert and Kathryn Feilmeyer have also been kind in assisting me with home and children, particularly in the final stretch of revisions. I am also grateful for the encouragement and support of my in-laws: Cheryl Banks, Daphne Morrow, and Jay Morrow, who purchased for me the computer on which this dissertation was written.

It may seem strange to thank the kids that have, in many ways, slowed me down in my work, but nonetheless, I am so thankful for Maia Bernice, Eva Marcella, Patrick Benjamin, and Robert Sebastian for keeping me grounded, unknowingly challenging me to be efficient in my work time, and for stopping by my office, next to their playroom, to remind me that there is more to life beyond the virtue of penance among Catholics in the United States from 1955-1975. Moreover, their enthusiasm toward my project coming to an end has also served as an unintended encouragement!

My greatest thanks, however, are reserved for two dads that have made all the difference for seeing this dissertation through to the end. First, thank you to my husband Jeffrey Morrow, whose unending enthusiasm for things both theological and historical are a great model for me. As a conversation partner for all of my work, he has been a great resource, and his willingness to review my writing and charitably correct my mistakes has no doubt contributed to the form of the final project. I thank him also for making sacrifices in his own academic work in order to prioritize mine, while always expressing confidence that I would finish and that it was only a matter of time. Most of all, thanks for the friendship and love, and for being for the past eight years my soulmate and sewing partner for this earthly quilting-bee. As a husband, as a father, as a scholar, as a Christian, Jeff has always been a great support for me. Thank you!
And lastly, I thank St. Joseph the Worker, who I took as patron of my dissertation on May 1st when I passed my qualifying exam. As a model of sanctifying daily work and of prioritizing family, St. Joseph will always be both great inspiration and a great support. Therefore, I dedicate this work to both dads, Jeffrey Morrow and St. Joseph the Worker in thanksgiving both for their natural and supernatural support in past years and in years to come.

Pray for us, O great Saint Joseph,
and by thy love for Jesus and Mary, and by Their love for thee,
obtain for us the supreme happiness of living and dying
in the love of Jesus and Mary. Amen.
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INTRODUCTION

This dissertation seeks to look anew at the changes in penance that occurred in American Catholicism in the mid-20th century. Specifically, it seeks to consider both sacramental and non-sacramental penitential acts as acts of the virtue of penance and to examine their histories in tandem, with close attention to concurrent changes in the conception of sin at both an academic and popular level. The virtue of penance, described by Thomas Aquinas as a species of the virtue of justice, is a habit of amending for sins against God.

Most Catholics today realize that the sacrament of confession still exists, even if 53% of those surveyed in 2003 say they never partake of the sacrament and 76% say that the sacrament is not essential. However, many Catholics, especially those born after Vatican II, have very little knowledge of the many other penitential practices that once characterized Catholicism in the United States. Among scholars, historian James O’Toole, professor and Clough Millenium Chair in History at Boston College, has done the most comprehensive research on the sacrament of penance in the United States. The results of that research appear as an extensive essay entitled, “In the Court of Conscience: American Catholics and Confession, 1900-1975,” in the book entitled Habits of Devotion: Catholic Religious Practice in Twentieth Century America,

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1 James D. Davidson, Catholicism in Motion (Liguori, MO: Liguori, 2005), 154. Davidson does not provide any discussion as to why Catholics view the sacrament of confession in this way.
also edited by O’Toole and published by Cornell University Press. Despite his detailed account, however, O’Toole makes no reference to the numerous non-sacramental penitential practices so common at the same time that the sacrament of penance was at its height in popularity.

This dissertation turns to Thomas Aquinas’s notion of sin as thought, word or deed contrary to eternal law, and penance as both a virtue and a sacrament in order to expand upon the conventional narrative explicated so well by O’Toole. By beginning a historical consideration with such a theological premise, namely, that penance is both a sacrament and virtue, this work is necessarily interdisciplinary in nature. It broadens the conversation surrounding the rapid decline of the sacrament of penance in the U.S. during the 1960s by also noting the rapid decline of non-sacramental practices of the virtue of penance in the U.S. during the 1960s. I suggest that both declines are rooted in the change in the understanding of sin, the existence of which had been an important conviction among American Catholics who regularly examined their consciences to identify and confess their sins.

Moreover, this dissertation observes the commonalities in the declines of sacramental and non-sacramental penitential acts. During this time period, the sacrament of penance and non-sacramental penitential acts fell under criticisms that were strikingly similar: they were perceived as fostering a morality that was too legalistic, relying on obedience and obligation. A move toward freedom and responsibility seemed a likely answer to counter this problematic tendency; penitential rules and practices were hence relaxed in favor of an individual’s voluntary choice of penance. Rather than fostering the renewal of penance, however, this change destabilized the traditional social structures of penance without replacing them for these Catholics that had been used to doing penance together. With lessened penitential

obligations and a weakened conviction in the reality of sin, popular participation in penitential practices declined.

The first chapter of this dissertation seeks to provide some background to the notions of sin and penance in the history of Christianity and in particular to focus upon Thomas’s explanation of sin and penance in the Summa Theologiae. The first part of the chapter acknowledges the history and language of sin in the Bible and early Church, as well as the varied ways the Church responded to post-baptismal sins through penitential practices, most notably the early non-repeatable public, canonical form of the sacrament of penance and later through the repeatable private auricular form of the sacrament of penance.

The second part of Chapter 1 turns to Thomas Aquinas, examining first his questions that relate to sin in the Prima Secundae and then his treatment of penance in the Tertia pars. Thomas employs the Augustinian definition of sin as a thought, word, or deed contrary to eternal law, and he further identifies sin as the remote matter (the matter to be destroyed) of the sacrament of penance. Thomas’s treatment of penance occurs in his section on the sacraments; in fact the Summa ends amidst his consideration of the acts of contrition, confession and satisfaction. It is these three acts that constitute the proximate matter of the sacrament of penance, and these three acts are also acts of the virtue of penance. There are, however, other acts of the virtue of penance that are non-sacramental, such as fasting and abstinence from meat. These practices, as well as the sacrament of penance, were socially constituted with clear expectations, both at the time of Thomas Aquinas and in the time period under consideration. Chapter 1 ends with a discussion of how these Thomistic contributions add to the historical account of penance in the United States from 1955-1975.

Recognizing the important relationship between sin and penance, Chapters 2 and 3 examine how the conviction in the reality of sin changed from 1955-1975 for American
Catholics. Chapter 2 examines the notion of sin at a popular level, among the laity undergoing enormous change in both the nation and the Church. Perhaps the most influential alteration for this population was the demographic change accompanying the dissolution of the Catholic subculture, which meant that American Catholics were more like their fellow Americans than ever before. Chapter 2 suggests that these Catholics shared with their compatriots a declining sense of sin. Sin had been an important and even dominant concept in Catholic life; it was a reality described in terms of personal, actual sin. As the 1960s progressed, however, American Catholics adopted a revised list of sins as they struggled with issues related to psychology, contraception, and freedom in relation to authority. As a consequence their conviction in the reality of sin lessened and their willingness to identify conventional sins as actual sins in their own life lessened.

Chapter 3 considers the change in the notion of sin during this time period with particular attention to how it was discussed in academic circles among moral theologians. Most, if not all, of those involved in the discussion were priests, and, just as it was a time of great change for the laity, so it was for priests as the Thomistic-based manualism of the past came under great criticism with numerous suggestions for replacements of manualism that would not be so legalistic or minimalistic. Bernard Häring’s contributions to moral theology may be the most influential, as his theology shaped many of the respected American moral theologians of his own as well as the next generation, and Häring’s abundant writings also extended into the popular arena in the United States. In order to highlight the new theological emphases, Chapter 3 particularly contrasts Häring with the Jesuit moralists John C. Ford and Gerald Kelly, who were leaders in the field prior to Vatican II. Chapter 3 seeks to corroborate the observation of Chapter 2, suggesting that in academic circles also there was a declining sense of sin as a reality that needed to be addressed through the sacrament of penance. This change in the concept of sin
was related as well to the revision in the list of sins that came out of an emphasis on conscience based on freedom and responsibility.

Chapters 4 and 5 consider penance in turn, first as a sacrament, and then more broadly encompassing other acts of the virtue of penance. The *Summa Theologiae* indicates that the sacrament of penance is the quintessential act of the virtue of penance, and that sacrament was at the height of its popularity in the U.S. in the beginning decades of the 20th century. Chapter 4 describes the sacrament as practiced during this time, noting the criticisms and the attempts to counter these problems. Both devotional confessions and annual confessions were commonplace, as well as partaking of the sacrament in conjunction with parish missions, the 40 hours devotion, or the Sacred Heart novena. American Catholics were in the habit of examining their consciences, confessing their sins, and doing the prescribed penance afterwards. About the time of Vatican II, and in the years following the council, the sacrament was often criticized for reinforcing an unthinking, sin-obsessed, legalistic, minimalistic morality of the laity that was focused more on the external observation of Church laws than on interior sentiment and the practice of charity in relationships with others. The practice of the sacrament declined as priests sometimes criticized frequent penitents, delayed children’s first confession, and emphasized frequent reception of the Eucharist detached from frequent confession. For the laity who had found confession difficult and unsatisfying, these pastoral changes were welcome. Criticisms and reforms of the sacrament sought to renew penance by objecting to what appeared to be unthinking repetition and reawakening the interior sense of penance, though perhaps more associated with sorrow and conversion than contrition as traditionally understood. The end result, however, was that American Catholics fell out of the habit of frequent and even annual confession.
This decline of the sacrament of penance coincided with the decline of other penitential practices in the United States, which are the subject of Chapter 5. Catholics in the U.S. had been used to abstaining from meat on every Friday throughout the year, fasting every day of the Lenten season, taking on voluntary mortifications during the penitential season of Advent, fasting during the 12 Ember days situated quarterly throughout the year, and approaching their daily sufferings with a penitential attitude of mortification. Paul VI’s letter Paenitemini asked local episcopal conferences to find ways to make penance more meaningful and profound. In response to this, the bishops in the U.S. drew upon theological ideas akin to those of Häring, wherein individually chosen, voluntary penance was preferred over obligatory practices which entailed social observance. The bishops were trying to address the criticisms of penitential practices that were not unlike the criticisms of the sacrament of penance; the above-listed Catholic mainstays were regarded as legalistic and minimalistic, failing to foster a true sense of interior conversion. Though they had sought to renew penance in the U.S., the practical result of the bishops’ changes was a diminishment of Friday and Lenten sacrifices, the practical removal of Ember days from the calendar, a devaluing of penitential Advent practices, and a loss of the concept of offering up suffering.

While it is difficult to prove causality in a historical case such as the simultaneous declines of the concept of sin, the sacrament of confession, and other penitential practices, nonetheless it is beneficial to note this concurrence and examine the coincident histories together in search of insight. Moreover, the theological connections made by Thomas in regard to sin and penance also help to round out the understanding of these declines. By observing the practices that accompanied certain beliefs and exploring the changes to both, we can ascertain a fuller picture of sin and penance in U.S. Catholicism during this time period. The alteration in the notion of sin was accompanied by changing pastoral advice in relation to penance, and a
coincident decline in the sacrament of penance, as well as other penitential practices. If Thomas is right to treat penance as both a sacrament and virtue, closely intertwined, then we should not be surprised that non-sacramental penitential acts are closely linked to sacramental penitential acts, both rooted in the virtue of penance and serving to reinforce and strengthen that virtue.

While studies such as O’Toole’s mentioned above have focused solely on the precipitous decline in Catholic reception of the sacrament of penance in the decades after Vatican II, this dissertation examines the decline in the sacrament in the broader context of the decline in Catholics’ participation in obligatory communal penitential practices. This focus is much more in keeping with the long tradition in Catholic moral theology, articulated succinctly in Thomas’s *Summa Theologiae*, that understands penance as a virtue. Such a virtue requires habitual practices that include but are not limited to frequent reception of the sacrament of penance. In other words, theologically it makes sense to examine the sacrament of penance together with other practices of the virtue of penance. Understanding penance in this broader context brings into better focus the significant role that the obligatory communal practices had in fostering Catholics’ habitual practice of penance necessary for the development of the virtue of penance.

Every age of Catholicism has had its shortcomings, some more apparent than others. It is not the intent of this dissertation to uphold the 1950s as the golden age of penance, or more generally, of Catholicism in the United States. Had it been the golden age of penance, priests and laity alike would have seen no reason for modifications of penitential practices. And yet, having acknowledged the reality of the perceived problems in regard to penance, this dissertation also concludes that the changes made to penitential practices in the U.S. did not produce the desired effect of revitalizing Catholics’ full participation in the sacrament of penance and other penitential practices. This failure was in part due to the shift from social penitential practices to individual penance. The changes made in regard to penance did not
strengthen the virtue of penance as described by Thomas, and they did not lead to a renewal of the sacrament of penance or non-sacramental penance.

In short, this is the story of sin and penance among Catholics in the United States from 1955-1975. The history enriches our theological understanding of penance as a sacrament and virtue by illuminating the difficulty and messiness of trying to live out the penitential dimension of the Christian life. As such, this is not a simple declension narrative, despite the declines discussed herein. Rather it is a complicated account of how the manual and confession-based morality of American Catholicism of the first half of the 20th century was ill-suited to meet the challenges of the second half of the 20th century. Though the Thomistic concepts of sin and penance can be neatly explained, the historical manifestations of sin and penance are not so neat.

On the other hand, the knowledge of the theological and Thomistic description of sin and penance as a sacrament and a virtue has the potential to expand the conventional historical narrative. By supposing a connection between the history of sin and the history of penance, we can examine the way that a modification to a particular concept can affect corresponding action. So also, the theological insight that the sacrament of penance is an act of the virtue of penance and hence connected to other non-sacramental penitential practices, allows for a more complex account of the history of the sacrament of penance.
This chapter will provide the theological framework for the rest of the dissertation by detailing Thomas's account of sin and penance, with particular attention to penance as it was conceived by Thomas as a virtue, and yet categorized thematically in his treatise on the sacraments, under the sacrament of penance. Though written centuries before the time period under consideration in this dissertation, Thomas’s work on these topics suggests a need to expand the conventional narrative of penance in the 1960s in the United States, when a well-noted decline in the sacrament of penance occurred. This dissertation contributes to the conversation regarding the decline in the popularity of the sacrament of penance by broadening the discussion of this decline by including the understanding of penance as a virtue, which motivates both sacramental and non-sacramental acts, such as Friday meat abstinence and Lenten fasting, as well as daily mortifications.

The main purpose of this chapter, then, is both to historicize penance as sacrament and virtue and to explain Thomas's treatment of sin and penance in the Summa Theologiae. Of particular concern is how penance can be described as a virtue and why it is helpful to consider it as such, especially in this project which aims at expanding the conventional notion of penance and recontextualizing the decline of the sacrament of penance. A culture strongly convinced of sin’s reality promotes penitential practices to counter sin’s effects. Commitment to these
practices in turn reinforces the belief in sin’s reality in an individual’s daily life. Hence a decline in penitential practices may signal a shift in regard to the notion of sin, but the diminishment of these practices may also contribute to the decline in the notion of sin as a reality.

This chapter will proceed in two parts. First, it will provide an account of the history of penance, noting that the sacrament of penance has undergone historical development. This narrative is helpful as a reminder of the important role played by penance throughout Christian history, especially since its prominence has lessened in the lives of American Catholics since Vatican II. The necessity of the sacrament of penance and other penitential practices as a response to sin has been contested since the Protestant Reformation and reformers’ objections to the problematic indulgence system. The brief account in this chapter simply aims at illustrating that that penitential practices originated prior to Christianity, and that penitential practices in the Christian era, including the sacrament of penance, continued to develop through the years, as the Church responded to the Church’s needs and its failures.

The historical section of this chapter also will help to contextualize Thomas Aquinas and the work represented by the Summa, which is the subject of the second section of this chapter. The second section will provide an exposition of key Thomistic ideas that provide the framework for the following chapters: habit, vice, virtue, sin, and, most especially, penance as a sacrament and virtue. The benefit of this admittedly theological and Thomistic approach is to broaden the conventional observations regarding the decline of the sacrament of penance in the United States from 1955-1975.

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³Many other countries also experienced a decline in the popularity of the sacrament of confession. In Spain there have been attempts to revive the sacrament. See Patrick O’Banion, The Sacrament of Penance and Religious Life in Golden Age Spain (University Park, PA: Pennsylvania State University Press, 2012), 178. It would be interesting to compare the data from other countries and to compare common factors contributing to the decline, such as those discussed in Chapter 4 of this dissertation.
The chapter will conclude with an explanation as to the benefit of making these terms follow from Thomistic terms when considering historical changes in the United States from 1955-1975 as regards sin and penance. In particular, the concept of penance as a virtue enables a consideration of non-sacramental practices of penance in addition to examining the sacrament of penance. In order for sacramental and non-sacramental penitential acts to be truly penitential, they must be acts of the virtue of penance, aiming to amend for sin. In the U.S., the decline of penitential practices may be linked to the changing notion of sin and corresponding lessening of the virtue of penance, both of which were tied to cultural and societal changes among U.S. Catholics. The established practices of penance during this time period failed to retain popular practice in part because they were not properly motivated by the virtue of penance. Hence the potential for recovering such practices will depend upon a recovery of the notion of sin and the virtue of penance.

**Sin and Penance in Christian History**

This section will provide a brief summary of the enormous history of sin and penance throughout Christianity, with roots in the Jewish tradition and hence the Scripture that constitutes the Old Testament. The language of sin as a debt, in particular, was used by Jesus and the authors of the New Testament when they sought to describe sin. Like the Jewish people who had numerous atonement rituals, the early church sought a way to restore its members who had been ostracized due to major sins. This public, canonical penance eventually gave way to the practice of private confession that began in the monasteries of Ireland in the 6th century. One of the two most significant events in this history was Lateran IV’s 1215 mandate requiring annual reception of the sacrament of confession preceding annual reception of the Eucharist at Easter. The second crucial event was when Martin Luther called into question the value and divine sanction of the sacrament of penance, while particularly challenging the often
problematic penitential practices that had come to accompany the sacrament, such as the selling of indulgences. The purpose of the summary that follows is merely to establish the longstanding tradition of acknowledging sin and addressing it through penitential practices, both in the sacrament of penance and in non-sacramental acts that might be considered acts of the virtue of penance.

**Sin and Penance in the Old Testament**

The theme of sin and reconciliation is pervasive throughout the Old Testament, where the people of God are constantly failing to do God’s will, being forgiven, and beginning again, only to fail again. In his book entitled *Sin: A History*, the biblical scholar Gary Anderson describes how sin, the rebellion against God’s laws, was represented in Scripture. He observes that in the earlier Scriptures, sin (in Hebrew, ‘ăwôn) was regarded as a weight or a burden to be borne, or as a stain on one’s person. Hence Leviticus describes the tradition of the Day of Atonement wherein the people’s sins were transferred to an animal that would bear away the sins of the people, taking them out of the people’s midst and out of God’s sight into some unknown wilderness. Anderson emphasizes that sin was not an abstraction; rather “the physical material of the sin that has rested on the shoulder of every Israelite must be carted away into oblivion.”

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4 Gary Anderson (Ph.D. Harvard, 1985) is an expert on the reception of the Bible in early Judaism and Christianity. *Sin: A History*, published by Yale University Press, provides an exceptional account of change in the metaphors used for sin and how this language affected how Jews and Christians regarded sin and its effects, as well as how sins could be forgiven. It is the most recent and thorough exploration of this topic and hence provides good historical background for developments in regard to sin and penance.

Beginning in the fifth to second century BCE, sin was described in biblical books such as Isaiah and Daniel as a “debt” owed to God. Anderson argues that this was due to the influence of Aramaic, which had an impact on the dialect of Hebrew during this time. The term denoting the debt that one owed a lender (in Aramaic, hôbâ) was the standard term used for sin. Aramaic translations of the biblical text used “assume a debt” in place of “bear the weight of a sin.” Hence, sin did not have the same precise meaning in Genesis as in Daniel or Matthew. In this later imagery for sin, it was understood that every time that a person or nation sinned, they incurred a debt to God. The New Testament does not primarily use the earlier metaphors of stain or a weighted burden for sin, nor do the contemporary Jewish texts. Rather, the New Testament employs the language of sin as debt; by the time of Jesus, sin as debt was the common Hebrew and Aramaic idiom in Palestine. The exact word used in commercial contexts for debt was also used in religious contexts as the word for sin, implying that to sin was to owe.

Along with the metaphor of sin as debt came another counterpart from the commercial world: “Physical punishments...came to be thought of as a means of paying for one’s crime.” This debt-slavery had a long legal precedent in the Ancient Near East, and hence Second Isaiah interpreted the Babylonian captivity as a debt-slavery, given to Israel that she might raise the currency to pay off the debt she owed from her sin. In other words, this system recognized that...
human sins have consequences, and that the tangible form of evil created in the world by sin must be accounted for and then compensated. In the case of debt, there was a need for satisfaction; in the case of sin, there was a need for penance. Physical suffering was one form of penitential satisfaction, and it was matched by God’s saving act of redemption. Sometimes the physical suffering was self-inflicted, e.g. the Ninevites donning sackcloth and ashes, and at other times it was not, e.g. the exile of the Hebrew people, but both kinds could be understood and embraced as penitential. Thus as interpreted by Isaiah and Ezra, God released the Hebrew people from their Babylonian bondage in slavery through the Persian emperor Cyrus; the debt of sin owed to God was satisfied by their efforts. Moreover, this act of penance was in the best interest of the people, allowing them an opportunity to return to God, to recommit themselves to living holy lives, and to make some reparation for their injustice against God.

Notably, interior contrition was not emphasized as the sole or even primary response to sin in the relevant passages of the Old Testament, perhaps because these were cases of communal sin. Rather, the people indicated their contrition through exterior acts, so, for example, Leviticus 26:43-45 portrayed the people as making up for all the Sabbath years they failed to observe. The sorrow for sin was thus embodied, expressed in action that concretely

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attempted to amend for the sins committed – a repayment of the debt owed to God. The suffering that Israel endured as a result of dishonoring the years of Sabbath rest was not merely a one-for-one punishment, but also a physical healing for the land and a spiritual healing for the people who had returned to God to honor his law. In other words, the penance of now letting the land lie fallow was “a process of restoration.” Hence this satisfaction was not simply a penalty, but an opportunity for mercy and forgiveness and for the land to renew itself. Rather than isolating, penance healed the damage caused by sin and drew the people back to God.

**Sin and Penance in the New Testament and Early Church**

The language of sin as debt continued into the New Testament, evident in the Gospel of Matthew, where Jesus instructed his disciples to pray “Remit (aphiemi) us our debts (opheilema) as we remit those who hold debts against us” (Mt 6:12). This word choice reflects the Aramaic, applying words that in Greek, had commercial but not religious usage and hence would have seemed unusual unless the person knew the original Semitic quotation. God is imagined as a gracious creditor who releases the bonds of debt for those individuals and peoples who ask for forgiveness; God is just, but God is also generous, as Anderson explains: “In forgiving a debt, the creditor is in a sense making a gift of it—and God is always free to make a gift.”

Repentance is a recurring theme in the Gospels; the Gospel of Mark even begins with John the Baptist and Jesus calling for repentance (Mk 1:4, 15). The Gospel of Luke also advises: “Be on your guard! If your brother sins, rebuke him; and if he repents, forgive him.” The first-century document the Didache, similarly says, “…reprove one another, not in anger, but in

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14 Ibid., 31. This is Anderson’s translation.  
15 Ibid., 108. See also, Brown, “Pater Noster,” 200-201.  
16 Luke 17:3.
peace, as you have it in the Gospel. But to anyone that acts amiss against another, let no one speak, nor let him hear anything from you until he repents. But your prayers and alms and all your deeds so do, as you have it in the Gospel of our Lord.”

Another early Christian document worth mentioning is The Shepherd of Hermas. This text is a non-canonical, though influential writing from the apostolic age, ca. 100-160, which specifically addresses the problem of sin after baptism. The three books that constitute this text are “Visions,” “Commands,” and “Similitudes,” and the ultimate message seems to be that repentance meriting God’s forgiveness is possible, even regarding post-baptismal sin. In one part, a woman appears to the writer, as a figure of the church who explains that Hermas has become like the non-Christians and has failed in admonishing his sons and wife. It is important that he do so that they might repent and be forgiven of their sins: “Then they will be forgiven their sins, which they have heretofore committed, and so will the sins of all the saints who have sinned even to this day, if they will repent with all their hearts, and remove all doubts out of their hearts.” Hermas is constantly depicted as kneeling, praying, and confessing his sins, and the woman who appears to him encourages this repentance and the reformation of his life. This text, therefore, provides a picture of Christian sin that is redeemable through acknowledgement of sin, repentance, and a life of virtuous works.

\[18\] While not canonical, this text was widely used by early Christians, and even considered to be canonical by Irenaeus. It was also controversial, with some, like Tertullian, highly critical of the text.
\[19\] Shepherd of Hermas, Vision 2, 13.
The Gospels, Didache, and Shepherd of Hermas indicate that the early church recognized the ongoing problem of sin and sought penitential ways to address it within the community of believers. Early Christians recognized that sin caused a rupture in the church. In particular, early Christians struggled with how to reincorporate Christians who had apostatized under the pressure of persecuting regimes. First the Novatianists in the 3rd century, and then the Donatists in the 4th and 5th centuries, thought that those Christians who had succumbed to the persecutions of Decius and Diocletian, respectively, should not be readmitted to the church. Non-schismatic Christians responded to these apostates by asking them to undergo public penance in order to be readmitted to communion in the church. This public penance was fitting given the nature of the sin of apostasy, which was a public sin against the community.

The sacrament of penance in the patristic period was celebrated only once in a person’s life, involving public confession of sins and performance of penance. By the beginning of the 3rd century, public penance involved a period of penance and exclusion from communion, followed by formal absolution and restoration, with the last part normally bestowed by a bishop. This entire process was called exomologesis, which is the Greek word for confession. Historian J.N.D. Kelly notes:

There is plenty of evidence that sinners were encouraged to open their hearts privately to a priest, but nothing to show that this led up to anything more than ghostly counsel.

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21 The 4-7th century text known as The Life of Adam and Eve, popular among both Jews and Christians during the medieval period, also has a penitential theme, wherein Adam and Eve seek to do penance for their sin by standing up to their neck in water: the Jordan for Adam and the Tigris for Eve. See http://wesley.nnu.edu/sermons-essays-books/noncanonical-literature/noncanonical-literature-ot-pseudepigrapha/the-books-of-adam-and-eve/. On the Life of Adam and Eve, see especially Brian Murdoch, The Apocryphal Adam and Eve in Medieval Europe: Vernacular Translations and Adaptations of the Vita Adae et Evae (Oxford: Oxford University Press, 2009).


Indeed, for the lesser sins which even good Christians daily commit and can scarcely avoid, no ecclesiastical censure seems to have been thought necessary; individuals were expected to deal with them themselves by prayer, almsgiving and mutual forgiveness. Public penance was for graver sins; it was, as far as we know, universal, and was an extremely solemn affair, capable of being undergone only once in a lifetime.  

Three sins in particular were seen as exceptionally grievous: apostasy, murder, and adultery. Kelly suggests these sins were in practice considered as irremissible, and that the most noteworthy advance in the conception of penance during these early centuries came when those who committed these sins could be readmitted to communion through *exomologesis*. Documents of the 4th and 5th centuries contain numerous references to the church’s practice of remitting sins after baptism. Ambrose, for example, stated that the church used the same authority for penance as for baptism. Augustine, meanwhile, divided penance into three categories: 1. Penance preceding baptism, 2. Daily remission of venial sins through prayer, fasting, etc., and 3. The formal penitential discipline for grave and mortal sins. There still was no strong evidence of repeatable private penance at this time, although it is possible that bishops sometimes chose to deal privately with sinners. It is unlikely that such encounters between bishop and penitent culminated in sacramental absolution with the formal forgiveness of sins as later practiced in the Church. The severity, non-repeatable nature, and publicity of the sacrament of penance at this time led many to defer it until their deathbed and must ultimately have contributed to its decline. Augustine’s second category, however, indicates that there was a sense of non-sacramental penitential acts that were prescriptive for the remission of venial sins, and these penitential practices did remit sin and hence were recommended to be a

24 Ibid., 217.
27 Ibid., 436.
28 Ibid., 438-9.
constant part of the Christian's life, though the public sacrament described above was at that time reserved for grave and mortal sins.\textsuperscript{30}

\textit{The Advent of Private Penance}

The 6\textsuperscript{th} century brought a new approach to penance with Irish monks, who composed texts known as penitentials, consisting of “a series of concise definitions of sins which were correlated with specific penances.”\textsuperscript{31} Although these penitentials began in Ireland among those religious seeking spiritual perfection, they were soon transported by Irish missionaries to the continent, with the purpose of guiding those who administered the sacrament of penance. The older practice of public penance had declined throughout Europe in favor of this private, auricular, repeatable confession administered by a priest rather than a bishop. John Gallagher notes that the Celtic penitentials were the product of monastic conception of Christianity in the context of primitive Celtic culture.\textsuperscript{32} While the monks transferred some of the expectations of religious life to the laity, they also were aware of the particular issues pertinent to that situation, such as tribal battles. The topics covered in the Celtic penitentials, then, were not simply limited to the concerns of monastics but rather extended to include the struggles of Celtic culture. The penitentials took on social, political, and legal functions, as well as religious. Certain sins were also regarded as crimes that caused exclusion not just from communion but from the civil community as well; these sin-crimes required not just supernatural restitution but also natural restitution.\textsuperscript{33}

Thomas Tentler observes the rough continuity between the earlier, public form and the later, private form of sacramental confession. Tentler notes the four substantive elements of the

\textsuperscript{30} Kelly does not present Augustine’s position on the daily penance as causing a transformation, i.e. inhibiting bad behavior or preventing sin and vice, but it would make sense that the daily remission of sin would also work positively toward transformation of the sinner.

\textsuperscript{31} Gallagher, \textit{Time Past}, 7.

\textsuperscript{32} Ibid., 8.

\textsuperscript{33} Ibid., 9.
sacrament: sorrow for sin, explicit confession of sins, penitential exercises performed by the sinner, and an ecclesiastical ritual of absolution or reconciliation with the community of believers, done with the aid of priests. These four elements were present in both the public and private systems, as were penances that could last years. Another similarity in practice was that even the public penance was already private in nature given that many people delayed canonical penance until their deathbed. One other notable similarity between the two systems was the conviction that “forgiveness rested most securely on works of expiation.” Penance was not simply about feeling sorry, but about performing satisfaction; this effort indicated sorrow, and, whether the penance was public or private, the penitent engaged in such satisfaction could be confident in God’s forgiveness expressed through the Church.

The penitentials flourished until the 10th century, when the Summae Confessorum began to take their place. Gallagher describes these as a product of Gregory VII’s “papal revolution,” which began to distinguish between the church and secular society, prioritizing the church in conjunction with the development of canon law as a codification of decretals – the legal decisions from the papal chancery. Gratian’s Concordance of Discordant Canons (or Decretum as it is more commonly known) indicates the development of the scholastic method. Gratian presupposed the authority of certain books and compiled and synthesized the relevant content, applying the scholastic method to the study of law. As canon law emerged, it detailed proper Christian conduct in regards to marriage, inheritance, property and contracts. Canon law described these issues in legal rather than ethical categories, and so the Summae Confessorum surfaced in the 11th and 12th centuries as pastoral handbooks drawing upon the canonical and

34 Tentler, Sin and Confession, 3.
36 Ibid., 12.
37 Gallagher, Time Past, 14.
38 Ibid., 15.
theological achievements of the time period and guiding confessors in the administration of the sacrament of penance. Both the *Summae Confessorum* and Celtic penitentials were legalistic as regards morality and the administration of the sacrament of penance, and they assumed repeated, auricular confession. The *Summae*, however, were intended for secular priests, rather than religious monks, and hence they emphasized the sacramental authority of bishops.

Tentler notes a few major changes in the theology and practice of confession between the 9th and 13th centuries: penances were lightened and became arbitrary rather than standard, contrition became the essential element for the penitent, and the meaning of the priest’s role was more carefully defined. Another important event occurred when the Fourth Lateran Council of 1215 sanctioned the practice of private, repeatable penance, and instructed the faithful to confess during Lent in preparation for their reception of the Easter Eucharist.

According to Katherine Jansen, the new emphasis on sacramental penance brought on a “penitential fever, or wave of evangelical penance that was being preached popularly in the streets.” Penitential acts were not limited to those constituting the sacrament or external actions prescribed to the penitent by the priest. Though any penances from the traditional triad of fasting, prayer, and almsgiving might be given to fulfill the satisfaction part of the sacrament of penance, there were communal penitential acts of the church, some according to the

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39 Ibid., 18.
40 Ibid., 20.
41 Tentler, *Sin and Confession*, 16.
liturgical season, such as the great fast of Lent. Medieval pilgrimages and self-flagellation were also popular as penitential acts in making satisfaction for one’s sins.⁴⁴

But there was also a more academic aspect relating to sin, penance, and morality, as theology found its home in the university. Gallagher names this an “intellectual apostolate,” and notes that theologians like Thomas were concerned with summarizing and systematizing many of the ideas of others, including Greek philosophers like Aristotle as well as the writers of the patristic period. So while sin and the administration of the sacrament of penance remained topics of pastoral concern for those involved in preaching and hearing confessions, the literature for what might be called moral theology went beyond the practical guide for morality found in penitentials and Summae Confessorum to more academic and less pastoral writings, like Peter Lombard’s Libri Quatuor Sententiarum and Thomas’s Summa Theologiae.

What is most important to note here regarding the theology of penance at the time is that the practice of repeatable penance cleared the way for seeing penance as a virtue, as the principle for all penitential acts, but especially those that constituted the sacrament of penance. The virtue of penance was not new, per se, since Christians had long performed acts of penance, but it was the repeatable sacrament that led to the language of virtue being applied to penance.

Post-baptismal sin was acknowledged as a problem to be addressed by the church. Initially, readmission to communion and the ecclesial community required public penance, absolution, and restoration known in Greek as exomologesis. The duration and severity of this form of penance led many to postpone receiving the once-in-a-lifetime sacrament, and ultimately paved the way for its replacement by a private, repeatable form of sacramental penance. Though the private, auricular version of the sacrament of penance originated in a monastic context, it was soon transferred to parishes where those administering the sacrament relied upon penitentials

⁴⁴ For an excellent account of penitential practices during the later Middle Ages, see the entirety of Jansen’s “Part III: Do Penance,” in Making of the Magdalen, 199-245.
that contained lists of various sins and suggested appropriate penances. The *Summae Confessorum* soon arose as a guide for administering the sacrament with a concern for canon law and hence morality in conjunction with law.

**Sin and Penance and the Protestant Reformation**

At the time of the Reformation, penance became a truly contentious topic. In the New Testament, the Greek word *metanoia*, which literally means turning away from something, is typically translated in English as “repent.” Hence both John the Baptist’s and Jesus’ call for *metanoia*, for example, are translated “repent.” The word *metanoia* emphasizes the interior dimension of penitential acts; an act of penance cannot be solely external. In the Vulgate translation of the New Testament, however, *metanoia* was translated as *poenitentiam agite*, or “do penance.” This translation of *metanoia* no doubt obscures the interior dimension of the original Greek word, and conveys instead the priority of external act constituting penance. The translation of *metanoia as poenitentiam agite* could also be understood to imply that penance is not mere sentiment without an outward sign, but rather the conversion represented by *metanoia* always spurs a person to action.

The danger of the translation “do penance” was a proclivity to turn the focus to the external action while neglecting the interior state of *metanoia*; in particular, some members of the church chose to focus upon almsgiving – not necessarily to individuals living in poverty, but rather to particular churches – as a preferred way of “doing penance” for the sins that would prevent them from entrance to heaven. And this concern was what prompted Martin Luther to react to problematic practices that he experienced in the Catholic Church. The first thesis of Martin Luther’s 95 in fact formally opened the debate as to the meaning of the phrase “do

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45 The percentage of those who partook of the sacrament of penance at this time is not clear.
penance”: “Our Lord and Master Jesus Christ, when he said *Poenitentiam agite*, willed that the whole life of believers should be repentance.”\(^{47}\) While Luther’s third thesis stated that penance ought not only to be inward, nonetheless, the objective of the theses as a whole was to criticize the external penance that was exhibited in the problematic indulgence system, which was always linked to the sacrament of penance.\(^{48}\)

From that time forward, penance – especially sacramental penance – became one of the most contentious topics of the early modern period, calling into question the regulation of conventionally agreed upon acts of external penance such as prayer, almsgiving, and fasting, as well as penitential acts of popular piety such as pilgrimages. Ronald Rittgers argues that Luther’s reformation of the late medieval penitential system was linked to the development of a new understanding of suffering in the life of the Christian. The trajectory of Luther’s attack was to emphasize the internal nature of penance connected to the consolation of the penitent, in contrast to the external actions which addressed the temporal penalty or punishment for sin.

Catholics in this time period were told that their sufferings on earth, both voluntary and involuntary, could be applied as a credit against the temporal penalties of their sins. Those who embraced daily sufferings and took upon themselves voluntary penance were acknowledging that sin had consequences and that they or others deserved the punishment due to sin. This willingness to suffer on earth could benefit them after death; hence they were instructed to ask


their confessors to apply their daily sufferings as penance to reduce their time in purgatory.\textsuperscript{49} The abuse of this practice was bishops’ acquisitive selling of indulgences billed as having the same effect. Luther’s denial of these indulgences soon became a denial of the idea that divine punishment could have a redemptive purpose. Instead, Luther regarded divine punishment simply as a summons to faith that people should not circumvent; suffering should be embraced not because it atoned for sin but because it enabled the person to become Christ-like and to grow in the trust of God’s promise of salvation.\textsuperscript{50} This highlights Luther’s overall minimization of human effort in God’s salvific plan.

Tentler states that Luther “must take primary responsibility for the situation in modern Christianity that allows a theologian to assert, by way of definition, ‘a Protestant doesn’t confess’.”\textsuperscript{51} Luther and the other reformers saw confession as torment rather than consolation. Luther undermined the necessity of confessing to a priest, arguing that the authority to forgive rested in the Word, not an ordained priest; in practice, however, clerical absolution soon became normative in Lutheranism.\textsuperscript{52} Luther believed that reflection on past sins detracted from the focus on the new life ahead, and he rejected Lateran IV’s mandate of annual confession, arguing that instead it must always be the freely willed choice of the penitent who desires the consolation of absolution. Luther also rejected examinations of conscience, replacing them instead with examinations of faith based on knowledge of the Lutheran catechism. In some sense, Luther was a contritionist, believing that forgiveness from God came with interior sorrow for sins, but he only promoted passive contrition. The penitent need not \textit{do} anything to express contrition, but rather simply believe in the promise of forgiveness, and that in itself was


\textsuperscript{50} Ibid., 385-86.

\textsuperscript{51} Tentler, \textit{Sin and Confession}, 350. See also Favazza, \textit{Order of Penitents}, 10-11 on this topic.

\textsuperscript{52} Rittgers, “Embracing the ‘True Relic’ of Christ,” 392.
forgiveness. According to Tentler, Luther thought that those who believed themselves to be pure as a result of sacramental confession were actually defiled by their belief in the sacrament of penance; what purified for Luther was faith, rather than the sacrament of penance. Related to this was the conviction that consolation came from faith rather than the person’s acts (i.e. works) associated with the sacramental confession.

In the face of this and other criticisms by the reformers, the Catholic Church sought to reaffirm its teaching on penance in the Council of Trent and to re-evangelize its members about the sacrament. Trent affirmed Thomas’s account of seven sacraments and also relied upon the Thomistic understanding that there were three acts required of the penitent to form what it named the quasi-matter of the sacrament: contrition, confession, and satisfaction. The acts of the penitent “are required...for the integrity of the sacrament, and for the full and complete forgiveness of sins.” Likewise, the council stated that the form of the sacrament is expressed in the words of the minister when he says “I absolve you...” The council also noted that the faithful are able to make satisfaction in several ways: penances voluntarily undertaken, those imposed by the priest in the sacrament, and also by temporal afflictions imposed by God and borne with patience.

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53 Tentler, Sin and Confession, 352-353.
54 Ibid., 358 and 361. Tentler says further that “For the Reformers, destruction of sacramental confession was an essential means to all of their goals. The leaders of the Counter-Reformation, on the other hand reaffirmed sacramental confession with fervent devotion because they saw in its preservation a necessary condition of survival for the whole ecclesiastical order.” Tentler cites Ignatius of Loyola and Bartolome de Las Casas as figures of the time who had powerful experiences of the sacrament. See Ibid., 367-369.
56 Ibid., Ch. 3 “On the parts and fruit of this sacrament,” in Decrees of the Ecumenical Councils, ed. Tanner, 704.
57 Ibid.
58 Ibid., Ch. 9 “On the works of satisfaction,” in Decrees of the Ecumenical Councils, ed. Tanner, 709.
According to historian Robert Bireley, both the Catholic Reform and Protestant Reformation sought to deepen religious belief through knowledge and practice of the faith, and the Catholic Reform begun at Trent “was undoubtedly successful” by the early 18th century.\(^5^9\) Bireley states that “piety became more personal while retaining its communal character,” and he cites the increased knowledge of the catechism and basic prayers, as well as more regular reception of the sacraments of confession and Eucharist, the necessity of which had been restated by the Council of Trent.\(^6^0\) By the early 17th century, the devout generally practiced monthly, or at least quarterly, confession and reception of communion. Lateran IV’s mandate for annual confession and communion was by that time universally observed, fostered by the Church or government requirement that parishioners receive a certificate indicating that they had fulfilled this obligation.\(^6^1\)

Charles Borromeo of Milan introduced the confessional, which gradually spread across Europe, making confession both more private and individual. The confessional structure also provided greater opportunity for conversation between penitent and confessor, serving as a forum for spiritual direction. Confession manuals became popular for assisting both the confessor and the penitent. According to Bireley, the greater frequency of confession brought the faithful into more regular contact with clergy, hence increasing the role of the clergy.\(^6^2\) In addition to the increased popularity of the sacrament of penance, Catholics also engaged in other penitential practices. Pilgrimages, for example, continued to be a prevalent way of performing penance, as well as expressing thanks or seeking favors from God through the


\(^{6^0}\) Ibid., 96, 50.

\(^{6^1}\) Ibid., 105. Bireley does not specify what percentage of the population counted as “devout,” but he does give the sense that the practice of Catholicism at this time was vibrant among most of the population.

\(^{6^2}\) Ibid. For more on Borromeo’s project of promoting penance, see Wieste De Boer, *The Conquest of the Soul: Confession, Discipline, and Public Order in Counter-Reformation Milan* (Leiden: Brill, 2001).
intercession of a specific saint. Hence there were various churches popular as pilgrimage destinations throughout Europe.  

In the midst of European confessionalization – the identification of a people with a particular form of Christian belief – certain aspects of the Catholic faith became important ways of identifying them as different from Protestants. Bireley names several examples of this. Belief in the real presence in the Eucharist led to renewed vigor in the practice of Corpus Christi processions. Belief in purgatory was expressed in a commitment to having Masses said for the dead. In this context, sacramental confession and other acts of penance served as crucial identity markers for Catholics living in the midst of the larger Christian pluralism that was the confessionalization of Europe.

**Sin and Confession in North America**

Genealogically speaking, there were at least two beginnings of Catholicism in the land that was to become the United States of America. The first occurred when Catholicism came to North America through Spanish missionaries, who worked in what would become Florida and California. As Roberto Goizueta notes, these missionaries brought with them the 15th century Catholicism that had not been touched by the concerns of the Protestant Reformation or the reforms initiated by the Council of Trent. By contrast, the colonial Catholicism of the 17th century transplanted to Maryland in particular was post-Reformation and thus essentially modern. The Spanish saw themselves as cultural and religious missionaries to the native peoples.

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63 Bireley, *Refashioning*, 110. Bireley notes that governmental leaders were eager to bring order to society and willing to apply Protestant or Catholic practices if they helped. Hence at times regions were re-catholicized; the imposition of specifically Catholic practices communicated that change to a region.
64 Ibid., 108.
65 Ibid., 114.
67 Goizueta attributes this use of “modern” to historian John O’Malley, “Symbolic Realism,” 260.
peoples, whereas the much later English Catholics such as the Lords Baltimore hoped to exist peacefully alongside Protestants by establishing a separation of church and state.  

Yet one commonality of these two beginnings of Catholicism was that both the Spanish missions of the 15th century and the English Catholics of the 17th century were largely priestless. Historian Patrick Carey states “For almost three hundred years, Catholicism on the northern frontiers of the Spanish empire was much like a preparatory school that had no available higher education.” Though the Spanish missions were temporarily successful, they failed to develop churches with native dioceses, bishops, parish priests, and all the sacramental and educational means necessary for sustaining a Christian community. With the lack of native institutional strength in the Church, the success of the Spanish missions were inextricably tied to the success of Spain itself, which soon found itself in financial difficulty and hence open to the attacks of Anglo-American military forces. The remaining Catholics in these areas ultimately needed to sustain the faith without regular access to the sacraments of Eucharist and penance.

Likewise, the North American Catholics of the 17th and 18th century had very little contact with priests. James O’Toole notes that in Maryland in 1780 there were almost sixteen thousand Catholics, but only nineteen priests; in Pennsylvania, seven thousand Catholics and five priests; in New York City, fifteen hundred Catholics and no priests. Catholic priests often lived like circuit preachers, traveling from town to town celebrating Mass, baptizing children, and hearing confessions. These largely priestless Catholic communities sought to maintain traditional Catholic penitential practices with some modifications. For example, O’Toole notes

69 Ibid., 4.
70 Ibid.
71 Ibid., 5-6.
73 Ibid., 15.
that instead of refraining for meat during all of Lent, they were allowed in 1790 to take meat on five of six Sundays of Lent, although they continued to follow the Catholic rule of fasting, which allowed only one full meal and two smaller collations for every day of Lent.\textsuperscript{74} Without the regular presence of priests, the laity turned to examinations of conscience and contrition, a form of “spiritual confession,” that served as an alternative when they were unable to confess to a priest. This practice of spiritual confession also prepared them to receive the sacrament whenever a priest did arrive in their locale.\textsuperscript{75}

O’Toole states that by the mid-19\textsuperscript{th} century, the greater presence of priests and the promotion of frequent confession in the U.S. had a noticeable effect, especially in cities where there were clusters of Catholics and now clergy available to hear confessions. The 1852 plenary council in Baltimore established a requirement for confessional in a public and conspicuous place in churches. By the end of the 19\textsuperscript{th} century, the sacrament was quite popular, especially in urban areas where there were large populations of Catholics. O’Toole cites the example of St. Ignatius Loyola Church in Manhattan where the seven priests heard a total of approximately 78,000 confessions from July 1896 to June 1897.\textsuperscript{76} This popularity continued into the 20\textsuperscript{th} century, up to the time period that is the subject of this dissertation and hence will be discussed in the following chapters in greater detail than the above brief summary.

**Thomas Aquinas on Sin and Penance**

This next section will turn specifically to Thomas Aquinas’s consideration of sin, penance and related topics as they are discussed in the *Summa Theologiae*. The section will begin by

\begin{itemize}
  \item \textsuperscript{74} Ibid., 23.
  \item \textsuperscript{75} Ibid., 31. See also Idem, “In the Court of Conscience: American Catholics and Confession, 1900-1975,” in *Habits of Devotion: Catholic Religious Practice in Twentieth Century America*, ed. James M. O’Toole, 131-186 (Ithaca: Cornell University Press, 2004), 132.
  \item \textsuperscript{76} Idem, “In the Court of Conscience,” 133. O’Toole gives statistics from various parishes illustrating his claim that the sacrament of penance was popular, especially in urban Catholic communities. This topic will be discussed more fully in Chapter 4.
\end{itemize}
describing the historical context of Thomas’s writing in the Summa Theologiae, while also noting the unique placement of the virtue of penance in the Tertia pars with the sacraments, rather than in the midst of Thomas’s treatment of the virtues in the Secunda Secundae.

Following this background material, the discussion proceeds in three main parts. First is an exposition of Thomas’s account of sin and punishment from the Prima Secundae. Sin is presented as a thought, word or deed against eternal law, and it is described by Thomas as materia that can be destroyed in the sacrament of penance. With this portrayal of sin, punishment is viewed positively as an opportunity to receive God’s forgiveness. Secondly, the discussion turns to the Thomistic understanding of penance as both a sacrament and a virtue, described in the Tertia pars. The acts of the virtue of penance are the same acts that constitute the matter of the sacrament of penance, and the repetition of those acts as well as non-sacramental penitential acts further strengthen the virtue of penance. The habit of penance is not mere repetition of exterior act, but rather it denotes correspondence of interiority and exterior act. The final section explores the significance of penance’s categorization as a species of the virtue of justice, suggesting that this categorization places sin and penance in the context of a relationship with God.

In sum, this section establishes the following points: 1. The definition of sin as thought, word, or deed contrary to eternal law, wherein penitential acts address the reality of sin; 2. That penance is both a sacrament and a virtue, wherein the interior and exterior acts of the virtue constitute the matter of the sacrament but also extend to include non-sacramental penitential acts; 3. As a species of justice, the virtue of penance is contextualized within a relationship with God.
Historical Context of Thomas on Penance in the Summa Theologiae

The above account of sin and penance in Christian history noted that one important event was the Fourth Lateran Council’s decree in 1215 mandating annual reception of the sacrament of penance in conjunction with required annual reception of the Eucharist during Easter. A corollary development was the use of virtue language in conjunction with the sacrament of penance. The description of penance as a virtue was rooted in the conviction that the sacrament of penance was repeatable, which was evidenced by that practice begun in Irish monasteries. Since the human acts of penance that constituted the matter of the sacrament of confession were repeatable, it made sense to identify use of the sacrament with habit, and since penance was conceived as a good habit, it was named a virtue.\footnote{While the reception of the Eucharist is also repeatable, in that sacrament, it is not the human acts that constitute the matter of the sacrament as in the case of penance, but rather the bread and wine are the matter. Hence reception of the Eucharist does not lend itself as easily to having a specific virtue, though of course it could appropriately be considered under the virtue of religion.} Repeated acts of penance strengthened the virtue of penance, and so the person who possessed the virtue of penance would be repeatedly sorry for her sins and would repeatedly perform penance, including and especially those acts that constituted the matter of the sacrament of penance.

Penitential practices such as confessing sins, fasting, almsgiving, prayer, wearing ashes, and weeping were present throughout Christian and Jewish history, but penance was apparently not described as a virtue until Peter Lombard, who also defined the seven sacraments that still characterize the Church’s teaching today.\footnote{Marcia L. Colish, \textit{Peter Lombard: Volume 2} (Leiden: Brill, 1994), 601-602.} While Lombard’s work on penance was no doubt influential for those who followed him, Philipp Rosemann nonetheless describes Lombard’s treatment of penance specifically as “convoluted” and he notes that Lombard was writing at a time when a new doctrine of penance was forming.\footnote{Phillip W. Rosemann, \textit{Peter Lombard} (Oxford: Oxford University Press, 2004), 159 and 162.} Public, canonical penance was still present and reserved for great sins, according to Lombard, but ordinary penance could and should be
repeated. Lombard stated that penance is both a sacrament and a virtue of the mind, like all other virtues. Phillip Rosemann describes Lombard’s position as such:

\[\text{[O]utwardly displayed acts of penance (poenitentia exterior) constitute the sacrament, that is the sign and remote cause of grace. The corresponding inner penance (poenitentia interior), or contrition of the sinner, functions as both sacrament and res, in that it is already a first effect of grace, but also the sign and cause of another level of grace. Finally, the remission of sins is the second res, or ultimate effect of grace brought about by the two preceding sacramental levels.}&^{80}\]

Rosemann notes that the Lombard does not use these terms systematically and contextualizes Peter within the time period where both forms of the sacrament of penance – public and private – coexisted to some extent. Though the public form of penance had fallen into disuse, the theory behind it remained and had not yet been supplanted by a theory supporting the prevalent practice of private penance: “Peter Lombard’s frequent hesitations...have everything to do with the fact that, in the middle of the twelfth century, a new doctrine of penance was taking shape in the Western Church.”^{81}

The three aspects of penance described by Lombard are compunction of the heart, confession of the mouth, and satisfaction by means of work. There was great debate in the 12th and 13th centuries as to when God’s forgiveness was imparted, at the moment of contrition (contritionism) or following confession (confessionism) or at the time of the priest’s absolution (absolutionism). Though Lombard believed sins were forgiven when the sinner was contrite, he nonetheless emphasized the importance of the sinner’s intentions to express his interior penance exteriorly in the acts of confession and satisfaction. Circumstances might arise when a penitent was truly contrite but had no access to a priest in order to receive the sacrament properly; nonetheless, the normal procedure was for exterior acts to signify interior intention,

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^{80} Ibid., 160.
^{81} Ibid., 162.
and the priest’s absolution to declare the sins absolved.\textsuperscript{82} In other words, the virtue of the mind that was penance, like interior contrition, was always expressed outwardly in acts of penance when possible. These exterior acts were indication of the person’s interior penance, that is, the virtue of penance.

Rosemann explains that Peter the Lombard’s distinctions on penance indicate that the Church’s understanding of penance had evolved to the point where private auricular confession to a priest was becoming widely accepted even beyond the monastery.\textsuperscript{83} Further evidence of this approval of private penance in the following decades is Lateran IV’s instruction in 1215 for the faithful to receive the sacrament of confession annually. The sacrament of penance was particularly important for Thomas Aquinas, as it was for all Dominicans, because of mandates from Pope Honorius III, who first allowed Dominic’s band of local preachers to become the Order of Preachers (O.P.) in 1217. Four years later this group was also entrusted by Honorius with the mission of hearing confessions, in addition to their preaching service.\textsuperscript{84} Simultaneous with his work on scriptural commentaries Thomas was responsible for forming friars in moral theology and the pastoral work of confession, and it was reportedly Thomas’s dissatisfaction with the narrowness of available manuals that gave rise to his undertaking the project of the \textit{Summa Theologiae}.\textsuperscript{85} Thomas himself made frequent use of the sacrament of penance; during the time period of 1252-59 he received the sacrament of penance daily before Mass.\textsuperscript{86}

\textsuperscript{82} There is debate as to whether Peter the Lombard was truly a contritionist. Marcia Colish answers yes (\textit{Peter Lombard}, 601-602). With an emphasis on contrition, the actual sacrament is not of great importance, but is more of a formality. Rosemann says a qualified no (\textit{Peter Lombard}, 165). Tentler supports Colish’s view, seeing Thomas Aquinas as in between Lombard’s contritionist stance and Duns Scotus’s absolutionist stance (\textit{Sin and Confession}, 22-23).

\textsuperscript{83} Rosemann, \textit{Peter Lombard}, 162.

\textsuperscript{84} Leonard E. Boyle, \textit{The Setting of the Summa theologiae of Saint Thomas} (Toronto: Pontifical Institute of Mediaeval Studies, 1982), 1.


\textsuperscript{86} Ibid., 287, n. 94.
Jansen notes that the Dominican translator Domenico Cavalca argued in his tract on preaching that the apostolic life was predicated on the preaching of repentance. Numerous texts emerged in order to prepare the Dominicans both to preach and to hear confessions; among the many texts were the *Summa de casibus* of Raymond of Pennafort and the *Summa vitiorum* and *Summa virtutum* of Willelmus Peraldus. These works prepared the Dominicans to evangelize about the virtues while also guiding them in the pastoral skills associated with hearing confessions.

In sum, as we move to consider Thomas’s work, particularly on penance, it is worthwhile to note a few key points. First, the sacrament of penance had recently been officially established by Lateran IV as repeatable by the time of Thomas’s work. Second, awakening sinner’s contrition and encouraging them to go to confession, as well as the hearing of confessions were important ministries of the Dominicans. Third, Peter the Lombard’s influential *Sentences* had named penance as both a sacrament and a virtue of the mind. By the time Thomas wrote his *Summa Theologiae*, penance as a virtue was not a contested issue anymore than was the repeatability of the sacrament. Peter Lombard’s work was now further clarified as Thomas, a Dominican, discussed penance as both a sacrament and a virtue. Penance was certainly a necessary sacrament, and its repeatable nature indicated a virtue, that is, a habit of the will in repenting of one’s sins. The understanding of the sacrament of penance had evolved to match the practice of repeated confession.

*The Placement of Penance in the Summa Theologiae*

Thomas’s *Summa Theologiae* consists of three parts. The *Prima pars*, on theology, considers topics such as God’s existence, creation of the world, and angels. The *Summa’s* second part, on ethics, contains two parts. The first, the *Prima Secundae*, begins with a discussion of the

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last end, before discussing human acts, passions, habits (including virtue and vice), law, and grace. The *Secunda Secundae* includes treatises on the theological virtues, the cardinal virtues, gratuitous graces, and states of life. The *Tertia pars*, which was left incomplete, focuses on Christ by discussing the Incarnation and the sacraments.

The *Prima Secundae* and *Secunda Secundae* rightly occupy a place of importance for those wishing to think about virtue, as it contains Thomas’s ethics and the most comprehensive account of his conception of virtue. In fact, there is a long history of considering Thomas’s treatment on the virtues in isolation from the rest of the *Summa Theologicae*. Leonard Boyle notes that it was the *Secunda secundae* which early on gained popularity; of the existing manuscripts of the *Summa* it, by itself, accounts for 37% of the texts, and the *Secunda Secundae* was circulating even before Thomas had advanced in his work on the *Tertia pars*, which, in contrast, represents only 18% of extant copies of the *Summa*. 88

Thomas did not place his discussion of penance within his exposition on virtue, and perhaps it is due to penance’s placement, among the sacraments in the *Tertia pars*, that many scholars of Thomistic virtue, both past and present, fail to consider penance when they discuss virtue. Those who have encountered Thomas’s treatise on the virtues in isolation from the rest of the *Summa* would not have found penance listed as a virtue. Servais Pinckaers notes that Thomas’s commitment to Aristotle presented the difficulty of accommodating specifically Christian virtues. The virtue of penance was not found in pagan philosophers, nor did Thomas include it among the virtues in the *Secunda Secundae*. Hence Pinckaers seems to indicate that Thomas’s structure can pose a problem for the theologian seeking a comprehensive moral theory as expounded in the New Testament because Thomas’s work on the virtues seems to

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minimize the importance of such virtues as penance, as well as humility, which is relegated to modesty, categorized under temperance.\(^8\)

Despite penance’s lack of recognition as a virtue due to Thomas’s chosen placement, the unique location of the virtue of penance within the discussion of the sacraments can be interpreted as a testament to Thomas’ understanding of penance as both virtue and sacrament, intertwined and inseparable. It would seem odd to discuss a sacrament in the midst of a treatise on virtues; perhaps it made sense to discuss, rather, a virtue in the midst of a treatise on the sacraments, especially since that virtue was so closely tied to the sacrament, as the principle for the actions that constituted the sacrament. Moreover, as Pinckaers argues, the *Summa Theologiae* is comparable to the great architectural structures of Thomas’s generation: “This implies that not one of his sections or questions can be interpreted without an awareness of its place in the overall plan of the work and an examination of its many connections with other parts.”\(^9\) Penance, though placed in the *Tertia pars*, has many connections with the *Prima Secundae* and the *Secunda Secundae*. As we move to consider penance in the *Summa*, therefore, it will be necessary to make reference to other sections as well, particularly on the topics of habit, sin, and virtue.

It may also be beneficial to enumerate the questions in the *Tertia pars* that discuss penance. As noted above, the *Tertia pars* was not completed by Thomas. The subject of penance begins at Question 84 and there are seven questions as follows:

- Question 84—Of the Sacrament of Penance
- Question 85—Of Penance as a Virtue
- Question 86—Of the Effect of Penance, as Regards the Pardon of Mortal Sin
- Question 87—Of the Remission of Venial Sin
- Question 88—Of the Return of Sins Which Have Been Taken Away by Penance
- Question 89—Of the Recovery of Virtue by Means of Penance

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\(^9\) Ibid., 229.
Question 90—Of the Parts of Penance, in General

The first 28 questions of the Supplement to the *Summa Theologiae* further discuss aspects of the sacrament of penance. Though this material culled by Thomas’s followers from his much earlier commentary on Lombard’s *Sentences* is interesting, it will not be treated in this dissertation.

**Penance as the Redemption of Sin**

Sin is perhaps the most necessary underlying concept for understanding penance as a virtue. Without a clear notion of sin, penance makes little sense. So before examining his questions on penance in the *Tertia pars*, it is valuable also to consider what Thomas says about sin in the *Prima Secundae*; the treatment of sin comprises questions 71-89, and is located within what is called the “Treatise on Habits.” It is clear here that Thomas sees sin as something real – a thought, word, or deed contrary to eternal law; as noted above, Thomas even regards sin as *materia*, i.e. the remote matter that is destroyed in the sacrament of penance. Thomas also acknowledges the effects of sin by drawing upon the biblical language of stain, burden and debt. But perhaps what is most remarkable about this account is the positive role that sin and its effects can take as an opportunity for grace, healing, and growth in virtue, particularly when punishment is voluntarily accepted by the sinner. Though sin was certainly not seen as a good, nor in one sense was punishment viewed as a good, in another sense, punishment voluntarily accepted provided a healing medicine, allowing the soul to be reunited with God.

An important point comes in the 5th and 6th Articles of his 71st Question in the *Prima Secundae*, where Thomas defines sin with reference to two parts of sin. In the first place, it is a bad (disordered) voluntary human act – a desire, word, or deed. In other words, a sin has its matter in the human act. The form of the sin is found in the disordered end, which as the object
of the act is contrary to eternal law. As Thomas has said earlier, the human act is good or bad depending upon the object of the act. ⁹¹

Thomas explains in the ⁷ᵗʰ Article of Question 71 that desire, word, and deed do not name different species of sin, but rather varying degrees of sin. The sin of theft, for example begins as a covetous thought, advances as the intention to steal is declared by the will, and finally the sin is consummated in the actual act of stealing. Each of the degrees of the sin has the same object and therefore these acts are not differentiated as species. The Augustinian definition of thought, word, and deed, which was borrowed by Thomas, continues to have bearing on the Church’s understanding of sin today, as it has through the years. The Confiteor uses this language of thought, word, and deed and omission, and, as we shall see in the next chapter, the Baltimore Catechism’s definition of sin also employs these words.

Some sins may be formally the same while materially different. For example, the sin of murder may differ materially inasmuch as the human act might be stabbing, stoning, or shooting. Despite this material difference of the actions, there is the same object, namely, murder, and the sin is identified according to this object rather than according to the specific human action. Sins of omission and sins of commission can also be formally the same while differing materially. Thomas notes that the one guilty of gluttony may both indulge too much in food and omit the prescribed fasts, yet both of these actions are formally identified with gluttony despite the material difference. This definition of the material and formal elements of sin is useful because it shows that while the action (thought, word, deed) is what makes the sin real or material, the object is what makes it sin.

In Questions 86 and 87, Thomas investigates the biblical metaphors – stain and debt – used in relation to sin and constituting what Thomas names the “effects” of sin. Thomas states

⁹¹ ST I-II, Q. 18, A. 2.
that a stain on the soul is an effect of sin, albeit metaphorically, since stain is properly said of corporeal substances, and in this case it is a spiritual thing. Sin is a cleaving to something in opposition to reason and Divine law, and “the stain of sin remains in the soul even when the act of sin is past.” The stain remains until the person is moved by grace to return to the light of reason and Divine law.

In Question 87 Thomas describes the debt of punishment that is an effect of sin. He notes in the first article that the punishment of sin is threefold: “one, inflicted by himself, viz. remorse of conscience; another, inflicted by man; and a third, inflicted by God.” Even after the person has ceased sinning, the debt remains because the sinner has transgressed the order of divine justice and must pay a penial compensation to be restored to the equality of justice (6th Article). Likewise, the stain of sin cannot be removed until the soul is united with God, with the will accepting the order of Divine justice and therefore willingly seeking punishment for past sin or patiently bearing punishment that God inflicts on the sinner. In both ways the punishment is satisfactory, and in this sense it loses somewhat the nature of punishment because it is voluntary whereas punishment per se is normally against the will.

Thomas proceeds in the 7th Article of Question 87 to distinguish two ways of understanding punishment, and it is here that one can see the positive outlook on the punishment that follows sin. Simply speaking, a punishment is always in relation to a sin in the one punished, whether in relation to actual sin or original sin. On the other hand, a satisfactory punishment is voluntary. One can bear punishment bitterly and with resentment, or one can accept it willingly; the latter can be rightly identified as an act of penance. Moreover, sometimes a thing seems penal, but is only relatively so, as Thomas explains. Punishment is an evil, a privation of good, but sometimes a punishment entails the loss of some good in order to gain a

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92 ST, I-II, Q. 86, A. 2.
93 ST, I-II, Q. 87, A. 1.
greater good. Such a loss is only an evil to the person relatively speaking because the person actually benefits from the sacrifice.

In other words, this punishment is better understood as medicinal punishment, which is a punishment but also a way of restoring health, and this medicine is not caused by actual sin as such, but rather is due to the corruption of nature that followed upon original sin. The virtuous person will have to make sacrifices of goods but not on account of his own sin. That which is penal in the exercise of virtue has original sin as its cause rather than actual sin. The exercise of virtue may require sacrifice simply on account of the corruption of nature in postlapsarian life; the gift of original justice was destroyed “through the sin of our first parent.”

Evil has traditionally been understood as a privation of good, and such an understanding might lead one to believe that sin is nothing other than a dearth of good. Thomas’s definition, however, indicates that sin is a voluntary act that is disordered; it prioritizes a lesser good over a higher good, and in that sense it is a privation of good that is also identifiable. This act may be a thought, word, deed, or failure to act that is contrary to reason and eternal law. Whereas thought, word, or deed name the degree of the sin, the species of sin is identified based on the object of the human act. The matter (act) and form (object) constitute the sin, and the actual, personal nature of sin makes it possible to identify sin as the remote matter in the sacrament of penance. Drawing on the biblical imagery, Thomas employs the language of stain and debt and casts a positive view of punishment accepted voluntarily. This satisfactory punishment is medicinal as well as retributive, restoring health by turning the faithful toward God and observation of the eternal law. The willing reception of punishment leads to a reconciliation.

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94 Thomas, ST, I-II, Q. 85, Art. 1. Cessario explains Thomas thus: “Simply speaking, satisfaction is voluntary, but in another and more literal sense of punishment, it remains involuntary. All in all, we should appraise the debt of punishment which exists after sin more as an opportunity for satisfaction than as an outright punishment.” Romanus Cessario, O.P., The Godly Image: Christ and Salvation in Catholic Thought from Anselm to Aquinas (Petersham, MA: St. Bede’s Publications, 1990), 120.
with God, and penance is a way of restoring spiritual health, for the ultimate good of the person. The concept of sin as a personal and communal reality is a crucial foundation for understanding the necessity and value of penance.

Acts of the Will: Penance as Virtue and Sacrament

At first glance, the idea of penance as a virtue seems peculiar in that none of the other sacraments are labeled as virtues. How then, can Thomas argue that penance is both sacrament and virtue? This section presents Thomas’s argument concerning penance in the Tertia pars, relying primarily on Questions 84 (“Of the Sacrament of Penance”), 85 (“Of Penance as a Virtue”), and 86 (“Of the Effect of Penance, as Regards Mortal Sin”) and drawing from others where necessary. For Thomas, penance is a sacrament, consisting of the penitent’s acts as matter and the priest’s absolution serving as the form of the sacrament. That penance can denote an act of the will choosing according to right reason in aiming to amend for offenses against God indicates that penance is an act of virtue. 

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Within this discussion arises Thomas’s conception of the acts of the virtue of penance; contrition, confession and satisfaction—the parts of the sacrament of penance—are all examples of acts of the virtue of penance, as described by Thomas in Question 90, the final question he wrote.96 These acts can be performed outside of the sacrament, but not with the same effect of sacramental forgiveness.97 The penitential acts of contrition, confession and satisfaction are thus acts of the virtue of penance and the matter (or “quasi-matter” in the later

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95 It is interesting that here Thomas employs Aristotle’s definition of virtue used in Ethics ii, 6 where elsewhere he favors the Augustinian-Lombardic definition of virtue as “a good quality of the mind, by which we live righteously, of which we cannot make bad use, which God works in us, without us.” I-II, Q. 55, A. 4, Obj. 1. Thanks to Justin Anderson for bringing this to my attention.

96 ST III Q. 90, A. 1-3. Thomas states that the virtue of penance does not have parts because a virtue is a quality; the sacrament, however, does have parts and these human acts that serve as the matter of the sacrament are the effects of the virtue of penance, not the parts.

97 One may write out a confession, for example, and this will be an act of the virtue of penance although it will not merit sacramental absolution.
words of Trent noted above) of the sacrament of penance. At the time that Thomas was writing on it, penance was well known as a sacrament. As mentioned above, it was only half a century earlier that Lateran IV had instructed the faithful to receive the private sacrament of penance annually. Thomas affirms in Question 84, Article 1 that penance is a sacrament, and “the sensible human act itself takes the place of matter.” This matter proceeds from internal inspiration, that is, from God working inwardly, “while the minister furnishes the complement of the sacrament, when he absolves the penitent."

It is noteworthy that Thomas also considers whether the proper matter of the sacrament is sins. This occurs in Article 2 regarding the sacrament of penance when Thomas voices three objections to the contrary before explaining that matter is twofold, namely, proximate and remote. While the proximate matter of the sacrament is the acts of the penitent, as noted earlier, the remote matter of the sacrament are the sins over which the penitent grieves, confesses and for which he satisfies. Sins are matter, “not for approval, but for detestation, and destruction.”

This language pointing to the reality of sin bears affinity with Anderson’s description of sin in the Second Temple period and early Christianity. Sin has a certain “thingness” to it. As noted above, the context in which Thomas is describing sin as matter is only the sacrament of penance. Already he has taken pains to demonstrate that penance is a sacrament though it does not have matter of the conventional sort associated with the other sacraments. Penance does

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98 The prefix of “quasi” merely seems to indicate that this “matter” is not matter in the usual sense, but does function “as” matter nonetheless.
99 At this time, canonical penance was still in use, as indicated by the fact that the authors of the Supplement to the Summa have a question devoted to unrepeatale solemn penance: Question 28, “Of the Solemn Rite of Penance.”
100 ST III, Q. 84. A. 1.
101 ST III, Q. 84, A. 1, Reply Obj. 1.
102 ST III, Q. 84 A. 2.
not have water, bread, wine, or chrism; in these cases the matter of the sacrament is something tangible that is a visible sign, presenting what it represents. Like matrimony, the matter of the sacrament in the case of penance is human act. The word matter used in this way shows the reality of the human acts of contrition, confession, and satisfaction, indicating that though they are human acts, they can be referred to as matter and serve in a similar place as do those tangible signs of water, bread, wine, and chrism. These human acts are the proximate matter of the sacrament of penance.

And yet Thomas retains the language of matter to refer also to sins, stating that they are the remote matter of the sacrament, the matter that is to be detested and destroyed in the sacrament. Interestingly, they are destroyed in part through the human acts of the penitent who is also the sinner. With the aid of God’s grace in the formal part of the sacrament administered by the priest, the sinner uses his own actions of contrition, confession, and satisfaction to amend for his sins. Along with absolution, the proximate matter (materia) of the sacrament destroys the remote matter (materia) of the sacrament. In other words, the matter of both sin and the sacrament of penance are human acts that, when combined with the form of the sacrament, mediate effects in the same way that the bread and wine (the materia of the Eucharist) mediate effects.

Of course, neither the penitential nor the sinful acts are tangible in the manner of water, bread, wine, and chrism. Yet they have a reality nonetheless, a certain “thingness” appropriately described as matter when paired with the form of the sacrament. Sin is real and it is perceptible, even if not visible. Moreover, there are also effects of sin, and the language used for these effects affirms the reality of sin and the need to counter and repair the effects of sin. Sin disrupts the relationship with God and also affects others, including the self, neighbors, and
creation. In the action of sinning, the sinner creates some “thing” that can be both detested and destroyed through the sacrament of penance or other penitential acts. This perhaps explains the biblical metaphors highlighted by Anderson that were often used for sin – burden, stain, debt. These biblical words were also used by Thomas to describe the effects of sin. These metaphors indicate that sin is evident in its effects and should not simply be forgotten; rather it must be addressed if the sinner is to be relieved of the burden, cleansed of the stain, forgiven from the debt. The metaphors for the effects of sin imply the reality and presence of sin, as does the language of matter that Thomas uses to describe sin in reference to the sacrament. The sinner who desires to destroy this sin and heal the effects of sin employs the sacrament of penance.

Thomas discusses the form of the sacrament in Article 3 where he states that the form of the sacrament is the words “I absolve thee.” He notes that while the part done by the penitent is the matter, the part done by the priest is the form of the sacrament; the sacrament is perfected by these words which signify the sacramental effect, namely, the removal of matter, the remote matter of sin. The priest is expressing the removal of matter, although “God alone absolves from sin and forgives sins authoritatively; yet priests do so ministerially.” Furthermore, this removal of sin (presumably mortal, rather than venial sin), “which cannot be done without the sacrament of Penance,” is necessary for salvation on the supposition of sin, as discussed in Article 5.

Articles 7-10 of Question 84 on the sacrament of penance help to set up the question that follows regarding penance as a virtue. In 7, Thomas addresses the question as to whether the sacrament of penance was suitably instituted in the New Law, concluding that, “It is by

\[103\ ST II, Q. 84 A. 3, Reply Obj. 3.\]
\[104\ ST II, Q. 84, A. 4. Presumably, the use of “sin” here denotes mortal sin; as noted above, Augustine and others throughout the history of the Church have stated that venial sins can be forgiven by other penitential acts; this remains the teaching of the Church. See Q. 86 for more on this topic.\]
natural principle of reason that a man is moved to repent of the evil he has done: yet it is due to Divine Institution that man does penance in this or that way."  

This article is of particular interest because of the references to those under the Old Law (Obj. 2 and Reply Obj. 2), as well as the ungodly, e.g. the Ninevites (Reply Obj. 1). Both cases provide instances of people repenting of evil and performing penitential acts prior to Christ, indicating that penance can be a natural or acquired virtue. Though Thomas does not use the term virtue in naming the acts of the Ninevites, this example illustrates that the natural law provided the opportunity to develop the habit of repentance; the virtue of penance is not solely an infused Christian virtue but rather can come from the natural principle of reason. Thomas’s comment that the removal of sin cannot be done without the sacrament of penance should be placed in the context of those under the New Law, emphasizing the importance of the sacrament. But whether under the Old or the New Law, Thomas is clear that it is impossible for a mortal actual sin to be pardoned without the virtue of penance.  

In his explanation, Thomas cites the Matthean passages wherein Jesus bestowed on the apostles the power of binding and loosing sins (Mt 16:19 and 18:18) and notes that penance took on a specific form as practiced by the Church, and “it is from the power of the name of Jesus Christ suffering and rising again that this sacrament is efficacious unto the remission of sins.” In his discussion of whether penance originates from fear, Thomas describes the habit of penance as “infused by God immediately without our operating as principal agents, but not without our co-operating dispositively by certain acts.” This description of penance as an infused virtue indicates that Thomas ordinarily considers the virtue within the context of

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105 ST III, Q. 84, A. 7.  
106 ST III, Q. 86, A. 2.  
107 ST III, Q. 84, A. 7. These Matthean passages continue to be used in apologetics to defend the existence of the sacrament of penance.  
Christian life; the acquired virtue of penance expressed by the Hebrew people and the Ninevites
is an imperfect version of penance that serves more by way of illustration of the continuity of
penance from Old to New, rather than as an exemplar. Hence Thomas notes that “every virtue
acts in accordance with the time being, as also in keeping with other due circumstances,
wherefore the virtue of penance has its act at this time, according to the requirements of the
New Law.” The infused virtue of penance is the norm for the person baptized under the New
Law.

Articles 8 and 9 discuss whether penance should last until the end of life (8) and if
penance can be continuous (9). Thomas indicates that the specific acts of external penance
associated with the sacrament do not need to last until the end of life, e.g. fasting every day for
the rest of one’s life or endlessly confessing sins, but, on the other hand, human beings should
repent habitually and continually, “both by never doing anything contrary to penance, so as to
destroy the habitual disposition of the penitent, and by being resolved that his past sins should
always be displeasing to him.” This substantiates Thomas’s claim in the Prima Secundae that
repeated acts help a habit to grow, but a habit can also be corrupted or diminished by a

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109 ST III, Q. 90, A. 4. This language of penance as an infused virtue is in keeping with the claim
that Thomas regarded as infused all the virtues possessed by the Christian in a state of friendship with
God. See William C. Mattison, III, “Can Christians Possess the Acquired Cardinal Virtues?” Theoretical
Studies 72 (2011), 558-585. The coexistence of infused and acquired virtues in a Christian is a debated
topic. For the opposite position of Mattison, see John Inglis, “Aquinas’s Replication of the Acquired Moral
Virtues: Rethinking the Standard Philosophical Interpretation of Moral Virtue in Aquinas, The Journal of
Religious Ethics, 27 (1999), 3-27. That penance can be a natural (acquired) virtue (as a species of the
cardinal virtue of justice) may be indicated by Thomas’s recognition of the virtue of penance in both the
Hebrew people and the Ninevites.

110 Thomas describes a threefold division of penance as a virtue, namely, in response to sin that is
pre-baptismal, mortal or venial, but he does label them as acquired or infused. It would seem that pre-
baptismal penance was acquired, and penance in response to venial sin would come from an infused
virtue of penance. It is not clear whether penance for mortal sin is acquired or infused. ST III, Q. 90, A. 4.
Whether acquired or infused, Thomas emphasizes that penance begins with God’s turning the person’s
heart toward God.

111 ST, III, Q. 84, A. 8-9.
judgment of reason that results in action contrary to the virtue (or vice).\textsuperscript{112} Article 10, the last of this question on the sacrament of penance, treats the repeatability of the sacrament, thereby providing a sort of transition to Question 85 on the virtue of penance. Thomas says that those who deny the repeatability of the sacrament either misunderstand the nature of true penance or err in their estimation of divine mercy. Even after true penance, charity can be lost and a person can sin mortally, requiring the sacrament again. Moreover, divine mercy surpasses any number or magnitude of sins.\textsuperscript{113}

This final article on the repeatability of the sacrament opens the possibility of discussing penance as a virtue, which is the subject of the next question, Question 85. In the first article of Question 85, Thomas considers the question “Whether penance is a virtue?” Thomas first notes that when a person repents, she deplores something she has done. This sorrow or sadness can be understood in two ways. First, it denotes “a passion of the sensitive appetite.”\textsuperscript{114} In this sense, penance is not a virtue, but a passion, which we might best understand in today’s language as emotion; penance interpreted thus is a feeling of sorrowful regret.

Understood in the second way, however, penance is a virtue because it is connected to an act, rather than a feeling. That penance is “an act of the will” implies choice, and a habit of choosing according to right reason denotes virtue, according to Aristotle’s \textit{Ethics}. Right reason in the case of penance means that once the person is aware of sins, he deplores them and hence seeks to amend for his sins. “Contrition, as to its essence, is in the heart, and belongs to interior penance; yet, virtually it belongs to exterior penance, inasmuch as it implies the purpose of

\textsuperscript{112} \textit{ST}, I-II, Q. 52, A. 3 and Q. 53, A. 1-2.
\textsuperscript{113} \textit{ST}, III, Q. 84, A. 10.
\textsuperscript{114} \textit{ST} III, Q. 85, A. 1.
confessing and making satisfaction.” Notice again that sorrow as passion is not an act of the virtue and hence is not required for the person seeking God’s forgiveness. Rather it is the acknowledgment of one’s own sins, the detestation of those sins, and the desire to amend for them that indicate the presence of the virtue. Hence a lack of sorrowful emotion does not prevent genuine penance, nor is emotion itself sufficient for penance since it is the penitential actions that lead to reparation. On the other hand, it would be rare that emotion would not be present at some point in the desire to do penance for one’s sin; the emphasis on tears, particularly found in the Late Middle Ages indicates a perceived importance of penitential emotion. Yet not everyone at all times will perceive themselves as truly feeling the sorrowful emotion that they believe is suitable. Hence the benefit in associating penance with acts of the will rather than sorrowful emotion is to make penance possible for a greater number of people – people who recognize their sins, desire to make reparation in the sacrament, and have a firm purpose of amendment not to sin again – even if they are not moved with passion to tears for their sins.

Thomas observes that “penance” is used both to name the virtue and an act of the virtue, such as fasting. Therefore, a person might remark that her “penance” was to pray three Hail Marys. But of course, any of the three traditional penitential actions – fasting, prayer, and almsgiving – could be performed as part of the sacrament or apart from the sacrament. For example, the individual act of fasting as satisfaction in repenting for a sin is an act of the virtue of penance, and hence this act of fasting can be referred to as “penance.” It is in this sense that

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115 Thomas remarks that contrition is essentially interior, but virtually belongs to exterior penance because it implies the purpose of confessing and making satisfaction. ST III, Q. 90, A. 2, Reply Obj. 1. He notes in the next article that “contrition includes virtually the whole of Penance.” ST III, Q. 90, A. 3, Reply Obj. 2.
a person might say, after receiving the sacrament of confession, that her penance was to pray three Hail Marys.

Meanwhile, habitual acts of penance indicate a habit or quality of the mind, namely, the virtue of penance. Someone who regularly performs acts of true penance, such as confessing sins, possesses the virtue of penance. In the *Prima Secundae*, Thomas noted that human virtue is a good habit, i.e. it is productive of good acts (operations). In other words, “The end of virtue, since it is an operative habit, is operation.”\(^{116}\) When it comes to considering penance, there will be several scenarios of internal and external correspondence in terms of having the virtue and performing virtuous acts. In the first situation, a person possesses the virtue of penance and accordingly performs acts of penance in reparation for sin, whether her own actual sin or communal sin; this person has corresponding interior and exterior actions that are operations of the virtue of penance. But another scenario could be a person who possessed the virtue of penance but has died and is now in heaven; this person would no longer be grieved for former sins or perform exterior actions, but she will continue to be displeased with her past sins.\(^{117}\)

A final case would be the person who regularly performed exterior acts but lacked interior contrition, and hence also lacked the virtue of penance. In this case that which appeared to be penitential acts, would in fact not be motivated by the virtue of penance; those acts would not be acts of the virtue of penance. For example, someone might abstain from meat on Friday in order to avoid the criticism of others rather than because she wants to amend for her sins. Whereas the first two cases involve the virtue of penance, the third one does not. In order for the act to be accurately described as penitential, the subject needs to possess the virtue of penance, which ends in corresponding interior and exterior penitential acts.

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\(^{116}\) *ST I-II*, Q. 53, A. 4. See also Art. 3.

\(^{117}\) *ST III*, Q. 84, A. 1., Thomas notes at several points that the sacrament of penance is accidental to man’s salvation, necessary only on the supposition of actual sin. *ST III*, Q. 84, Arts. 5 and 6.
The concept of penitential acts as the end of the virtue of penance is crucial in allowing Thomas to name penance as a virtue and a sacrament. Not only is penance a virtue, an operative habit which is the principle for acts of penance, but penance is also a sacrament wherein human acts produced by the virtue constitute the matter of the sacrament. Thomas’s Reply to Objection 1 of Question 85 is particularly important in spelling this out. In line with Thomas’s earlier discussion of sacraments in general, the sacrament of penance consists of both form and matter. As a reminder, in the case of the sacraments of baptism and the Eucharist, the matter of the sacrament is something tangible: water for baptism and bread and wine for the Eucharist. In the case of the sacraments of matrimony and penance, however, the “matter” is human acts: for matrimony this is the saying of the vows, and for penance, it is the acts of contrition, confession and satisfaction. The repetition of these acts strengthens the virtue of penance in the subject, preserving the person from future sins.

It would seem that non-sacramental penitential acts are sufficient for the strengthening of the acquired virtue of penance and securing God’s forgiveness, and in fact, that does seem to be the case when considering the Ninevites. However, the New Covenant initiated by Jesus improves even upon this. Thomas writes that the forgiveness of sin is the effect of penance as a virtue, but still more of penance as a sacrament. The virtue of penance may motivate non-sacramental acts of penance, both interior and exterior, that cause a remission of venial sin, but the sacrament of penance was specifically instituted for the forgiveness of mortal sin. Though there are instances of God forgiving people on the basis of non-sacramental acts of the virtue of penance, the sacrament of penance institutes an even better way of addressing sin. The human acts of the virtue of penance are completed by the formal aspect of the sacrament of penance.

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118 The importance of form and matter for the sacrament and human acts as the matter again arises in Question 86 on the effects of penance as regards mortal sin.
119 ST III, Q. 84 A. 8, Reply Obj. 1.
In other words, the human acts coming from the virtue serve as the material element of the sacrament, as the person who has the virtue of penance will be contrite and will perform exterior penitential acts.\textsuperscript{120}

As noted above, these acts by themselves can be a cause for God to forgive, even outside of the sacrament. But even more so are these acts a cause for forgiveness when they are in the context of the sacrament of penance, which contains both matter—the human acts pertaining to the virtue—and form that perfects these acts. The combination of form and matter is what makes the sacrament efficacious. In comparison to non-sacramental acts of penance, God’s forgiveness of sin is more certain with regard to the sacrament of penance, seen as instituted by Jesus for the express purpose of enacting God’s forgiveness. Thomas states that the sacrament, compared to the virtue, is even more a cause of the forgiveness of sin, likely because it remits both mortal and venial sin, whereas non-sacramental acts remit only the venial in the New Covenant. Moreover, the sacrament implies the virtue; the sacrament includes both the penitential acts motivated by the virtue of penance and the form of the sacrament provided by the priest. In regards to satisfaction, for example, Thomas states that “Satisfaction is a part of Penance as a sacrament, and a fruit of penance as a virtue.”\textsuperscript{121} Perhaps this tight connection between the virtue and sacrament of penance represents one explanation for Thomas’s placement of the virtue of penance within his discussion of the sacrament. The sacrament of penance relies upon the virtue of penance even as it further strengthens it. With the virtue of penance as a habit in the subject, genuine contrition is possible and the outward acts of confession and satisfaction will correspond to this interior movement of the will.

\textsuperscript{120} Thomas even states that “contrition includes virtually the whole of Penance,” comparing it to how the foundation of a building includes the whole structure. \textit{ST} III, Q. 90, A. 3, Reply Obj. 2.
\textsuperscript{121} \textit{ST} III, Q. 90, Art. 2, Reply Obj. 3.
The virtue, meanwhile, is a cause for forgiveness only to the extent that it is the principle for penitential actions, particularly those constituting the matter of the sacrament which represents the perfection of penance. The person with the virtue of penance under the New Covenant will desire the reception of the sacrament of penance when she is aware of her actual sin even if the sacrament is not available. In a sense, then, in the New Covenant the virtue of penance implies frequent use of the sacrament of penance, but, again, the sacrament is more of a cause of the forgiveness of sins because it involves the formal part provided by the priest’s absolution in conjunction with the material acts of the penitent motivated by the virtue.

Moreover, penance is a “habitual disposition” present in the person even when not serving as the principle for an action. As seen in the case of the ungodly and those under the Old Law, the interior contrition and exterior acts associated with the virtue of penance may secure forgiveness from God, even without the perfection provided by the form of the sacrament. So also under the New Law God may forgive the sinner on account of the sinner’s contrition, spiritual confession, and satisfaction even without the formal sacrament, for example, if no priest is available to hear confession. But this is not preferable. Rather, the person with the virtue of penance will be moved to do the external penitential acts, especially those that constitute the sacrament of penance as practiced by the Church. And by partaking of the sacrament of penance, the virtue of penance will be further strengthened.

In summary, the repeatable nature of the sacrament of penance contributed to Thomas’s reflection on penance as a habit, a virtue or quality whose end is penitential acts. These penitential acts assume the presence of actual sin in a person’s life; the person possessing the virtue of penance and aware of his sins will be led to repeated acts of penance that strengthen the habit. Though these acts of penance can be sacramental or non-sacramental, the
person under the New Law will want to seek the forgiveness of sins through the sacrament as
instituted by Christ. This subject’s contrition, confession, and satisfaction will serve as the
matter for the sacrament, perfected by the form of the absolution provided by the priest
ministerially. Sacramental and non-sacramental penitential acts are connected inasmuch as they
both proceed from the virtue of penance, reinforcing each other and further strengthening the
virtue.

As we move forward to other chapters, we will explore the possibility of a contrary
corollary, namely, how a decline in the notion of sin results in a decline of practices motivated
by the virtue of penance. Though outwardly the acts may continue to some extent – for
example, frequent sacramental confession, or Friday meat abstinence – these may lose their
penitential nature and cease to be properly described as acts of the virtue of penance,
particularly as they lack the interior component of contrition for sin. One response to this
problem is to malign the very notion of habit, the repetition of act, blaming this for a
routinization that undermines the potential for conversion and true penance. Another
possibility is to emphasize that sin and penance are properly contextualized within a relationship
with God, and in a good relationship, a person constantly seeks to make amends for having
offended the other person. Church laws obliging regular penitential practices assume the desire
of the person and the community to make satisfaction for sins against God.

**The Context of Relationship with God: The Virtue of Penance as a Species of Justice**

In the above sections, we saw the importance of human acts of the will, such as
contrition, confession, and satisfaction, in understanding penance both as a virtue (an operative
habit, principle of penitential acts) and as a sacrament (wherein human acts are the material
part of the sacrament). Another important point was that repentance is a natural principle of
reason, and this repentance was expressed in different ways at different times, then suitably instituted in the New Law especially as a sacrament. Thomas further describes penance as a special virtue, categorized under the species of justice. This bears similarity to the virtue of religion, which is also a species of the virtue of justice. Like religion, the categorization of penance under justice indicates a relationship. In the case of penance, this means that this is not simply a mathematical schema wherein sin and penance cancel each other out. This section will explain Thomas’s categorization of penance under justice with the intent of highlighting that the virtue of justice implies relationship.

The virtue of religion appears in the Secunda Secundae in Question 81, distant from Thomas’s discussion on the virtue of penance, but related in one important way. Religion “denotes properly a relation to God. For it is He to Whom we ought to be bound as to our unfailing principle; to Whom also our choice should be resolutely directed as to our last end; and Whom we lose when we neglect Him by sin, and should recover by believing in Him and confessing our faith.” Religion belongs to justice because “religion pays due worship to God.” Religion and penance both entail a relationship with God and concern the justice of giving God that which God is due. The difference between religion and penance can be attributed to the kind of debt. The debt of religion is on account of God’s excellence. The debt of penance is on account of human sin. Whereas the one incites reverence, worship, and the sanctification of all acts, the other motivates amendment for offense.

Thomas argues that a sinner attempts to amend for a sin he has committed since it is an offense against God. In this sense, we can understand the action of sin as incurring a debt owed to God; it disrupts a relation and is an injustice in refusing to give God that which is due.

122 ST, II-II, Q. 81, A. 1.
123 ST, II-II, Q. 81, A. 5.
according to eternal law. The sinner’s desire to amend for the sin involves some kind of compensation, and this places it in the realm of justice, under the kind of commutation. In the relationship between two parties (God and the sinner), the sinner wants to make up for offenses against God. The virtue of penance is therefore a part of justice. And yet, we may notice that the two parties here, God and the sinner, are far from being equal. Can a sinner ever really amend for his sins? Can there ever be full compensation for this debt owed to God? Thomas answers this question by again drawing from Aristotle, when he notes that a thing may be just simply or relatively. In the case of the sinner’s penance, justice is only relative justice because a man is subject to God as is a servant to his master or a son to his father. Although penance is an example of relative justice, it is still a species of this cardinal virtue. Here again we see a similarity with the virtue of religion, which also cannot observe strict justice: “I do not mean absolute equality, because it is not possible to pay God as much as we owe Him, but equality in consideration of man’s ability and God’s acceptance.”

The language of justice in relation to God also points to a larger worldview, for penance is not merely an earthly task, nor judgment simply an earthly concern. Perhaps represented best by Thomas’s contemporary Dante Aligheri, penance is tied to conceptions of Hell, Purgatory, and Heaven. Dante’s work can be seen as an exhibition of the virtue of penance or lack thereof. Those depicted in the Inferno perform punishments that continue them in their isolation from God. They lack a desire to repent and do penance, and so perpetuate their sins and the consequences of their sins eternally. Those in Purgatory, meanwhile, recognize their sins and do penance for them. They detest the sins because the sins have kept them from God, and they perform penance in order to move closer to God in Paradise.

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124 ST II-II, Q. 81, A. 5, Reply Obj. 3.
Lastly, in regard to categorizing penance as a species of virtue, Thomas again insists that it is directly a species of justice, although, like religion, it comprises things pertaining to all the virtues, including faith, hope, and love. As a moral virtue, penance also has a share of prudence, temperance, and fortitude. Thomas further notes, in the fourth article, that penance as a virtue is subjected in the will, with its proper act consisting in trying to amend what was committed against God.

In summary, by categorizing penance as a species of the virtue of justice, Thomas has emphasized that penance is best understood in the context of a relationship with God. Though the parties in this relationship are unequal, nonetheless, God graciously accepts the penitential acts of those seeking to amend for their sins. God forgives those who make an effort, even though their penance will never meet the demands of equal justice. We will see in future chapters that penitential practices often appeared to American Catholics as lacking a personal dimension. This was addressed in various ways, for example modifying the practice of the sacrament of penance so as to make it seem more intimate and less routine; in some way imitating the move to make the worship of the Mass (which would fall under the virtue of religion) seem more intimate and less routine. Another response was to replace communally obligatory penitential practices, such as Lenten fasting, with individual and voluntary penitential practices in the hopes that the element of choice would make the penance more meaningful.

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125 Romanus Cessario, in his book on Thomas’s view of satisfaction describes Thomas’s account of satisfaction as personal in nature. Thomas’s satisfaction model is rooted in the saving work of Jesus Christ actualized in individual believers so that they may move forward in the journey to beatific fellowship; the relationship with God and final goal are of prime importance, even though repentance for evil is part of the natural order. Cessario notes that both forgiveness of sins and satisfaction for sins are steps in the process of returning to God; satisfaction redirects the faithful’s efforts toward the ultimate goal of beatitude. Cessario describes the Summa’s portrayal of satisfaction as an instrument conditioning people for a personal relationship with the Father, Son, and Holy Spirit. In the justice of the relationship between two unequal parties, penance nonetheless can rectify the situation because of God’s love and willingness to accept penance as satisfactory. Cessario, *Godly Image*, 122.
One other way of addressing the personal-relational nature of penance was to contextualize sin and penance primarily in relation to the People of God. This sought to counter individualism, focusing on the social nature of sin and the rupture in the community caused by sin. Yet each of these approaches ultimately fell short of renewing the understanding of penance as a species of justice in the context of a relationship with God. In particular, the diminished notion of sin and reluctance to identify one’s acts as sinful reduced the likelihood that the person would seek justice in the relationship with God.

It is a process that begins with God’s turning of the heart toward God, and involves simultaneously the theological virtues: penance necessitates faith in God; this faith brings the hope of attaining pardon, and confidence in this hope leads to the love of God. Once again we see that the virtue of penance, as a species of justice formed by the theological virtues, is always relational. It is in the context of this relationship with God that the person willingly takes on exterior penitential actions in order to address sins against God. Penitential acts may entail great difficulty for the person, but they tend toward his good, and increase the strength of the virtue of penance.

The sacrament of penance is instituted as a gift, allowing the faithful to find forgiveness for their post-baptismal sins. Since all the infused (or gratuitous) virtues flow from grace, they are all restored through the sacrament of penance. “Now it is a cause of grace, in so far as it is a sacrament, because in so far as it is a virtue, it is rather an effect of grace.” If the virtue of penance first moves the person to the sacrament of penance, even more so does the sacrament

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126 ST III, Q. 89, A. I, Reply Obj. 1. The Christian Classics edition translates the “nam” as “because.” However, the Latin sentence does not seem to imply causality in this way. This translation also omits the “magis,” which I have reinserted in my translation above. Est autem causa gratiae inquantum est sacramentum, nam inquantum est virtus, est magis gratiae effectus. Et ideo non oportet quod poenitentia, secundum quod est virtus, sit causa omnium aliarum virtutum, sed quod habitus poenitentiae simul cum habitibus aliarum virtutum per sacramentum causetur. Latin text accessed at http://www.corpusthomisticum.org/sth4084.html on 25 November 2007.
of penance strengthen the virtue of penance. The effect of Thomas’s statement is to prioritize the sacrament as a particular site of grace. The emphasis on grace, moreover, points the reader back to the relationship with God. Penance the virtue is received as a gift of God. Penance the sacrament is also received as a gift of God. While both sacrament and virtue make sense in the context of human acts both sinful and penitential, as discussed above, ultimately both sacrament and virtue have their origin in God and both aim at an end in God. Penance the virtue motivates the acts that constitute the sacrament of penance, and this sacrament seeks relative justice, restoring the relationship with God that has been hindered by the person’s sins.

Though he distinguished the virtue of penance from the sacrament of penance, Thomas was more concerned with their connection as a response to sin. The realization of one’s sin could lead to despair; penance alleviated this by providing the possibility still for redemption through the forgiveness of one’s sins. Regardless of the gravity of the sin, forgiveness was possible for those who repented. And in the case of repeated sin, the good news was that the sacrament of penance was also repeatable. Those who constantly acknowledged and repented of their sin, particularly by making use of the sacrament, could develop a habit of penance, a virtue to counter their sins, to relieve that which could seem to be a burden or debt. Chapters 2 and 3 in particular will consider the notion of sin and the reasons for its decline among Catholics in the United States from 1955-1975. By explaining away much of sin and limiting the acts identified as sin, the faithful also limited the possibility for the forgiveness of sins through penitential acts.

127 ST Tertia pars Q. 89, Reply Obj. 1.
128 Thomas, ST, Tertia Pars, Q. 85, A. 5. In the Reply to Objection 3 Thomas reiterates, “Even the movement of fear proceeds from God’s act in turning the heart...And so the fact that penance results from fear does not hinder its resulting from the act of God in turning the heart.”
The Social Nature of the Virtue of Penance

One aspect of the Thomistic account of sin and penance that is assumed but not made explicit is that the priority given to the practice of the virtue of penance depends upon a social context in which such practices are encouraged and even expected as a basic part of living a moral Christian life. The social character of twentieth-century Catholic penitential practices is helpful for understanding the dramatic shift in those practices. Here Alasdair MacIntyre’s work in After Virtue is helpful to enrich Thomas’s account of the virtue of penance. MacIntyre notes that, “One of the features of the concept of a virtue which has emerged with some clarity...is that it always requires for its application the acceptance for some prior account of certain features of social and moral life in terms of which it has to be defined and explained.” In other words, an understanding of virtue occurs within a particular social and moral context which has a history and is therefore complex and multilayered. Hence the virtue of heroic society represented by Homer’s writings will be slightly different from the Christian virtue portrayed in the novels of Jane Austen. Whereas the virtue of courage is emphasized in the first case, in the second the virtue of constancy plays an important role.129

Though the concept of virtue was not used to describe penance until the time of Peter Lombard, a cursory historical examination like that provided in the first half of this chapter indicates the relevance of MacIntyre’s insight for the current project. It illustrates the logical progression from the practice of penance to a narrative account to a moral tradition that coincided with developments in virtue-centered moral theology. Whether one considers the Hebrew people, the Ninevites, the early Christians, Thomas’s contemporaries, or even American Catholics in the mid-20th century, all of those who engaged in acts of the virtue of penance did

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so in a way that was socially constituted. There were social structures, institutions, and laws to regulate and regularize acts of penance; the language of burden, stain and debt to describe sin and its effects accompanied particular penitential actions used to address sin.

Hence it is fitting that Lateran IV’s mandate for annual reception of the sacrament of penance was roughly coincident with the language of virtue being applied to penance; Lateran IV reinforced the development in the understanding of penance as a virtue through this directive for repeatable reception of the sacrament of penance. The institutional regulation enacted by episcopal authority at this ecumenical council confirmed, promoted, and even secured the importance of penitential practice by making it formally a part of the Christian life for all those who held to the authority of the papacy and episcopacy. In so doing, it also encouraged Eucharistic devotion and reception by alleviating the concerns of those who felt unworthy to approach the Eucharist.

This Eucharistic devotion was the context in which the virtue of penance was initially described by Thomas Aquinas and understood by the faithful who were encouraged to partake of the sacrament and to participate also in other penitential acts. But while the mandate for annual use of the sacrament of penance remained and prescriptions for other penitential practices were historically constant (though varying in the specifics) in the lives of the faithful, it is not evident that those practices always and everywhere strengthened the virtue of penance. MacIntyre notes that, “it is always within some particular community with its own specific institutional forms that we learn or fail to learn to exercise the virtues.”

One of the tasks of

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130 Note that my usage of “practice” is less specific than MacIntyre’s technical definition of practice as “a coherent and complex form of socially established cooperative human activity through which goods internal to that form of activity are realized in the course of trying to achieve those standards of excellence which are appropriate to, and partially definitive of, that form of activity, with the result that human powers to achieve excellence, and human conceptions of the ends and goods involved, are systematically extended.” Ibid., 187.

131 Ibid., 194-5.
this dissertation is to consider the virtue of penance in a particular community – American Catholics from 1955-1975 – with its specific institutional forms. This requires a description of specific penitential practices, the concurrent criticisms of these practices, and the proposed solutions from the time period. This complicated history indicates the difficulty of establishing and maintaining effective practices on the basis of theological concepts such as sin and penance. Ideally, the social structures would serve to facilitate the exercise of the virtue of penance in the faithful such that they embodied penance as a part of their Christian life. In reality, however, this can be difficult to sustain, especially when these structures and their formative role are not sufficiently explained to each new generation. Instead, the obligatory penitential practices required by an authority can seem to be a restriction upon personal freedom, rather than a structure to facilitate growth in the virtue of penance. For others the traditional account of sin and penance may seem not to make sense because it appears inauthentic in terms of their understanding of their relationship to God.

Moreover, the virtue of penance is most comprehensible when placed in the context of the telos of the Christian life. MacIntyre emphasizes the importance of telos: “without an overriding conception of the telos of a whole human life, conceived as a unity, our conception of certain individual virtues has to remain partial and incomplete.” The virtue of penance, and the structures that are meant to sustain it, make the most sense when understood in the context of the earthly journey for holiness that ends in the beatific vision, the supernatural end that is heaven. When structures that are meant to facilitate penance are evaluated and found wanting in relation to the telos, those who care about the telos will seek ways to reform penitential practice more appropriate for strengthening the virtue of penance and leading to this final end.

\[132\] Ibid., 202.
The Virtue of Penance in the United States

The brief historical overview at the beginning of this chapter shows the contested history but yet generally consistent recognition of sin and the response to sin through the sacramental practice of penance. The focus on Thomas provides an historically inflected theological framework for the discussion. These can aid us in examining the changes to penance that occurred in the United States from 1955-1975. The following points may give some sense of the potential benefit of beginning a conversation between Thomas and the time period in the discussion to follow.

**Sin as Actual and Personal: Human Act Against Divine Law**

First, there is the Christian conviction that actual sin exists and remains as a problem to be addressed by the faithful in the Christian community, as it was by the Jewish community. Historically, we have seen that the early Christians acknowledged this problem of sin, with particular attention to grave sins that were disruptive to the life of the church. These Christians sought to address sin through penance, in the beginning publicly using a canonical form of the sacrament of penance. The canonical form of public penance had been more or less superseded by the time of Thomas, as early Christian persecution and apostasy gave way to enculturated Christianity wherein private, repeatable penance was given official sanction in 1215 when Lateran IV mandated annual reception of the sacrament of penance and the Eucharist. But whether public or private, the sacrament of penance was regarded as the way to deal with sin. Sin was a reality, and it was addressed through penitential acts, such as the sacrament of penance. Moreover, the effects of sin – burden, stain, and debt – affirm the reality of sin and indicate not only the need to amend for sin but to repair the effects of sin.

Throughout Catholic tradition as evidenced in Augustine, Thomas and later works such as the Baltimore Catechism which drew from Thomas, sin was defined as a disordered voluntary
human act contrary to divine law. When Thomas turned to an explication of the sacrament of penance, he described sin as matter, specifically as the remote matter to be destroyed by the sacrament of penance. The language in the *Baltimore Catechism* employs the word actual, indicating that sin is real, a thought, word, or deed contrary to eternal law. Its effects are metaphorically described as burden, stain, or debt, as well as the destruction of virtue and development of vice. The act of satisfaction in sacrament of penance after receiving absolution indicates the benefit of addressing the effects of sin that remain even after forgiveness and sometimes after death in purgatory when one is no longer committing sins.

Those who identify sin as real and identify personal, actual instantiations of sins in their lives will then be able to address sin effectively, to deal with it through penitential acts such as those that constitute the proximate matter of the sacrament of penance. This requires affirming the presence of sin generally and seeking specifically to identify actual sin in one’s own life. Having done so, the sinner is able to act to amend for sins and hence rid themselves of sin. The concrete language of sin as actual and personal is important because it implies a specificity in identifying and naming sins as specific acts, i.e. thoughts, words, and deeds, which are confessable in the sacrament; this is a crucial step in penance. Without a clear sense of sin and the ability to delineate sin, there is little reason to undertake the actions of penance.

The Thomistic description of sin presupposes first, the human ability to act voluntarily and secondly, the existence of divine law that can be known and is delineated by the Church. Both of these aspects were questioned during the 1960s in the United States, as will be seen. Likewise, the firm conviction in the reality and specificity of sin changed as sin became a more general term, lacking the concrete sense of personal, actual instantiation as described by the *Baltimore Catechism* in its description of actual sin as a thought, word, deed, or omission contrary to eternal law.
Penance as Virtue

The second point is the conception of penance as a virtue. The sacrament of penance does not stand as an isolated practice, but rather there are numerous penitential acts that are part of the daily life of Christians. As an act, penance will have both interior and exterior components. The repetition of penitential acts (having both interior and exterior components) indicates that penance can be an interior habit of the virtue of justice expressed in the exterior end as acts of penance. Moreover, each penitential act strengthens the virtue of penance. The virtue of penance produces both contrition and external sacramental acts, such as verbal confession and satisfaction as a response to sin. The virtue of penance also underlies other traditional, but non-sacramental, penitential acts such as Friday abstinence from meat and Lenten fasting. In other words, all penitential acts, whether those constituting the matter of the sacrament of penance or not, are the result of the virtue of penance which aims at justice to God by amending for sin. Thomas’s account is not Pelagian, however, as the very desire to perform penance begins with God’s turning of the heart toward God and the penitent responding with servile and then filial fear leading to love. Penance in fact counters Pelagianism by acknowledging that according to strict equal justice, no penance will ever make amends for sins committed against God; this is relative justice that depends on the mercy of God.

Communal Nature of Penitential Acts

Traditional obligatory penitential practices, including the sacrament of confession, as well as non-sacramental practices such as Friday abstinence, Lenten fasting, and Ember Days, for example, provide the opportunity for the faithful to do penance communally. Even the private form of the sacrament of penance can have communal aspects, such as standing in line, and, furthermore, the sacrament is understood to reconcile the sinner not only to God but to the community as well. It should be remembered that the concern of the council fathers of Lateran
IV was not so much to make the faithful know their sinfulness as to know their worthiness in receiving the Eucharist. The reception of the sacrament of penance was a way of reassuring people that they could and should take communion. The communal practice of penance in various sacramental and non-sacramental ways normalized penance and provided a way for people to express outwardly contrition for their sins, helping the faithful also to know that they had done something to address the sins which they had committed. This sense of having made satisfaction had both its strengths, e.g. alleviating burdened consciences, and weaknesses, e.g. tending toward Pelagianism, as will be discussed in later chapters. In the United States, the strong Catholic community served to bolster penitential practices. As it was for the ancient Hebrew people of God, penance for American Catholics was something done together.

“Penitential” Acts Require the Virtue of Penance

But if the regulations dictating penitential practice for the Church were meant to provide a helpful guide for expressing exteriorly the faithful’s interior contrition, there was nonetheless a tendency to let the focus become the rules themselves, rather than the reason for the rules. When the virtue of penance ceases to be the principle of penitential actions, those actions also cease to be penitential. Such an understanding puts a value on the interior conversion that is at the heart of all exterior penitential actions. Although “penance” is now frequently used to identify an exterior act assigned by a confessor to the penitent, “penance” was in the past more often identified with the interior act of contrition than with the exterior acts of confession and satisfaction. In reality, those acts rightly accorded to the virtue of penance have both interior (contrition) and exterior components. Likewise, it is possible for the faithful to perform acts that appear penitential but are not the fruit of the virtue of penance. In such cases, these acts fulfill the notion of obedience to the Church, but they lose their root in a sense of sin, sorrow for that sin, and the desire to amend for it. The virtue of penance loses its
meaning as sin loses its meaning; those unaware of sin will not cultivate a habit of trying to amend for it. The well-noted decline of the sacrament of confession in the U.S. is likely related to the decline in the conviction of the reality of sin.

Habit as Positive or Negative

As we will see, penitential practices such as the sacrament and Friday meat abstinence came under fire as being the result of routine, with a negative connotation wherein routine always denotes a sort of unthinking action done out of blind obedience rather than thoughtful discernment. American Catholics, especially priests, sought ways to increase the meaning of penance by decreasing the sense of obligation to specifically delineated penances. They wanted American Catholics to want to recognize their sins rather than confessing certain actions in a repetitive fashion, and hence they hoped that in doing penance Catholics could reach beyond official church prescriptions and regulations, e.g. the Friday meat abstinence, so as to embrace challenging sacrifices that would seem more meaningful to them personally. When it came to the sacrament, this sometimes translated to discouraging frequent confession, identified with routine, and seeking instead a more meaningful “conversion.”

Freedom and Obedience Isolated from Virtue

Discussion of the virtue of penance and formation of the will was notably absent in much of this discussion. While some neo-scholastics like John Ford and Gerald Kelly sought to hang onto a supernatural outlook wherein obligation and obedience to the Church’s rules could facilitate freedom, associated with freedom from sin, the newer theologians like Bernard Häring sought a move to the language of freedom identified with choice, and the responsibility that accompanied such choice. In the wake of Vatican II, many Catholics associated freedom with the maturity to discern for themselves what was right or wrong, without having to be obedient to Church teachings, especially those concerning sex and contraception. As will be discussed in the
next chapter, when American Catholics moved out of the Catholic ghetto into more religiously pluralistic surroundings, their views on sin became more like those of their Protestant compatriots.

**Sin and Penance Displaced**

The sacrament of confession and those other penitential practices that had so long defined Catholics in America, setting them apart as different from other U.S. citizens, no longer seemed to make much sense. Without a strong conception of sin as a reality, Americans did not embrace penitential practices as they had done in the past. The next two chapters will discuss the changing conception of sin during this time period in the U.S., and the following two will examine first, the sacrament of penance, and second, other (non-sacramental) acts of the virtue of penance.

Whereas for the Ninevites, penitential acts came in the form of rending garments, fasting, donning sackcloth, and sitting in ashes, for Catholics in the United States, perhaps the most well-known and widely-practiced penitential act was abstinence from meat on all Fridays throughout the year. Another important penitential practice was the Lenten fast, which required fasting on each day of Lent, including partial abstinence, i.e. meat was only to be taken at the primary meal and not in either of the two collations. Ember Days were three days of fasting situated at four times throughout the year, with additional prayers at the liturgies in order to mark these days as penitential. The penitential nature of the season of Advent was, for Americans of particular ethnic backgrounds, marked by fasting on Wednesdays in addition to Fridays. And big feasts, such as All Saints’ Day, the Immaculate Conception, Christmas, and Easter were normally preceded by a day of fast and abstinence in preparation for the feast.

There was a complex network of penitential practices in the United States, one that did not depend entirely on the practice of the sacrament of penance. Yet it might be said that these
other penitential practices buttressed the sacrament of penance, since these other practices were meant to be expressions of an interior virtue of penance and could also reinforce the virtue of penance, likewise potentially strengthening those primary acts of contrition, confession, and satisfaction, which constitute the matter of the sacrament of penance. Though it is difficult to attribute causality between the frequency of the sacrament of penance and other penitential acts, they shared a common narrative about justice in fulfilling the debt that we owed to God. By doing penance on Fridays, for example, the faithful commemorated the gift of Jesus’ sacrifice on the cross for their sins and sought to amend for the further thoughts, words, and deeds that were contrary to eternal law. Hence the sacramental and non-sacramental practices had the potential to be mutually supportive, proceeding from the same virtue of penance acknowledging the problem of sin and amending for actual sin. The degree to which these penitential acts reinforced the virtue of penance no doubt depended upon the sincerity with which they were practiced.

As will be discussed in later chapters, the sacrament of penance underwent a dramatic decline during the time period of 1955-1975. This dissertation will observe, particularly in Chapter 5, that other practices of the virtue of penance also underwent a dramatic decline during this time period. While it is difficult to determine the exact reasons for the decline of the sacrament, the alteration in other penitential practices can be easily attributed to an action of the National Conference of Catholic Bishops in their “Pastoral Statement on Penance and Abstinence,” which, in a few short pages, eliminated the obligatory nature of Friday meat abstinence, Lenten fasting, Ember Days, and vigil fasts. If the sacrament of penance is understood as connected to these other penitential practices by the fact that they are all acts of the virtue of penance in the context of a common narrative about the faithful’s relationship to God, it would not be surprising that the sacrament’s decline and the decline of other penitential
acts would be simultaneous when the narrative assumed in Catholic subculture that demanded these practices collapsed. In other words, it may be helpful to understand the waning of the sacrament of penance within the context of an overall weakening of the virtue of penance that motivates penitential acts.

Moreover, the decline of both sacrament and virtue will be related to a change in the perception of sin as a reality, since penance is an embodied response to the reality of sin, which is identified and named in the sacrament. Numerous changes in the lives of American Catholics contributed to a weakened willingness to identify and address sin, and these changes were reinforced by trends in Catholic moral theology that turned the focus away from the admittedly problematic manual-based, confession-based, habit-based morality and sought to reawaken the interior sentiment, in an attempt to bring more meaning and vibrancy to the Catholic faith. As academic moral theologians sought this admirable goal, they emphasized the importance of fundamental option to God over discrete acts identified as sin.

It is possible for a person to do acts that appear penitential without them being truly penitential, that is, motivated by the virtue of penance. But on the other hand, the traditional Catholic conviction is that those who possess the virtue of penance will not stop with interior contrition for their sins but rather express that contrition in exterior acts. Of course, the Church cannot regulate the interior life of its members, but it can provide guidelines and external practices meant to reinforce what it believes. The obligations concerning the faithful’s reception of the sacrament of penance and observing other penitential practices can be seen as one way that the Church tries to express penance communally. Penance acknowledges sin as a reality, identifies actual sins, and then acts to make reparation for sins.
CHAPTER II

THE POPULAR CHANGE IN CATHOLICS’ CONCEPTION OF SIN FROM 1955-1975

The previous chapter sought to historicize and define penance, including the recognition of penance as a virtue, and key to that chapter was a particular concept of sin as a reality that needs to be addressed. Thomas Aquinas identified sin as the remote matter of the sacrament of penance, that is, as something to be disapproved and destroyed. Penance is best understood as necessary and fruitful when sin is regarded as a reality to be addressed, and the faithful are able to identify their actual sins. In exploring the changes that occurred in regard to penance in the U.S. from 1955-1975, it is helpful to consider how perspectives on sin changed simultaneously with the alteration in practices of penance. This chapter, therefore, will consider the various sources that influenced and shaped Catholics’ notions of sin, and it will attend in particular to those Catholics that were not directly involved with the academic debates of the time, which is the subject of the following chapter.

In this chapter, I will suggest that the change in the concept of sin at the popular level during this time period can be described as a move from specific to general and from objective to subjective; sin had been used in the first half of the 20th century to identify particular, discrete, confessable actions but as the 1960s progressed sin itself lost its footing and became less important than it had been in the past. Sin had once been clearly defined and seemed

\[133\] Much of the content of this chapter and an abridged version of the following chapter were published in Maria C. Morrow, “The Change in the Conception of Sin among Catholics in the United States, 1955-1975,” American Catholic Studies 122, no. 1 (2011): 55-76.
tangible. In Thomistic terms, sin could be a thought, word, or deed, whether an action of
commission or omission; it had both material (the manner of doing the sin) and formal (the
object of the sin) elements. More than an interior feeling, sin was seen as an exterior reality that
had identifiable effects on the individual and the community it ruptured. Sin was regarded as
contrary to eternal law, and sins could be identified and named by those who committed them.
Hence sin was real and its solution was located; the discrete actions of actual sin were
addressed in the confessional. Moreover, failing to acknowledge and address sin had serious
consequences, including eternal damnation in hell.

During the decades from 1955-1975, however, sin became a much more elusive
concept. Not only had the list of sins gradually changed for mid-century Americans, particularly
in regard to matters of sex, but the very idea of sin itself seemed to have little grounding or
meaning as something that might correspond to an eternal law. The former concept of sin as
described by the Baltimore Catechism and memorized by generations of American Catholics in
the 19th and first half of the 20th century made little sense in the face of numerous changes in
the lives of a new generation of Catholics. Though not generally denying sin as such, younger
Catholics were less likely to know the definition and to agree with the Church on the list of sins.

This decline in the sense of sin’s reality among Catholics corresponded to a general
decline of the concept of sin among Americans. In 1973, Dr. Karl Menninger attested to the
near-disappearance of sin with the blunt title of his book, Whatever Became of Sin? There
Menninger wrote:

The very word “sin,” which seems to have disappeared, was a proud word. It
was once a strong word, an ominous and serious word. It described a central
point in every civilized human being’s life plan and life style. But the word went
away. It has almost disappeared—the word, along with the notion. Why?
Doesn’t anyone sin anymore? Doesn’t anyone believe in sin?

reference was primarily western Christianity and Judaism.
Menninger’s cultural observations about sin were apparently relevant enough to be published popularly, which is interesting because he was not a theologian or pastor, but rather a well-known psychiatrist, whose Calvinist background was not mentioned in the book.\textsuperscript{135} And, from a historical point of view, the question remains interesting today: what did become of sin in the United States? And in particular, what became of sin among Catholics in the U.S.?

By the 1950s, John Tracy Ellis described Catholicism in the U.S. as having matured; the Church had “come of age” and reached “adulthood” as an American institution.\textsuperscript{136} At last the Church seemed stable and prosperous. The 60s, however, were eventful for Americans, and particularly so for Catholics in the U.S. In addition to the political and social turmoil in their homeland, American Catholics also lived through important church events, most especially the Second Vatican Council and the liturgical changes that followed it, as well as the release of Paul VI’s encyclical \textit{Humanae vitae}. Perhaps even more important was the dissolution of the Catholic subculture coupled with the upward mobility of many American Catholics which conditioned the American reception of the significant ecclesiastical and political events.

This chapter will contextualize the change in the concept of sin among Catholics in the U.S. in regard to four crucial contributing factors. The first is the dissolution of the Catholic subculture that occurred as many American Catholics left their close-knit urban communities for more religiously diverse suburbs. Although Catholics continued to constitute the majority of the working class, greater assimilation to the larger American culture challenged traditional Catholic understandings on such matters as sin. Second, I will discuss the rise of counseling and

\textsuperscript{135} Calvin’s name is included in a footnote wherein Menninger states that theologians regard the sin of sensuality as second to the sin of pride: “Augustine, Luther, Pascal, Aquinas, Calvin, and others are in general agreement about this. Niebuhr says the ways in which other sins are derived from pride is seen differently by different theologians.” Ibid., 135 n. 3.

\textsuperscript{136} John Tracy Ellis, \textit{American Catholicism}, 2\textsuperscript{nd} ed. (Chicago: University of Chicago Press, 1969 [1956]), 124. Notably, his post-Vatican II addendum indicated that the coming of age was short-lived. See especially 164-166.
psychology and how this treatment of problems differed from the notion of sins as matter to be addressed in the confessional. Third, I will consider the challenges posed by shifting notions of sexuality and sexual sins. Lastly, I will discuss partiality to the concept of freedom, which Philip Gleason names the “contagion of liberty.” In particular, college-aged Catholics’ view of freedom complicated and even undermined the traditional Catholic understanding of sin, while allocating primary importance to conscience. In conjunction with this I will discuss how laity sought to move from fear to love in an overdetermined Catholicism. With so many different factors contributing to their experience of Catholicism, some laity responded to external constraints by looking for independence from Church authority structures in their personal decisions and in lay organizations.

**From Ghetto to World: Vatican II and Dissolution of U.S. Catholic Subculture**

Historian Patrick Carey notes that, “between 1945 and 1965, American Catholicism experienced a phenomenal growth, one significantly unmatched during the previous twenty years and one not repeated in the post-1965 period.”¹³⁷ Like their compatriots, American Catholics’ participation in religious activities increased, indicating a revival of piety.¹³⁸ Moreover, Catholics felt at home in the United States and had a spirit of confidence and optimism that Jay Dolan identifies as “Catholic boosterism.”¹³⁹

The European immigrant Catholics of the 19th and early 20th centuries had worked hard to make a home in the United States. By the 1940s, their dedication and efforts had resulted in the construction of a Catholic subculture involving parishes, schools, hospitals, and other organizations, and this shared religious culture protected them from the religious pluralism of

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¹³⁸ Ibid., 101.
the United States. 140 Particularly in the east, but elsewhere as well, Catholics lived in close-knit urban communities that both fostered and depended upon various Catholic institutions and organizations. William Portier observes that Catholics throughout the U.S. “learned similar practices of teaching and praying that added to their demographic distinctiveness.” 141 Despite a difference in devotions according to region or nationality, Catholics knew many of the same prayers, for example, the Our Father, Hail Mary, and Glory Be, which combined to make up what was traditionally known as a “station,” and which also featured in the familiar prayer of the Rosary. The Latin Mass, meanwhile, provided a common experience for Catholics who regularly fulfilled their Sunday Mass obligation.

Much of Catholic beliefs and practices had been simply taken for granted in subculture created by the hardworking Catholic immigrants responsible for making America into a home for their families. The subculture can be described as overdetermined in the sense that there were multiple simultaneous factors contributing to a robust Catholic environment. Whether the communion of saints, the real presence in the Eucharist, novenas, frequent confession, First Friday devotions, Latin Mass, or even parish events such as fish fries, Catholics knew and lived their Catholicism in a setting where the mix of ethnic and religious ways of life were seen as normal; social structures were in place to support their Catholic life. In such a location, they were unlikely to entertain skepticism and hence interrogate the dogmas, doctrines, and practices ingrained in them as children. Moreover, the criticism and questions of America’s Protestants were regarded as, and, indeed, often explicitly experienced as, attacks on Catholicism. Rather than undermining Catholic practices and beliefs, these attacks often acted to strengthen the Catholic community, making the faithful more committed to all that made

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141 Ibid.
them distinct and making them feel comforted by the Catholicism that surrounded them. While this reinforced and maintained the Catholic subculture, it also left Catholics unprepared for navigating their later immersion into religious pluralism.

The Baltimore Catechism was an important instrument in the formation and training of Catholic children, whether in the urban Northeast or the rural Midwest. Originally released in 1885, following a decision of the bishops at the Third Plenary Council of Baltimore, this “staple of the Catholic Sunday school and of children’s religious instruction in general” featured a question-and-answer format and the memorization of scholastic terminology. In its 1941 revised form edited by Francis J. Connell, the Baltimore Catechism remained the dominant catechetical tool in the U.S. until Vatican II. Given its widespread national prominence, it provides an insight as to the Catholic conception of sin during this time period.

One among the many Catholic concepts taken for granted in the pre-Vatican II world was that of sin. An unquestioned reality for Catholics of the 1950s and 1960s, the traditional Augustinian-Thomistic notion of sin was described to children by one version of the Baltimore Catechism as follows:

[Actual sin] is a sin which we actually commit ourselves. Actual sin is any willful thought, desire, word, action or omission which God forbids us to do. Actual sins may be mortal or venial. Mortal sin is the worse of the two, because it is a grievous offense against the law of God. Moreover, it takes away grace in our souls. Venial sin is not as big a sin as mortal sin. But God hates it also.

Both children and adults were taught to be constantly on guard, vigilant for the occasion of sin. Moreover, there were structures and practices in place to deal with sin, most notably the sacrament of confession. Frequent examinations of conscience helped Catholics to

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142 Dolan, American Catholic Experience, 391.
144 Michael A. McGuire, Father McGuire’s The New Baltimore Catechism and Mass, 1 (Cincinnati, 1942), 25. Emphases in the original.
determine their sins, and the regular confession of sin was a part of life. Novenas such as the
Sorrowful Mother novena with its focus on sorrow nurtured a sense of guilt and sin and sorrow
for that sin in the context of the difficulties of the early 20th century such as World War I and the
Great Depression. Priests reinforced the danger of sin, especially mortal sin, by enumerating
various acts that could be in the category of mortal sin so the laity would have a clear list of sins.
The importance of determining whether a sin was mortal or venial was at the forefront of the
sinner’s mind, and the knowledge of the reality of sin convinced the Catholic of the importance
of sacramental forgiveness, which was just as real as sin. Sin was a grounded concept because it
was addressed in a specific location, namely, the confessional, and it was, furthermore, a
concept shared by an entire Catholic culture. Socially constituted penitential practices such as
the Friday meat abstinence, and Lenten fasting, as well as the constantly promoted attitude of
bearing patiently the ills of life by not complaining in the midst of suffering further indicated the
pervasive and ongoing effects of sin in the life of every Catholic; these effects of sin necessitated
ongoing penance – both penances chosen and those received by the vagaries of life. The
embracing of penance also provided an embodied way of interpreting everyday sufferings.

Transformations in Catholic communities occurred mid-century as the largely working
class population extended into other classes. Many of these Catholics left their cohesive urban
parish communities for more religiously diverse suburbs, which did not sustain beliefs and
practices such as sin and confession as had their Catholic parish neighborhoods. In the words
of historian John McGreevy,

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145 Dolan, American Catholic Experience, 385
146 John T. McGreevy, Parish Boundaries: The Catholic Encounter with Race in the Twentieth-
Century Urban North (Chicago: University of Chicago Press, 1996), 79. It is also important to note,
however, that Catholics continued to constitute a large percentage of the working class, especially given
the new Spanish-speaking immigrant population, including especially Mexicans and Puerto Ricans. See
Dolan, American Catholic Experience, 362.
The strength of the Catholic subculture...concealed a historic transformation in the various Catholic communities. In retrospect, the end of mass immigration in the 1920s and the lack of economic mobility (at least upward) during the Depression imposed a false sense of stasis on Catholic life; a notion that the sense of order imposed on heavily Catholic, urban neighborhoods by priests, nuns, and politicians would endure indefinitely.\textsuperscript{147}

McGreevy explains that following the war, much of the distinctiveness of the early twentieth century experience of Catholics, which had seemed almost permanent, in fact “faded into the larger American kaleidoscope.”\textsuperscript{148}

This description finds affirmation in the first published book of sociologist Andrew Greeley, who in 1959 observed the change as follows:

For in the suburb the Catholic is regarded, at last, as a full-fledged American. The ghetto walls are crumbling. The old national parishes are breaking up. The Catholic suburbanite rides the same commuter train, wears the same brand of suit, reads the same paper, and does the same kind of work as does his non-Catholic neighbor. He may not be completely accepted by Protestants; but he is well on his way.\textsuperscript{149}

It is difficult to pinpoint a date for any gradual, multivalent cultural transformation such as that described by Greeley; hence it is not easy to identify the end of the predominance of Catholic subculture. But by the end of the 1960s, “the demographic differences between Catholics and other Americans became statistically negligible.”\textsuperscript{150} This dissolution of Catholic subculture, in many cases a geographic diaspora in suburbia as well, was a change that immersed Catholics in American religious voluntarism; the new configurations of suburban housing did not integrate the parish as had urban Catholic communities. Belonging to the Catholic parish (or a particular ethnic Catholic parish) was no longer a foregone conclusion in these religiously diverse settings. The traditional Catholic beliefs and practices became isolated from the Catholic communities in

\textsuperscript{147} McGreevy, Parish Boundaries, 79. This raises the question of the role of the laity played in the decline of the sacrament, which is discussed in more detail in Chapter 4.

\textsuperscript{148} Ibid., 80.

\textsuperscript{149} Andrew M. Greeley, The Church and the Suburbs (New York: Sheed and Ward, 1959), 56.

\textsuperscript{150} Portier, “Here Come the Evangelical Catholics,” 46.
which they had been rooted, and in the transplant they seemed to lose some of the meaning that they had in the original context.

The changing demographics of the Catholic population were complex, and they cannot be identified as simply positive or negative in nature. On the one hand, Catholicism of the post-war decades in the U.S. seemed to be at a zenith with the people’s increased involvement in the Church and sense of belonging in the United States. Catholics’ expansion to the suburbs seemed a positive indication of growth; McGreevy notes that across the country four parishes were built each week in the early 1950s. On the other hand, it was a somewhat different sort of Catholicism as it moved away from urban centers. Parish communities had to start from scratch, and there was not as much generational diversity or ethnic Catholic culture. McGreevy observes that “parking lots replaced processions, and upwardly mobile parents demanded schools even before the church building itself.”

Moreover, what had at times been comforting and felt supportive in the city could now seem rigid or even restrictive in this new environment.

Greeley dramatically expressed one of his concerns for Catholicism transplanted to the suburbs when he criticized what he regarded as the dangerous materialism in the suburbs:

“Wherever he lives and whatever his home is like, there is one thing that characterizes the life of the suburbanite—material abundance. It is prosperity that made the post-war suburbs possible, and it is the promise of further prosperity that keeps them going and furnishes the vision of an ever better life for the suburbanite.” How might this comfort and materialism affect Catholicism, wondered Greeley: “In the midst of plenty, does not prayer become extremely difficult, if not impossible? Does mortification have any meaning to people who have never

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151 McGreevy, Parish Boundaries, 84.
153 Greeley, Church and the Suburbs, 33.
known material want? ... Can man, when he has so many things in this world, seriously long for the next?"\textsuperscript{154}

Although perhaps overly dramatic, Greeley’s book implied the rewards to the struggles of the past and reflected his understanding that many Catholics had finally realized the American dream of financial stability and success; they had hoped their hard work would pay off in the end. Now that they had achieved this dream, they were not eager to take on hardships or to forfeit the results of this hard work, which they wanted to hand on to their children. Historian Patrick Carey suggests that these Catholics were influenced by “spiritual bankruptcy of bourgeois-mindedness.” Only a few Catholics protested what they saw as the superficial consumer culture or objected to the lifestyles of the many people who had separated their religious principles and values from everyday life in their capitulation to consumer culture.\textsuperscript{155} At the heart of Greeley’s concerns expressed above was the idea that Catholics were losing sight of their supernatural end, that is, beatitude in God. Whereas adversity could foster yearning for God and eternal rest, material comfort might breed complacency and contentment with the natural ends celebrated by the ethos of the American dream of success and prosperity. The ultimate end of hard work on earth from the Catholic perspective was supposed to be heaven, not social mobility or financial stability. Of course, poverty had its own crushing effects and so adversity did not guarantee sanctity, nor did suburbanite life doom one to hell. The concern was simply that Catholics in the U.S. would fail to recognize material abundance as a potential handicap for the spiritual life and would instead seek these natural ends to the detriment of their supernatural end. In both the case of severe poverty and affluence, more focus can be turned to the comforts of temporal life on earth rather than eternal life in heaven.

\textsuperscript{154} Ibid., 149. It is not clear how Greeley’s book was received, though it was republished at least once, in 1963. Regardless of its reception, however, the book does not seem to have dissuaded Catholics from continuing to enter suburban life during the 1960s.

\textsuperscript{155} Carey, \textit{Catholics in America}, 103.
In the midst of the upward mobility of many Euro-American Catholics, Vatican II, which began in 1962, was, in Carey’s words, “another major symbol in the age of Catholic confidence and transition.”\footnote{Ibid., 111.} Just as Catholics in the United States had finally caught up to and even improved upon America, so now the Church was catching up to and improving upon the world. And the dissolution of Catholic subculture in the U.S. was the context in which Vatican II was received and interpreted.\footnote{Portier, “Here Come the Evangelical Catholics,” 47.} Although there is debate as to whether the Second Vatican Council represents historical continuity or rupture, in the United States the faithful experienced it as a time of abrupt changes in longstanding traditions, especially those of a liturgical nature.\footnote{For two opposing perspectives on Vatican II, see David G. Schultenover, ed., Vatican II: Did Anything Happen? (New York, 2007); and Matthew L. Lamb and Matthew Levering, ed., Vatican II: Renewal Within Tradition (Oxford: Oxford University Press, 2008).} Peter Steinfels suggests that such conciliar changes “accelerated the Catholic population’s cultural assimilation and the erosion of a distinctly Catholic subculture and its supportive institutions.”\footnote{Peter Steinfels, A People Adrift: The Crisis of the Roman Catholic Church in America (New York: Simon & Schuster, 2003), 32.}

And, of course, in addition to this important ecclesiastical event, American Catholics also lived through the numerous American political events of the time period. The Catholic community experienced simultaneously social and religious reforms, and the corresponding transformation occurred during a time of great change in American cultural and political life.\footnote{Carey, Catholics in America, 114.} During this tumultuous time for American Catholics, the clearly defined Catholic understanding of sin described above was weakened by the residential shifts and the Church’s new openness to pluralism and ecumenism. Dolan describes the tumult for Catholics during this time period:

For the first time in modern history, Catholics no longer agreed on an answer to the question of what it meant to be Catholic. Vatican II was largely responsible for forcing Catholics to rethink the meaning of Catholicism in the modern world. In all likelihood,
the church would have undergone a period of reform and renewal even if the Council had never taken place.... What the Council did was to unlock the gates and let the currents of reform burst forth with much greater force than would have been otherwise true. A church council not only sanctioned reform, it accelerated it.\textsuperscript{161}

Despite the complex history of the Church and the papacy, pre-conciliar American Catholics had been presented with an image of the Church as the one stable, permanent institution in a world that was chaotic and constantly changing.\textsuperscript{162} Now Catholics experienced two-fold pluralism: great diversity within the American Church in the midst of change, as well as an immersion in religiously pluralistic American society. And this was in addition to international and national political upheaval. The decline in the concept of sin must be understood within this context of immense changes for Catholics in the United States.

In what follows, we have three examples of how Catholics became more like their compatriots in ways that directly influenced their conception of sin and their identification of sin in their own lives. The next section observes Catholics’ altered opinions regarding counseling and psychology. The following section notes shifting beliefs concerning what constituted sexual sin. Both of these changes coincided with the demographic changes of Catholics in the United States; as Catholics became more like other Americans, their distinctive understanding of sin declined. The final section discusses how what Philip Gleason identifies as the “contagion of liberty” resulted in a challenge not only to civil authorities but also ecclesiastical authorities. No longer taking for granted long-held beliefs like the teaching of sin, the Vatican II generation questioned such beliefs and found these teachings did not always resonate with them.

\textsuperscript{161} Dolan, \textit{American Catholic Experience}, 428.
\textsuperscript{162} Carey, \textit{Catholics in America}, 113.
In a 1966 broadcast, the radio and television star Fulton Sheen invited his viewers to consider the story of two couches. In the case of the first couch, the patient is on the couch, the patient is passive, merely answering questions, and, finally with this couch: “No guilt, no sin, no one ever does anything wrong. One may have a complex, but one has never committed a sin.”

In contrast to this critique of the psychoanalytic method, Sheen presented a second couch: the couch on which Jesus reclined when he was approached by a woman who had a sense of sin and sorrow. No passive patient, this woman anointed Jesus’ feet and sobbed in his presence; she was contrite and repentant. This woman came to the couch to have her sins forgiven; she did not come to have them explained away, as happens in the counseling sessions where the psychoanalytic method is employed.

This segment of Sheen, as well as his earlier 1957 broadcast entitled “Psychology and Psychiatry,” which includes a more extended explanation and critique of various psychologists, indicates that there was an early concern among Catholics for the effects that psychology and counseling were having on the concept of sin. Sheen and other Catholics feared that the rise of counseling, particularly Freud’s psychoanalytical method, explained away sin by attributing people’s actions to the influences of their childhoods, thus removing the reality of culpability for sins. Writing in 1949, Sheen addressed Freud’s “psychoanalytic doctrine of human nature” in the opening pages of his book *Peace of the Soul*:

The most important feature of this doctrine is the belief that man’s conscious mental life, his experiences, and his conduct are determined, not by what he knows, feels, or

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164 Ibid.

intends, but by forces largely hidden from his consciousness. His ego, or consciousness, is only the battlefield where an incessant war is fought between his biological, primitive urges and the powers embodied in the super-ego. These powers take the place of conscience; they originate, not in an awareness of a natural law and of man’s obligation in the face of the divine law, but from social pressure, environmental influences brought to bear on the plastic mind of the small child.

According to such a modern conception of the subjective life, man appears as a captive within his own mind and as a victim of forces which he cannot recognize.\textsuperscript{166}

In other words, Catholics like Sheen worried that people transferred the blame for their personal sins from themselves to those others who had treated them hurtfully in their childhoods.

Sheen’s presentations serve as examples of historian James O’Toole’s claim that there was an early hesitance of Catholics to embrace psychology. O’Toole, who has done extensive research on the sacrament of penance in the U.S., observes that the confessional and couch were seen as rivals wherein the confessional clearly had the advantage; it was a sacrament of grace and forgiveness—and it was free of charge, in contrast to the new and expensive psychological treatments. O’Toole poses the question as: “More practically, why would anyone pay money for something that was available for free every Saturday afternoon from 3:30 to 6:00 at the local parish?”\textsuperscript{167} Psychology, which etymologically means “the study of the soul,” had, in the early 19\textsuperscript{th} century been associated with philosophy. The “new psychology” had its origins in the experimental laboratories of Europe and sought to establish psychology as a science with objective methods of measurement.\textsuperscript{168} The coincident emergence of psychoanalysis “led to a clinical psychology that placed great emphasis on unconscious motivations, thereby relegating

to second place the rational choices of the mind.” It was this new psychology that was a concern to Catholics.\textsuperscript{169} Catholics worried that the minimization of rational choice undermined the Catholic teaching of free will.

The psychoanalytic method of psychology “prompted the quip that psychology had first lost its soul and then its mind.”\textsuperscript{170} It was no longer a study of the soul, and now it seemed not even to be the study of the conscious mind. One particular Catholic objection to the new psychology was regarding the sexual focus of Freudian psychoanalysis. In 1952, Pope Pius XII “strongly asserted his arguments against psychotherapeutic treatments that [sought] to unleash the sexual instinct for seemingly therapeutic reasons.”\textsuperscript{171} Though his concerns about such treatments may have remained, by early 1953 the pope had an expanded view of the new psychology and was more positive about it in general, even encouraging European and American Catholic psychologists to interact with and even use much of the new psychology.\textsuperscript{172}

In the early 20\textsuperscript{th} century, there were several Catholics living in the United States who worked in the area of psychology. Thomas Verner Moore, E. Boyd Barrett, Charles Bruehl, and Rudolf Allers all engaged the new psychology.\textsuperscript{173} Amidst an American Catholicism trying to define itself, Moore believed that Catholics could make an important contribution to psychology by emphasizing psychology’s relationship to philosophy.\textsuperscript{174} Barrett and Allers both critiqued psychoanalysis. Barrett criticized the psychoanalytic method as unoriginal, materialistic in focus, obsessed with sex, and morally dangerous in its use of free association and hypnotism.\textsuperscript{175} Allers, \textsuperscript{169} Ibid. \textsuperscript{170} Ibid. \textsuperscript{171} Ibid., 19. \textsuperscript{172} Ibid., 26. \textsuperscript{173} Moore and Barrett were formally trained in psychology and practiced as psychologists. Bruehl was trained as a theologian and used psychology to address pastoral issues. Allers was a medical doctor engaged in psychiatry, as well as in the last class taught by Freud. See Chapter 3 of Ibid., for more information on each person. \textsuperscript{174} Ibid., 43. \textsuperscript{175} Ibid., 46.
meanwhile, concurred that psychoanalysis was materialistic, but also saw it as hedonistic and
deterministic to the point that it left no room for freedom, the objectivity of values, or even the
existence of a substantial soul.\textsuperscript{176} Bruehl, on the other hand, did not see a fundamental conflict
between the rational psychology of neoscholasticism and Freudian psychoanalysis; he noted
that the classical psychology of neoscholasticism did not say anything about pathologies that
could affect the will, and this was where psychoanalysis could complement neoscholastic
psychology.\textsuperscript{177}

These scholars’ engagements with psychoanalysis were the forerunners to the gradual
acceptance of psychology and counseling by Catholics. By the time of Vatican II, the council
fathers who authored \textit{Gaudium et Spes} were willing to mention psychology favorably, listing
psychology among the sciences that could bring hope of human self-knowledge and help people
to influence social groups.\textsuperscript{178} Moreover, in this same document, the fathers hoped that those
who were learned in psychology and the other sciences could be a service to marriage and
family.\textsuperscript{179} Suspicion of psychology was replaced by at least a degree of approval for some schools
of psychology. From 1954 to 1973, St. John’s College held an institute for mental health,
covering a wide range of psychological and religious concerns in an attempt to address the
interface between psychology and religion.\textsuperscript{180}

Gillespie suggests that there was a definite positive development in the relationship
between psychology and Catholicism during the time period that the St. John’s Institute for
Mental Health was held. While initially there was a clear division between the two, by the end

\textsuperscript{176} Ibid., 52.
\textsuperscript{177} Ibid., 49.
\textsuperscript{179} Ibid., #52. In particular, this reference was in the hopes that the sciences “explain more
thoroughly the various conditions favoring a proper regulation of births.”
\textsuperscript{180} Gillespie, \textit{Psychology and American Catholicism}, 13.
psychology and Catholicism were more collaborative.\textsuperscript{181} Gillespie describes a narrative wherein Catholics’ attempted to assimilate American values as informed by professional psychology, which he defines simply as the “experimental and clinical disciplines whose central project revolves around understanding the mental states and processes.” The initial tension in the narrative of psychology and Catholicism involved discerning how to appropriate the “attitudes, insights, and methods of psychology without accommodating the emerging secularization which many of psychology’s leaders tended to promote.”\textsuperscript{182}

The sacrament of confession, generally regarded by priests and laity as the better alternative to counseling, even became understood and described sometimes in psychological terms as Catholics became more open to psychology during the late 1960s. Applying psychology to the sacrament, for example, some understood the scrupulous behavior of the faithful in the confessional as obsessive-compulsive behavior. As another example, the earlier claims of penitents’ sense of relief could now be interpreted as an indication that the sacrament was “therapeutic” and the purpose of amendment could be described as “preventative of disorders.”\textsuperscript{183} Hence it seemed by the 1960s that psychology and Catholicism were reconciling for good. Gillespie notes that, “In the decade prior to the Council, there were signs that psychology was beginning to have a significant impact on American Catholicism... psychiatrists, psychologists, and even psychoanalysts helped to train American Catholic clergy and religious to address pastoral concerns though special symposiums.”\textsuperscript{184} And while the sacrament of penance was often interpreted in psychological terms, Gillespie states that the confessional was indeed

\textsuperscript{181} Ibid., 20.
\textsuperscript{182} Ibid., 6, 8. It would be valuable to have a more precise notion of the different schools of psychology and which ones were especially problematic or helpful here. Gillespie, author of the standard text on the topic, does name particular individuals and schools, but I follow his lead in making generalized statements regarding the relationship between psychology and Catholicism.
\textsuperscript{183} O’Toole, “In the Court of Conscience,” 175-176.
\textsuperscript{184} Gillespie, \textit{Psychology and American Catholicism}, 106.
replaced to some extent by the counseling couch as Catholics looked to therapists, rather than parish priests, for wisdom and guidance.\(^{185}\)

By 1973 psychiatrist Karl Menninger more or less confirmed Catholics’ initial fear, expressed by Bishop Sheen, that psychiatry was explaining away sin. Echoing Sheen’s critique, Menninger suggested that because scientific methodology and research viewed bad behavior as symptomatic, the opinion of many psychiatrists was that the offender was not to be blamed for the action.\(^{186}\) In other words, the behavior was merely an indication (a symptom) of an existing condition for which the person was not accountable. An action that in the past had been labeled a sin, with culpability assigned to the perpetrator, had importance only to the degree that it pointed backwards, assigning blame to others in one’s past.

With such an explanation, sinners who might have become penitents in previous years turned elsewhere for help. Instead of seeking forgiveness for sins and striving to sin no more, people were learning to “work through” their issues, forgive those who had hurt them in years past, and “forgive themselves” in order to improve their self-esteem as well as their relationships with others.\(^{187}\) They were explaining away their sins by transferring the blame to others, while working on self-improvement in a manner that circumvented the confessional. Nor were such attitudes found solely among those who frequented the psychoanalyst’s couch; rather, such opinions about re-assigning responsibility for a person’s actions became common currency, as is indicated by the growth of the new literature of pop psychology in the U.S.

\(^{185}\) Ibid., 108. Unfortunately Gillespie does not cite statistics indicating the number or percentage of Catholics seeking counseling. Gillespie does, however, mention the importance of Charles A. Curran’s book *Religious Values in Counseling and Psychotherapy* (New York: Sheed and Ward, 1969) as an example of a new approach integrating theology and psychology. Gillespie contrasts this with Curran’s earlier *Counseling in Catholic Life and Education* (New York: MacMillan, 1952), seeing a shift from Thomistic virtue to value and use of post-Vatican II catchwords, 122. Note that this is not Charles E. Curran, the student of Bernard Häring, but rather Charles A. Curran, who served as a *peritus* at Vatican II and taught pastoral counseling at Loyola of Chicago.

\(^{186}\) Menninger, *Whatever Became of Sin?*, 43.

\(^{187}\) O’Toole, “In the Court of Conscience,” 176.
Norman Vincent Peale was perhaps the first of the self-help pop psychology genre to make it big in this time period. Published in 1952, *The Power of Positive Thinking* stayed on the New York Times Bestseller list for 186 consecutive weeks.\(^{188}\) But this Methodist minister’s blatant anti-Catholicism, expressed vociferously less than a decade later in his objections to electing the Catholic John F. Kennedy as U.S. President, could hardly have made him popular with Catholics.\(^{189}\) Less than two decades after Peale, however, came the paradigmatic example of self-help psychology in the bestselling non-fiction book *I’M OK—YOU’RE OK* by psychiatrist Thomas Harris. By this time, Catholics were in a different place demographically and already looking elsewhere than the confessional to address their problems.

In 1973, the year that Menninger published his book on sin, Harris’s book held the number three spot in non-fiction bestsellers, having just come down a notch from being the second-bestselling book of 1972.\(^{190}\) Harris followed on the heels of his mentor Eric Berne’s popular book entitled *Games People Play*, which remained on the bestseller list for two years. Harris used an accessible explanation of transactional analysis in order to provide a psychological resource that was much more affordable than pricey counseling sessions with psychotherapists. *I’M OK—YOU’RE OK* perhaps stands as the quintessential guide to improving self-esteem and relationships, and it came at a time when Catholics were more amenable to popular psychology, so it likely had more influence than previous similar books.

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\(^{190}\) Thomas A. Harris is identified as a "church-going Presbyterian," in "Dr. Thomas Harris, a Reported Suicide, Spikes Rumormongers: 'I'm Ok—you're in Trouble’" by Nancy Faber, *People Magazine* 13, no. 16 (April 21, 1980), accessed on 17 August at [http://www.people.com/people/archive/article/0,,20076291,00.html](http://www.people.com/people/archive/article/0,,20076291,00.html).
In *I’M OK—YOU’RE OK*, Dr. Thomas Harris utilized Berne’s concept of transactional analysis in order to advise and guide readers in making positive changes to their self-esteem and interactions with others. Harris expounded transactional analysis, known in the book as P-A-C, where each letter stands for a set of data to be processed. P indicates the Parent or the early influence and standards impressed upon a child during his childhood. C stands for the experiences and impressions of the child that continue to exert influence. A signifies Adult data, which represents external reality of the present as well as data from the past that is independent of the Parent and Child.\(^\text{191}\) For each decision, the person must work through the various sources of data, and the “emancipated adult” is one who can discern the best decision without simply obliging the voice of Parent and the fears of the Child. “We Can Change,” is the title of Chapter 4, and the ultimate goal is for the person to change, so as to recognize both her own worth (I’M OK) and the other person’s worth (YOU’RE OK). In an American culture that prized voluntarism, Harris provided a valuable way to conquer those voices that seemed to be inhibiting freedom and choice.

At the end of the book, Harris addresses P-A-C and moral values, suggesting that sin (or, anyway, a flaw in human nature) is apparent in every person and that the primary problem can be expressed as a position other than I’M OK—YOU’RE OK, and the person takes up this harmful position early in life.\(^\text{192}\) Harris identifies “original sin” (or, as he also names it “the flaw in our species”) as primarily an issue of self-esteem, which, we might note, is distant from the Catholic theological concept of original sin. It also bears little resemblance to Thomas Aquinas’s definition of actual sin as a human act, a thought, word, or deed contrary to eternal law. Additionally, Harris further relates religion and transactional analysis, comparing dogma to the authoritarian voice of the Parent and describing the grace of Christ’s ministry as “a theological


\(^{192}\) Ibid., 259.
way of saying I’M OK—YOU’RE OK.”

Apparently, the salvation brought by Christ is the natural benefit of the ability to achieve “adulthood” by relating to others from the framework of I’M OK—YOU’RE OK. It is a sort of secular version of the sacrament of confession—without the guilt.

Of course, the missing relationship in Harris’s transactional analysis, as well as in the counseling and therapy offered by many psychologists at the time, was the relationship featured in the confessional, namely, the relationship with God. In the words of Fulton Sheen, “Sin is not just the breaking of a law. Guilt is the breaking of a relationship, the hurting of someone we love.”

Sheen’s perspective also echoes the Thomistic conviction that the virtue of penance follows under the category of justice, indicating a relationship with God. While the confessional was often understood primarily in legalistic and juridical terms to the detriment of God’s mercy and forgiveness, there was nonetheless the sense that a sin was an offense against God and not just an issue of self-esteem.

Limiting and narrow though the confession manuals might have been, they could not be accused of representing an abstract or elusive concept of sin. Rather, they were filled with lists of sins, case studies, explanations, and appropriate penances. In the 1950s, no Catholic would have questioned the importance of distinguishing between mortal and venial sins; specificity was of utmost importance in the confessional. But by the 1970s, sin no longer seemed so concrete or useful as a category, and even priests would feel the need to consider carefully the psychological aspect of a problem when giving pastoral care. The growing elusiveness of sin was indicated by both Menninger’s and Harris’s struggle to define the concept in a culture where

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193 Ibid., 261.
194 Thank you to Sandra A. Yocum for this observation.
195 Sheen, “Psychoanalytic Couch.”
psychological explanations of behavior seemed more compelling and where counseling and self-help books were more popular than the sacrament of confession.

The psychological explanations of behavior may have been more compelling because of the turn to human relationships. This focus resonated with many people who believed that sin ought to be understood primarily in the context of human relationships, rather than as a thing to be counted and confessed. One Catholic author, writing in 1968 on the topic of training catechists in the new morality suggested that sin was a failure to respond with love to God and others. He insisted that sin may be seen as an individual sharing in the failure of the community, “But this must not lead us to speak of sin as a thing, but as referring to persons.” This author stressed that the awareness of failures was not about counting individual actions or deeds so much as trying to grow in love for God and neighbor. The emphasis was on relationship rather than discrete thoughts, words, and deeds opposed to eternal or ecclesiastical law. While the emphasis on relationship was a helpful corrective to confessional sin counting, it also minimized the importance of identifying and naming sin in the sacrament of penance.

**From Confessional to Bedroom: Difficulties in Identifying Sexual Sin**

Besides Catholics’ newfound accommodation of psychology and counseling, their immersion into the American mainstream also brought a review in the conventional list of sins. The change in Americans’ list of sins was apparent to psychiatrist Karl Menninger, among others. In *Whatever Became of Sin?*, he quipped, “How quaint and puritanical it is to feel guilty about working on Sunday or for having a sexual fantasy—or, if we are Catholics, eating meat on Good Friday and, if we are Jews, eating bacon and eggs for breakfast!” This indicates that

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197 Ibid., 132.
198 Menninger, *Whatever Became of Sin?*, 133.
Menninger, at least, seemed to think the U.S. had largely moved beyond the preoccupations with naming certain “insignificant” acts as sins; in the above quotation he highlighted ritual acts.

In Menninger’s perspective, the harshness of punishments for small and basically unimportant sins were in part to blame for the decline in the concept of sin; for too long religious Americans had exaggerated the minor offenses. The severity of punishments made people reconsider whether certain actions really were sins. Such was the case with masturbation, in Menninger’s opinion. He summarized the history by noting that for years, the youth had been warned about the dangers and punishments of “self-abuse,” but now, instead of acknowledging a mistaken labeling of sin as the past and simply recognizing this particular act as morally acceptable, people had declined use of the word sin altogether. If masturbation, so well-established as a sin for so many years, was now deemed normal and acceptable, then how useful was the language of sin anyway?

Indeed, as the list of sins was updated, many sexual acts once considered sinful by the majority of Americans were no longer identified as sins. Contraception, for example, had gradually been moving off the sin list and into the realm of acceptable behavior for most Americans. With the 1965 court case *Griswold v. Connecticut*, contraception was deemed protected by right of privacy, and it was clear that states no longer had the ability to make laws reflecting this particular moral code.¹⁹⁹ Beginning with the Anglican’s Lambeth Conference of 1930, non-Catholics had officially become more amenable to contraception for limiting family size.²⁰⁰ But for Catholics in the United States, contraception remained an ambiguous issue. Leslie Woodcock Tentler notes that in the 1940s, U.S. Catholics were “acutely conscious of standing


alone in most of the nation’s battles over law and sexual morality. “The teaching on birth control was, for many Catholics, “a kind of tribal marker—a proud if onerous badge of Catholic identity.”

At the same time, however, Catholics in the early 20th century were already concerned about limiting family size, since they often found it financially and emotionally difficult to raise large families. Studies show that Catholics were engaging in contraceptive practice prior to the 1960s; 30% of Catholic wives in 1955 admitted to it. This was despite Pius XI’s 1930 encyclical Casti Connubii, which had maintained that the use of contraceptives was against nature and that the primary end of sexual intercourse was procreation. Casti Connubii found a respectful reception in a formal sense; Catholic periodicals, many secular publications, and Catholic clerics greeted the encyclical warmly. Tentler finds, however, that many Catholic couples effectively rejected Casti Connubii, judging by their behavior. Though not given to public dissent, the context of the depression made the teaching seem too difficult for some to observe for the whole of their marriages in the 1930s and 1940s.

By the early 1960s, the dissent of many Catholics had moved from private practice to the public forum, with an anticipation of an official change to the Church’s stance against birth control. According to Tentler, the topic became popular in Catholic lay periodicals such as Jubilee. The difficulty of adhering to the teaching and the stress this placed on marriage was a constant theme, and the debate was intense. In the cultural context of the sexual revolution and

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202 Ibid.
203 Ibid., 10.
205 Tentler, Catholics and Contraception, 74.
206 Ibid., 230.
207 Ibid., 220.
distrust of authority, the Catholic position seemed out of place.\textsuperscript{208} Moreover, with the advent of Vatican II, where so many traditional church stances seemed to be undergoing examination and modification, it seemed likely that a change was on the horizon. Contraception was broached in 1964 at the Second Vatican Council, in the context of the debate of the document that would become \textit{Gaudium et spes}.\textsuperscript{209} While numerous bishops raised the contraception question from time to time, discussion was kept to a minimum because John XXIII had already established a Papal Commission to study the problem, and Paul VI did not want it discussed on the floor.\textsuperscript{210}

The Papal Commission on this issue continued to meet, and Paul VI even expanded it to include three married couples. The commission did not reach a unanimous conclusion, however, but rather a majority report was submitted to the pope recommending a modification of the church’s stance, and an unofficial minority report, in part drafted by Fr. John C. Ford, S.J., urged no change in the teaching against contraception. The pope ultimately sided with the minority report, and hence he issued his encyclical \textit{Humanae vitae} in 1968, restating the Catholic stance against birth control. It was met with a negative reaction in the United States, and polling data in 1970 confirmed that many Catholics were disregarding the encyclical, with more than 75% of married women in their twenties using a form of birth control.\textsuperscript{211}

Moreover, Catholics could not be wholly immune to the sexual revolution in their country, which brought to the bestseller list books such as Helen Gurley Brown’s \textit{Sex and the Single Girl}, George and Nena O’Neill’s \textit{The Open Marriage}, Howard Masters and Virginia Johnston’s \textit{Human Sexual Response}, Phyllis Diller’s \textit{Marriage Manual by Phyllis Diller}, David Reuben’s \textit{Everything You Ever Wanted to Know about Sex but Were Afraid to Ask} and Any

\textsuperscript{208} Ibid., 210-211.
\textsuperscript{209} Ibid., 198.
Woman Can!, The Sensuous Woman by “J,” Marabel Morgan’s Total Woman, and Alex Comfort’s Joy of Sex.\textsuperscript{212} In regard to premarital sex, for example, 74\% of Catholics in 1963 deemed it always wrong, whereas only 35\% in 1974 agreed.\textsuperscript{213} While the change in regard to birth control was not quite as drastic, nonetheless Catholics more closely reflected the view of their compatriots than that of their pope on sexual issues. Effective contraception further facilitated the possibility of non-procreative premarital sex and hence the attitudes toward both issues were related.

Catholics in the United States were not prepared to accept Paul VI’s conclusions expressed in Humanae vitae. Immersed in a religiously pluralistic American society, these Catholics had become more like their compatriots in many ways, including their views on contraception. The Catholic perception on these issues was influenced by the larger American societal understanding of sex and increasing medicalization combined with the growing availability of oral contraceptives. As Carey notes, “From the 1960s onward, a veritable revolution took place in American society on a variety of moral and lifestyle issues that seriously challenged official Catholic Church teachings.”\textsuperscript{214} Premarital sex, abortion, and homosexuality – in addition to artificial contraception – had become increasingly accepted by the American population, but created divisions both within the Church and within society.\textsuperscript{215}

The pope’s insistence on contraception as contrary to eternal law when most Americans had concluded it was morally acceptable called into question the whole concept of authority, obedience to the Church’s teachings, and assent to the conventional list of sins. Although it was something new for them, American Catholics found themselves simply ignoring or even outright

\textsuperscript{212} There is no data available about how popular these books were in Catholic circles. I merely note their presence on American best seller lists.
\textsuperscript{213} Greeley, The Catholic Revolution, 38.
\textsuperscript{214} Carey, Catholics in America, 131.
\textsuperscript{215} Ibid.
protesting what the magisterium had clearly communicated. In O’Toole’s words, “The very undermining of authority that some church officials hoped to prevent had become a reality.”216

Those who disobeyed Humanæ vitæ did not think that they were succumbing to sin. Rather they sincerely believed that the pope was mistaken, and the Church’s teaching was out of touch with reality. Here the concept was best captured in the phrase “freedom of conscience.” In seeking to follow their consciences regarding birth control, many Catholic couples found that they had no problem turning to artificial means of preventing birth. No longer constrained by ingrained obedience buoyed by a strong Catholic subculture, they made their own decisions about birth control, and these decisions did not mark their Catholic religious identity as unique. In the words of Tentler, “It was precisely in the context of birth control, an issue that intimately affected nearly all adult Catholics, that a remarkable generation—better educated and perhaps more devout than any before it—came to a sense of moral autonomy.”217

One indication of the sense of moral autonomy can be found in the American Catholic Psychological Association’s response to Humanæ Vitæ. Drawing on their knowledge from the science of psychology, the members raised fifteen questions about the encyclical in a statement made at their annual convention in September of 1968. These questions indicate a genuine concern for the good of Catholic laity in regard to sexuality and marriage, but they also reveal that Catholic psychologists – as well as many theologians and other laity – saw themselves in a position of knowledge and autonomy wherein they were able to criticize Humanæ vitae. “Does the encyclical give evidence of an understanding of the complex of conscious and unconscious psychological factors operative in the total experience of marriage?” was one such question,

216 O’Toole, The Faithful, 242. See also McGreevy, Catholicism and American Freedom, 245-246. McGreevy notes that the Jesuit moralist John C. Ford feared that a change in Church teaching would undermine Church authority. Ironically “reaffirming Catholic opposition to contraception had had exactly the diminishing effect on papal teaching authority that Ford had anticipated would follow from permitting contraception.” 217 Tentler, Catholics and Contraception, 3.
implying that the encyclical was limited in its understanding of marriage. Another, drawing on the now popular notion of conscience, asked “Does the history of the encyclical’s development and promulgation conflict with the Church’s teaching that responsible human beings must develop a mature conscience?”218 As Gillespie notes, the ACPA statement was a sign of widespread public dissent and private disobedience of the birth-control ban: “A critical consciousness toward the church and its authority soon emerged.”219

Along with the sense of moral autonomy, and seemingly related to dissatisfaction with *Humanae vitae*, came a decline in the sacrament of confession.220 Some Catholics stopped going to confession since they intended to continue their use of contraception; for some it was avoidance, and for others a confirmation of how the ritual of confession made little sense in the context of their lives.221 Others merely stopped mentioning contraception in the confessional as Catholics’ views on sexual matters became more similar to others in the U.S. Still others turned to guidance elsewhere, as Gillespie notes, “Rather than confessing an action that church authorities believed to be sinful, but they did not, many chose not to go to confession at all. Instead, they chose to see a counselor or therapist.”222

In general, Catholics encountered a lack of clerical instruction on sexual matters during this time period, and, because Paul VI had spoken against birth control so completely, there was no room for a discussion on a moral use of contraceptives in limiting family size.223 For the pope, it was regarded as a sin – an act contrary to eternal law – and for much of the Church in

220 O’Toole, Tentler, and Gillespie all see the contraception issue as an important cause for the decline of confession.
221 O’Toole, “In the Court of Conscience,” 179.
222 Gillespie, *Psychology and American Catholicism*, 100.
223 For additional perspective on this, see Avery Dulles, “*Humanae vitae* and the Crisis of Dissent,” *Origins* (April 22, 1993): 774-77.
America, it was not recognized as a sin. In a sense the challenge to the Catholic moral code was a disagreement that undermined Church authority, leaving the Church voiceless on matters of sexual morality and leading Steinfels to describe it as “missing in action” on this topic for over thirty years.\(^{224}\) This debate in defining sexual sin weakened the concept of sin itself. A sin that had once been concrete and tangible now seemed theologically ungrounded and abstract, the subject of debate and ultimately a morally neutral decision of one’s own self-legislating conscience, appropriate to one’s situation rather than accountable to some abstract eternal law expressed concretely in a myriad of official magisterial impossible-to-follow rules. Assuming the Church was wrong in regard to this “sin,” how useful was it to examine one’s conscience for other such offenses delineated by the Church as contrary to eternal law?

**From Obedience to Freedom: The Contagion of Liberty and the Vatican II Generation**

Particularly when considering the influence of the Second Vatican Council in causing change in U.S. Catholicism, it is crucial to recognize the context in which implementations were received, not only demographically, but generationally. It was not simply the spirit of the council, but also the timing of the council; Steinfels observes that the council ended “just as the most radical part of the 1960s was beginning.”\(^{225}\) The context in which the council was conducted was different from the context in which the council was implemented. This Catholic assimilation was also an immersion in a particular climate, specifically for educated youth and young adults, who were beginning to challenge various established authorities. In a culture of criticism, the Church and its long-standing beliefs would not be immune.

Writing in regard to the sacrament of confession, O’Toole notes that “The decline among particular segments of the Catholic population was especially steep, and college-age


\(^{225}\) Ibid., 37.
young adults seem to have led the way.\textsuperscript{226} By pointing to the generational differences, O’Toole’s comment provides an insight regarding the change in the concept of sin. College-age young Catholics began to see themselves as independent and religiously autonomous in a way that their parents had not been.\textsuperscript{227} When it came to confession, these new Catholics were not as likely to want to submit themselves to the judgments of priest-confessors but rather had confidence in their own ability to make moral decisions and to discern morality for themselves rather than rely upon the hierarchy’s interpretation of eternal law.

The older generation of Catholics – those who had made the flight to the suburbs, hoping to give their children a better life free from the worries of the city – brought their Catholic subculture with them, inasmuch as it was embodied by them because of their solid Catholic upbringing that for some had included parochial education as well as numerous religious practices, such as saying the Rosary and attending Sunday Mass. The post-Vatican II, post-dissolution Catholic children, however, were raised in the midst of religious pluralism at a time when the Church was undergoing reform, experienced dramatically in the liturgical changes, and often times profoundly in catechetical changes as well. They were less likely to have memorized Church doctrines, were more likely to ask questions than their parents had been, and they were more likely to be disappointed in the plausibility of the answers. The credibility of authority had been seriously undermined by this time, and so instead of banking on established tradition, these post-Vatican II Catholics sought to come to their own conclusions.

This attitude is similar to what Philip Gleason names “the contagion of liberty.” Writing in regard to Catholic higher education, Gleason describes the phenomenon wherein Catholic intellectuals were captivated by the idea of freedom. The concept of freedom meshed well with the growing emphasis on individual subjectivity and was “the polar opposite of rigidity,\textsuperscript{226}

\textsuperscript{226} O’Toole, “In the Court of Conscience,” 170.
\textsuperscript{227} Ibid., 173.
formalism, and authoritarianism that had become so distasteful to American Catholic intellectuals.\textsuperscript{228}

In the United States, the government came under fire in regard to both civil rights and the antiwar movement. To some degree both a confrontational tone and confrontational techniques were transferred to internal Church debates, such as those over contraception.\textsuperscript{229} Hence Greeley identifies the postconciliar movements in the U.S. as a “revolution within Catholicism,” wherein lower clergy and laity created their own reform that swept away the Catholic “rules” that no longer made sense to them.\textsuperscript{230} Peter Steinfels further supports this when he notes that many people took the “spirit of the Council” as an opportunity to challenge all established practices and teachings of the Church.\textsuperscript{231} Carey notes that the council had opened up the Church to reform and criticism, and following the close of the council, very little in the Church’s tradition was free from criticism or questions. Church conflicts reflected and were exacerbated by the American cultural revolution that protested against institutions. There was no presumption on the side of tradition and the Church.\textsuperscript{232}

In particular, it was the Vatican II generation that both challenged the authority of the Church and questioned the teaching that had long been accepted. These Catholics were not likely to be swayed by a natural law argument against contraception, nor were they likely to choose confession over pop psychology as a solution for any feelings of guilt they might have had. They were educated and inquisitive, ready to fight against what they viewed as injustice, including injustice that they detected within the Church. O’Toole’s description of Patty Crowley,\textsuperscript{228} Philip Gleason, \textit{Contending With Modernity: Catholic Higher Education in the Twentieth Century} (Oxford: Oxford University Press, 1995), 306.\textsuperscript{229} Steinfels, \textit{A People Adrift}, 38.\textsuperscript{230} Andrew Greeley, \textit{The Catholic Revolution: New Wine, Old Wineskins, and the Second Vatican Council} (Berkeley: University of California Press, 2004), 2 and 8.\textsuperscript{231} Steinfels, \textit{A People Adrift}, 32.\textsuperscript{232} Carey, \textit{Catholics in America}, 123.
a founder of the Christian Family Movement and a member of the papal commission on birth control, is illustrative. Describing one meeting of the commission, O’Toole writes:

During the deliberations, one incident encapsulated all the changes that had come to the church with the Second Vatican Council. Father Marcelino Zalba, a formidable Spanish Jesuit, was insisting one day that the church’s policy simply could not be changed. To do so would call into question the validity of the earlier teaching and thereby undermine all church authority. If the condemnation of artificial contraception had been wrong, he asked, “what, then, with the millions we have sent to hell” for disobeying it? Buoyed by confidence in the new understanding of the church and her role in it, Patty Crowley blurted out: “Father Zalba, do you really believe God has carried out all your orders?” It was apparent in that one moment how much had changed. Fifty years earlier—perhaps even five years earlier—a lay woman would not have dared to speak to a priest in that way. That Patty Crowley felt capable of doing so was a measure of what it was like to be an American Catholic in the church of Vatican II.233

Zalba’s comment indicates the greater context for the problems in understanding the Church’s authority; too often moral theologians had simply appealed to authority itself as an explanation, rather than seeking the explanation behind the authority’s position. Such an appeal now appeared dissatisfying and distasteful, if not also theologically problematic to post-Vatican II Catholics such as Patty Crowley.

O’Toole sees the “People of God” language as indicative of the change in sentiments for Catholics of this time period. This democratically-interpreted phrase, added to the “universal call to holiness,” contributed to the laity’s growing sense that they were equally part of the Church as clerics and that they had responsibility for their faith and their Church.234 The laity were not second-class citizens in the people of God, but rather were called to participate more visibly; hence the emphasis was on “universal” rather than “holiness.” There was a sense of newfound freedom in this perspective. To some degree, this contagion of liberty or exaltation of freedom echoed the trends in pop psychology as expressed by Harris in *I’M OK—YOU’RE OK*. In particular, there was again a turn to the language of maturity. O’Toole states that the laity’s

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233 O’Toole, *The Faithful*, 201.

234 *Lumen Gentium*, Chs. II and V, respectively; see O’Toole’s discussion, *The Faithful*, 198, 200.
confidence in their intelligence was a widely held sentiment, “one that was often described as a passage from childhood to adulthood.” Catholics no longer had to attend church out of obligation or to feel good, which were seen as childish motives. Instead, these mature, adult Catholics could appreciate the “real reasons for going to Mass.”

O’Toole notes that priests often reinforced this view that mature and thinking Catholics were now being acknowledged by the Church. The laity had grown up, moving beyond the religious world of their parents and grandparents, and hence they rightfully expected a degree of freedom and autonomy unknown to these previous generations of Catholics. Writing in America in 1967, one college teacher of pastoral theology corroborated the importance of encouraging freedom rather than imposing external morality. He suggested that the most important thing was not keeping college students from doing or saying bad things, nor helping them to do and say good things, but rather, “The most important thing on a college campus is that people be helped to grow in freedom, in inner freedom, to get the confidence and zest and strength to determine themselves and their lives, to make themselves at the core and, working organically outward, make their lives.”

To many, this change was regarded as a move from fear to love, from obedience and obligation to freedom and responsibility, with the latter motivated by true charity and free will rather than the dread of hell that found a place of importance in an overdetermined Catholicism. The pre-Vatican II Catholicism in the U.S. was overdetermined in the sense of having multiple causes contributing to the Catholic subculture, and this overdetermination made it seem too rigid and hence limiting of flexibility and freedom. The subculture reinforced such a Catholicism and made its continuance possible while there was a stasis, wherein the subculture’s strength was equal to the outside cultural and societal American forces. The

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upward mobility of many Catholics, including a geographical transition away from insulated Catholic communities, destabilized the assumptions and presumptions granted to Catholicism. Along with their compatriots, Catholics were captivated by the idea of freedom and applied such sentiments to the Church and in particular, their understanding of their role as laity within the Church. Crucial to this sense of independence was the notion of conscience as a self-legislating faculty providing moral guidance, in contrast with the law of the Church that was expressed chiefly in manuals and practiced primarily in the confessional.

Like many other beliefs taken for granted in the overdetermined Catholicism of the ghetto, the concept of sin as a thought, word, deed, or omission contrary to eternal law was no longer given a place of importance in the Catholic understanding of how the world worked. Though there was a general sort of decline in the concept of sin in the United States, perhaps among Catholics inadvertently facilitated by the open and positive language of Vatican II that contained no anathemas, it was particularly amidst the younger generation that the concrete notion of sin – long reinforced by various practices such as the examination of conscience to identify and name sin, the sacrament of confession to remove the sins so named, and practices of penance to reinforce the importance of the penitential element of Christian life – became an elusive, empty, and even forgotten concept.

**Conclusion**

The first chapter of this dissertation gave a brief account of sin and penance in the history of the Church and also explained penance as a virtue as described by Thomas. The traditional Thomistic understanding is of sin as a disordered human act, a thought, word, or deed that is contrary to eternal law. Moreover, sin has effects, and causes a rupture or injustice in the person’s relationship with God; sin is furthermore regarded as remote matter to be removed in the sacrament of penance. This depiction is helpful in illustrating the change in the
conception of sin that occurred in the United States from the 1950s to the 1970s. In the earlier half of the century, Catholics memorized the Baltimore Catechism’s Augustinian-Thomistic definition of actual sin as a thought, word, deed or omission contrary to eternal law, and they trusted in the list of sins the Church had named on the basis of its understanding of eternal law. Actual, personal sins needed to be addressed in the confessional; they were real and had detrimental effects. However, the concept of sin as a reality became more uncertain and the Church’s authority in delineating sins became less compelling throughout the 1960s because of multiple changes in the world of U.S. Catholics.

The dissolution of the Catholic subculture stands as a primary contributing factor, and with it the acceptance of counseling and psychology, the changes in sexual morality and revisions to the conventional list of sins, and the new generation of Catholics raised post-dissolution of the subculture and in the midst and after Vatican II. All of these challenged the hegemony of the confessional as the primary location for naming actions as sins and addressing them in relation to God and the Church.

In exploring the change in the concept of sin, this chapter has focused primarily on the laity and the various factors that contributed to their understanding of sin. One other avenue that ought to be explored is the debates in moral theology on the topic of sin during this time period. Such discussion took place primarily among priests and was located chiefly in the seminary, since this was prior to the prevalence of academic theology in a university setting for the laity. But while there was a degree of disconnect between priests and the laity during this time period, nonetheless, priests also lived through these same events and trends, and that is often reflected in their theological work. Moreover, the confessional exchange influenced both the penitent and the confessor. In other words, Catholic conceptions of sin and the particular lists of sins were affected by this interchange. With that in mind, the next chapter considers the
concept of sin during this time period with regard to the academic debates among such prominent theologians as the Redemptorist Bernard Häring and the Jesuits John Ford and Gerald Kelly.
The last chapter discussed the change in the conception of sin from 1955-1975, particularly at the popular level, among lay Catholics. Sin had once been an important part of Catholic reality, evidenced by the long lists of sins and emphasis on distinguishing mortal from venial sins in one’s own life. Catholics memorized the Baltimore Catechism’s definition of actual sin based upon the Augustinian-Thomistic formula of sin as a thought, word, deed, or omission contrary to eternal law. Practices such as examinations of conscience, frequent use of the sacrament of penance, and other acts such as Friday meat abstinence and Lenten fasting reinforced this strong sense of sin and the need to address it through penance. As the 1960s progressed, however, sin became a concept that was elusive and lacking in meaning; perhaps there was a general sense that people sinned, but the list of those sins and the laity’s inclination to identify personal actual sin diminished. This chapter argues that a similar change in the conception of sin took place among many Catholic academics – mostly priest-teachers at seminaries – during this time period. As was the case at the popular level discussed in the last chapter, priest academics were affected by the acceptance of psychology and counseling, the debates about sexual morality, and the “contagion of liberty,” as Philip Gleason names it.

In academic moral theology of the 1950s through the 1970s there was a newfound emphasis on certain concepts that facilitated the move toward a more general notion of sin, in
contrast to the more specific and detailed account of sin as a thought, word, deed, or omission contrary to eternal law, wherein actual sins would be addressed in the sacrament of penance.

Concepts such as freedom, fidelity, conscience, liberation, creativity, etc. were all needed and valuable correctives to the manualist-based morality, which tended toward minimalism and legalism in its lists of sins and emphasis on distinguishing between mortal and venial sins. Unfortunately, however, the concepts of freedom, fidelity, conscience, liberation, and creativity often had little practical instantiation, aside from one usage common in the late 1960s into the 1970s: those who favored these concepts employed them to dispute the moral reasoning and moral positions of the manual-based moral system and hence to challenge the authority represented by the Church’s magisterium, which manualists regarded as crucial for moral theology.

Underpinning the move away from a manual-based morality wherein the person sought to recognize, confess, and avoid sin was an emphasis on meaningfulness and interior disposition. The focus on intention and sins in thoughts as well as deed had a long history; Peter Abelard, for example, argued that action itself, apart from intention, did not necessarily damage or benefit anyone.\footnote{John Marenbon and Giovanni Orlandi, eds., “Introduction,” from Peter Abelard, \textit{Collationes} (New York: Oxford University Press, 2003 [2001]), lxxxii.} The focus on interior disposition was used to undercut earlier teachings on obedience and obligation to the external rules of the Church, and in the U.S. of the 1960s this view was persuasive to many Catholics, both clergy and lay. Rather than seeing obedience to the Church’s rules as an external manifestation of the interior disposition, it tended to view obedience to these laws as preventing the proper interior disposition by causing undue concern with the law. This chapter focuses upon the debates in moral theology surrounding the terms freedom, responsibility, obedience and obligation, recognizing that the alterations in the language of morality set the stage for the bishops’ interpretation of \textit{Paenitemini}, as well as the
laity’s reception of the NCCB letter that changed the rules of penance and fasting in the U.S., all of which will be discussed in the fifth chapter.

This chapter will begin by discussing the decline of neo-scholasticism and confession-based manuals, with particular regard to how Vatican II seemed to accelerate this decline. After this general consideration, the chapter turns more specifically to authors of the time who represent the traditional stronghold in comparison with those who challenged the status quo and changed the focus of moral theology. The Jesuit priest team of John C. Ford (1902-1989) and Gerald Kelly (1902-1964) stands as an example of the last great American neoscholastics in moral theology, and the German Redemptorist priest Bernard Häring (1912-1998) signifies the dissatisfaction with the minimalism and legalism inherent in such a neo-scholastic manual-based system, as well as the turn to other resources for understanding and describing morality. By exploring Häring’s use of the terms obedience, obligation, responsibility and freedom, in contrast to Ford and Kelly’s usage, we see Häring’s dissatisfaction with Catholicism as it was practiced and can understand why he turned to more Nominalist and Kantian notions of freedom and responsibility. Häring hoped both for greater moral meaning and greater sanctity for the Catholic faithful, rooted in a sincere interior orientation toward God.

The chapter will conclude by returning once again to changes in the concept of sin, noting that Häring’s usage of the concepts of freedom and responsibility minimized the role played by obedience to authority, or at least located that obedience elsewhere in some abstract universal norm. This change relativized the “eternal law” aspect of the Augustinian—Thomistic definition of sin by challenging the Church’s authority to interpret that law, and hence Häring’s emphasis on freedom and responsibility allowed for a revision in the list of sins. Obedience and obligation to Church laws were not upheld by Häring as habits that could serve as virtues aiding the person to her supernatural end of beatitude. Rather, obedience and obligation engendered
unthinking routine and hence became externally imposed constrictions to freedom, which was
here understood as the choosing between contraries. Meanwhile, the turn to “new values,” as
they are named by James Keenan, and the concern with social sin further undermined
traditional practices such as the examination of conscience and the sacrament of penance.238

Dissolution of Neo-Scholasticism

The last chapter described the dissolution of the Catholic subculture and the move of
many urban Catholics to a more suburban, religiously pluralistic setting. Catholic moral theology
can analogously be described as abandoning a Catholic ghetto, one that had been rooted in
seminaries and based on the presumption of the sacrament of penance as the primary location
of moral theology based in Thomism. The formation of confessors had been a chief occupation
of moral theology, and there was a degree of uniformity of method in this education, even if
there was a diversity of opinion in identifying sin and occasions of sin. Neo-scholastic priests
trained with manuals were initiated into a casuistry that was a sort of case law, a practical
application of objective rules to be used in order to respond to penitents and to exhort the
faithful to avoid sin and make satisfaction for the sins they acknowledged they committed. As
Catholic laity were becoming immersed in religious pluralism in the suburbs, Catholic moral
theology in the United States was undergoing a transition to the university, where that field
stood as one among many sciences, as opposed to its previous standing as the cornerstone of its
own independent world.239

238 James F. Keenan, A History of Catholic Moral Theology in the Twentieth Century: From
Confessing Sins to Liberating Consciences (New York: Continuum, 2010), 115-118. Chapter 5 on Häring
discusses these “new values.”

239 Charles Curran suggests that there was no “academic” moral theology before the 1960s. He
states that Catholics who taught theology were opposed to research and mostly priests and professed
religious. Academic freedom, professional societies, increased numbers of advanced degrees in theology,
more doctorate programs, more publishing, and the diversity and complexity of moral theology in the late
1960s indicate the onset of “academic” moral theology. Charles Curran, Catholic Moral Theology in the
Curran’s claim, saying that there was no “academic” moral theology prior to this move to the university.
Those Thomists that looked suspiciously upon modern philosophy had found support for their position in Leo XIII’s 1879 *Aeterni Patris*, which had revived the study of Thomism.\textsuperscript{240} In the first half of the twentieth century, Thomism enjoyed a certain popularity among Catholics in the U.S., as Philip Gleason explains: “Indeed, it came to be regarded as axiomatic by educated Americans that Thomism provided a rational justification for religious faith, supplied the principles for applying faith to personal and social life, and thus constituted their basic resource in the campaign to reorder society and culture in accordance with the Christian vision.”\textsuperscript{241} Gleason credits the uniformity of Thomistic teaching at seminaries and colleges for this popularity, and he attributes the decline of Thomism in the middle decades of the century to the disagreements among schools of Thomism.\textsuperscript{242} Nonetheless, this neo-scholastic Thomism reigned among Catholics in the U.S. and abroad prior to Vatican II.

Manualism was a particular expression of neo-scholasticism, one which focused upon the legal aspect of morality, as conveyed in the sacrament of confession. Though the historical origins of manualism are no doubt complex, Servais Pinckaers traces the legalistic tendency to William of Ockham in the 14\textsuperscript{th} century and the nominalist school, which understood freedom as “freedom of indifference,” that is, the freedom to choose between contraries.\textsuperscript{243} The manuals that followed Ockham’s critique of Thomas omitted the discussion of the happiness and the final end of beatitude and focused instead upon law and obligation; this truncated version of Thomas

\textsuperscript{242} Ibid., 116.
failed to communicate the main point that virtue-based morality aimed towards the person’s happiness and final end in God. Pinckaers notes that despite their weaknesses, these manuals, which were dominant up to the first half of the 20th century, fulfilled the role assigned to them of educating priests and laity on essentials of Catholic morality.\textsuperscript{244} During the Thomistic revival, when scholars rediscovered the importance of beatitude and the supernatural end in Thomas’s work, there was an attempt to reinsert the importance of the final end. A dearth remained, however, when it came to discussing happiness in relation to morality. In other words, when Thomas was systematized by the manualists with an eye to identifying sin and assigning penance, this was to the detriment of the whole of Thomistic teaching. This systematization removed the concepts of sin and penance from the larger context of morality wherein happiness, virtue, grace and heaven were crucial.

Priests had been educated primarily as Thomists with a neo-scholastic outlook. Dissatisfaction with the narrowness of that training, as well as with the legalism inherent to the manual system, led them to find other ways to relate their Thomistic training to theology, as well as to make this neo-scholasticism more pastoral for the contemporary situation. The rise of Transcendental Thomism provides one example of a response to the dissatisfaction with neo-scholastic training.\textsuperscript{245} The tone of Vatican II, paradigmatically expressed in \textit{Gaudium et Spes}, was one of openness to the world. Bolstered by Vatican II’s apparent openness to the world, priest-theologians sought to break free from the monolithic and constricting education they had undergone, similar to the way that Catholic laity in the pluralistic suburbs sometimes sought to break free of the traditional Catholicism in which they and their parents had been raised. Priest-

\textsuperscript{244} Ibid., 279.

\textsuperscript{245} Romanus Cessario explains that Rahner’s Transcendental Thomism was an eclectic selection of Thomas that assumes that Kant’s critical turn rendered obsolete Aquinas’ use of Aristotle. See Romanus Cessario, O.P., \textit{A Short History of Thomism} (Washington, D.C.: Catholic University of America Press, 2003), 88.
theologians found the manualist system inadequate to address many of the problems in the modern world and wanted something more personal, practical, and pastoral. Meanwhile, those who adhered to casuistry found themselves abruptly out of work in the years following the Council.  

Pinckaers notes that openness to the modern world following Vatican II resulted in “an allergy to traditional positions” among moral theologians. While fighting against concepts like obedience and natural law, moral theologians simultaneously, and often uncritically, welcomed modern thought in areas of philosophy, psychology, sociology and history, subjecting everything to reexamination in light of Hegel, Freud, Marx, and Nietzsche. Pinckaers notes three characteristics of what he identifies as this “Secular Christianity”: 1. radical openness to the world, with primacy given to love of neighbor over love of God; 2. the critical spirit, particularly in the criticism of the Church’s authority; 3. reinterpretations in light of human values, which defend pluralism and emphasize human values at the expense of traditional Christian values.

These characteristics are useful as context for this chapter as we consider several major theologians of the period. While Gerald Kelly did not live post-Vatican II, John Ford’s negative reception, particularly following the release of *Humanae Vitae* (1968) and, by contrast, Bernard Häring’s popularity with moral theologians at that same time make sense in a theological world that took a perspective such as that described above by Pinckaers. Like the firmly entrenched cultural Catholicism then undergoing a transformation in the midst of pluralism, the Catholic neo-scholasticism associated with manualism was reexamined and found wanting. While a few,

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like Ford, remained loyal to traditional teachings, the authority of the papacy, and the privileged
locus of the confessional, most, like Häring, sought other ways to think about morality, and
Häring’s approach was compelling for secular Christians as described by Pinckaers. In the midst
of such a transition, the denigration of manualism and casuistry led to the concept of sin
becoming detached from the sacrament of confession. Words like obedience and obligation
were associated with the neo-scholastic and manualist outlook; to many they implied a
judgmental legalism and an unthinking faith of the past. Words such as freedom and
responsibility, meanwhile, became the touchstones of a morality that turned away from the
restrictive legalism of the past in an attempt to bring greater meaning to Catholic life and
morality.

The Last Stand of the Old School: John C. Ford, S.J. and Gerald Kelly, S.J.

In his book A History of Catholic Moral Theology in the Twentieth Century, James Keenan
identifies Jesuits John Ford (1902-89) and Gerald Kelly (1902-64) as neo-manualists, the classicist
resistance to the advent of historical-mindedness in moral theology. Keenan makes the ultimate
failure of this resistance palpable: while Kelly did not live to see the end of Vatican II, Ford’s
support of Humanae Vitae led to the boycott of his classes and his resignation from the Weston
School of Theology. And yet despite the criticism toward the end of their careers, John
McGreevy suggests that these two “should be ranked among the period’s most influential
American intellectuals, with a reach extending from the confessional to Catholic hospitals,
bishops, theological journals, and even the Vatican itself.”

Both Ford and Kelly entered the Society of Jesus after graduating from Jesuit high
schools, and they met in Rome while studying at the Gregorian University. Following this

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249 Keenan, History of Catholic Moral Theology, 115-118. Chapter 5 is on Häring, and Ford and
Kelly are a section of Chapter 6.
250 McGreevy, Catholicism and American Freedom, 217.
education, both became seminary instructors of moral theology; Kelly taught at St. Mary’s in Kansas and Ford spent most of his career in Weston, Massachusetts.\textsuperscript{251} As individuals, Kelly came to be regarded as the father of medical ethics because of his work on life support, while Ford became well known because of his essay against obliteration bombing, which he wrote in the midst of World War II.\textsuperscript{252} Ford and Kelly, often working as a team, were also known as the editors of the moral theology section of the journal \textit{Theological Studies}. In this role from 1941-1954, they annually authored the comprehensive surveys of their field in a section called “Notes on Moral Theology.”

With an eye to a multi-volume series, Ford and Kelly published their first volume of \textit{Contemporary Moral Theology}, subtitled \textit{Questions in Fundamental Moral Theology}. Here they reorganized, synthesized, and expanded upon their work that had appeared in the \textit{Theological Studies} notes section. The result is a worthwhile survey addressing contemporary topics in accessible prose. Originally published in 1958, the book was unique at a time when manuals were still popular. Ford and Kelly’s text goes far beyond the manualist format, almost as if anticipating Pinckaers’s criticism of that form. From the first pages, these Jesuits established the supernatural aspect of moral theology, stating that ethics was the science of morality based on reason, whereas moral theology included ethics but went beyond it by “studying man in the supernatural order, possessed of a supernatural destiny.”\textsuperscript{253} Despite being inheritors of the casuist system, Ford and Kelly described a sort of freedom for gaining virtue and the final end of beatitude, dependent especially upon the guide of authority, which for them was synonymous with the Church as an interpreter of revelation. And perhaps it is this last point that gained for

\textsuperscript{251} Ibid., 216.
\textsuperscript{252} Keenan, \textit{History of Catholic Moral Theology}, 117.
Contemporary Moral Theology a reputation of being the outdated, old style of legalistic and minimalistic Catholic morality.

Ford and Kelly’s series never proceeded beyond the second volume, subtitled Marriage Questions, because Kelly suffered a fatal heart attack in the same year of this volume’s publication. Moreover, the rapid changes in moral theology during the time period meant that their work was no longer as highly regarded as it had been in the 50s, as a review by the young layman Daniel Callahan indicated. In Commonweal, Callahan described the authors as “years behind the [theological] revolution now in progress.” The subsequent rejection of Ford by his students at Weston was further evidence that Ford and Kelly’s reprise of manualism was no more popular than manualism itself.

For their part, Ford and Kelly were aware of the dissatisfaction that many had with the status quo of contemporary moral theology; to some extent they shared in the criticism. In the decades preceding the Second Vatican Council, changes in moral theology were becoming evident; for example, the publication and use of confession manuals that had long guided confessors were on the decline. In their first volume of Contemporary Moral Theology, the authors noted that, “A feeling of uneasiness about moral theology has been in the air for some years. It is a feeling which cannot be brushed aside as mere murmuring by malcontents.” In Chapters 4 and 5, entitled “Modern Criticisms of Moral Theology” and “New Approaches to Moral Theology,” respectively, Ford and Kelly surveyed critics of Catholic moral theology, and they noted in particular the widespread discontent with a manualist tradition that appeared to be legalistic and minimalistic and not sufficiently focused on the virtue of charity.

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255 Ford and Kelly, Contemporary Moral Theology, 42.
256 Ibid., 42-43, 60.
Ford and Kelly saw the criticism as justified, particularly in regard to the neglect of charity. But they also worried that Catholic morality represented by the manuals was being replaced by a morality based too much on the subjective judgment of the faithful, at the expense of the law and universal principles. After an exposition of Louvain’s Jacques Leclercq, Ford and Kelly noted the “dangers of a personalistic morality which rejects traditional norms as being too abstract to be adapted to the exigencies of the concrete man,” and they observed that this tendency turned away from casuistry in favor of situation ethics. 257 The authors stated that modern criticisms of Catholic moral theology should be welcome; there certainly was a need for a change in emphasis, as well as a more positive approach to the moral life. At the same time, however, Ford and Kelly insisted that, “the welcome we extend to critics should itself be a critical one.” 258

At the heart of their defense of objective morality, casuistry, and the manuals was the sense that moral theology, whether cases studied at the seminary or cases heard in the confessional, was about sin and salvation and hence was practical; moral theology dealt with applying moral laws to possible and actual specific situations. Salvation was not something elusive, but rather it was attainable for the person who sought to do God’s will. In contrasting moral theology with ethics, then, Ford and Kelly emphasized that moral theology “studies man in the supernatural order, possessed of a supernatural destiny,” which is based on revelation and the teaching of the Church. 259 The reason for hope in a supernatural destiny also provided a motivation to study laws and moral principles; these laws and principles were an aid for those seeking to do God’s will and attain salvation. Moreover, the laws and principles were not simply abstract ideas but rather were embodied concretely in the everyday life of believers. Priests

257 Ibid., 58-59.
258 Ibid., 80.
259 Ibid., 3.
communicated these laws in practical terms from the pulpit, and the ministry of the
confessional was a particularly important place to explain the moral principles pastorally. Hence
Ford noted in an exam for his Jesuit seminarians that he did not want to test “abstract
knowledge,” but rather he wanted to gauge “the student’s ability to apply correctly and
prudently to concrete human situations the law and the moral principles and concepts he has
studied for two years.” This important skill enabled priests in their ministry of judging and
healing; they assisted the faithful in identifying their sins, assigned appropriate penances, gave
counsel, and granted absolution. Thus the confessor played an important role in guiding the laity
toward their supernatural destiny.

One of Ford and Kelly’s chief concerns with the new trends in moral theology was the
damage to a healthy understanding of obligation that could be caused by an emphasis on love.
Ford and Kelly noted modern critics’ impatience with “obligationism,” stating: “People can speak
beautifully of the law of love casting out fear. But sometimes it leaves one with the uneasy
feeling that they are casting out the restraints of objective morality along with the fear.” Ford
and Kelly acknowledged that this turn to “love” was to some degree motivated by the problem
of “private teachers,” lay and cleric, who constantly belabored various obligations of the faithful
by enumerating a multitude of actions they classify as mortal sins. In the face of seemingly
impossible moral standards, it was easier for the moralist to invoke an abstract law of love in
order to trump specific objective moral guidelines.

Ford and Kelly recognized that some moral theologians saw an outright incompatibility
of the ethics of love and the ethics of obligation, with a priority to be given to the supposed

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Audieindas Confessiones” [1950s], Audiencias Confessiones, 1940-1962 file, box 18 from the John C. Ford
Papers at the College of the Holy Cross.
262 Ibid., 88-89.
ethics of love.⁶⁶³ The dissatisfaction with obligationism could become dissatisfaction with obligation, irritation with legalism could become irritation with law, and fondness for the concrete, personally creative and subjectively satisfying could tend toward a belittling of the abstract, universal and objective values of morality applied to specific cases.⁶⁶⁴ In particular, it seemed to them that critics of obligationism contended that sanctity only began where obligation ends: “One would think that obedience to the obligations of the law of God is somehow incompatible with generosity, liberty, joy, and the flowering of one’s spiritual personality.” Perhaps thinking of the concept of “blind obedience,” Ford and Kelly noted that some Catholic authors, “speak as if obedience were somehow an irrational abdication of the self, as if authority were somehow the enemy of one’s personal liberty and perfection.”⁶⁶⁵ Ford and Kelly thought this was an unfair depiction of obedience as lived by many of the faithful. For them, obedience and obligation to the established moral norms facilitated freedom, rather than restricting it, as seemed to be implied by those who protested the legalism of the Church. The Sunday Mass obligation, for example, was a moral norm aimed at facilitating freedom for those who obeyed this command of God.

Ford and Kelly also detected a “Quietistic distortion.” They observed that the criticism of obligation devalued particular actions and obligations in favor of a general orientation of “love,” wherein the person was not responsible for particular deviations from the law.⁶⁶⁶ In contrast, the authors emphasized that the concept of freedom in no way contradicted obedience to an obligation. As a particular example, Ford and Kelly considered the example mentioned above concerning whether it would be better to attend Sunday Mass “freely,” that is, without obligation, than to attend because the law imposes a grave obligation to do so. They answered

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⁶⁶³ Ibid., 40.
⁶⁶⁴ Ibid., 102-103.
⁶⁶⁵ Ibid., 92.
⁶⁶⁶ Ibid., 90.
that of course it is better to do something by choice (a voluntary action) rather than by coercion, but, nonetheless, “there is no absolute value or special spiritual merit in choosing to do a good thing precisely because one is not morally forced, that is, not morally obliged, to do it.”

The authors noted that when one fulfills a moral obligation in observation of God’s law, he is free to do the opposite. But this free choice, made with God’s help, is the means of perfection. Here Ford and Kelly distinguished between obligatory works and supererogatory works, which go beyond the call of duty. At times, the person may have to choose between the obligatory and the supererogatory, but the obligatory work is not less valuable to God merely because it is obligatory. In fact, to make a free choice to perform the obligatory might be more perfect than an act of supererogation. Consider as an analogy a student who fails to attend class or complete any required assignments but does delve into all the texts listed under “Further Reading” on the syllabus. This student has performed a supererogatory act by going beyond the syllabus, but she has simultaneously failed to meet the course requirements. From the professor’s point of view, it would have been better for her to have attended class and completed the required assignments. The fact of these assignments being obligatory does not detract from their worth. Rather the professor designates them as requirements because they are regarded as being more important for effective learning of the material. In other words, it is these requirements that first facilitate freedom in the knowledge of the subject at hand and the further reading that enriches that knowledge.

Therefore, Ford and Kelly saw it as important to recognize that moral obligation is not a barrier between God and man, but a unique necessity binding God and man and uniting man to his final end of beatitude: “The law of God is our truest good, and conformity to His will is our highest perfection.”

267 Ford and Kelly acknowledged that the perfection of freedom involved

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267 Ibid., 94.
conformity to God’s will, not because, in a Nominalist perspective, God was an exterior will imposing arbitrary regulations on human beings, but rather because conforming to God’s law and will was best for human beings, who had been given a supernatural destiny.

Ford and Kelly had another concern about the devaluing of obedience to obligation, namely, that in the attempt to transcend minimalist, legalistic morality, it left behind the vast majority of Christians who, “will not be spiritual heroes.” While it was obviously important constantly to call Christians to a higher degree of sanctity, moral rigorism could be harmful in its effects. As long as they partook of the sacraments, the faithful need not have “perfect charity” in order to be justified; even with venial sins and imperfections they could stay in the state of grace.268 Hence the obligations imposed on the faithful were important in maintaining a degree of sanctity that was attainable for the majority of the people in the pew and a good starting point for seeking greater perfection. While obviously it was better for the faithful to fulfill obligations out of love than out of fear of punishment, this was a question of motivation.

To act out of grave obligation was not necessarily to act out of fear of punishment, and Ford and Kelly believed that the sense of obligation could keep the faithful on the right track, concerning the supernatural destiny. Additionally, Ford and Kelly believed fear of punishment and love of God did not have to be contradictories.269 Rather, they could and did exist simultaneously, as exemplified by the standard Act of Contrition, which stated it in these words: “Oh my God, I am heartily sorry for having offended Thee, and I detest all my sins because I dread the loss of Heaven, and the pains of Hell, but most of all, because I have offended Thee,

268 Ibid., 82-84
269 Ibid., 95.
my God, Who art all good, and deserving of all my love. 270 Both to dread the loss of Heaven and to regret offending God were important, and not mutually exclusive.

When it came to the concept of responsibility, Ford and Kelly espoused a traditional understanding in which responsibility was synonymous with imputability or culpability. In other words, responsibility was a word to describe a person’s relation to their sins and their willingness to amend for them. Catholic morality, they argued, presupposes recognizable serious responsibility in a large number of acts. 271 The authors’ concept of freedom was closely related to that of responsibility, for it was the extent of a person’s free will that allowed for a designation of culpability for a particular act. In the face of a psychoanalytical attack on freedom proposing diminished responsibility for actions, Ford and Kelly wrote that Catholic moralists must defend the notion that “normal men and women per se have sufficient freedom in the concrete circumstances of daily life to merit great praise or great blame before God.” 272 To these authors, morality as a concept made no sense unless voluntary choice was granted. On the other hand, they acknowledged a complexity wherein there were degrees of freedom, and therefore corresponding degrees of responsibility. And yet, even the acknowledgment of various influences, conscious or unconscious, external or internal, experienced by a sinner did not necessarily denote that the agent had insufficient freedom to be accountable for a mortal sin. 273

Again, we see that, for these authors, responsibility was a word defined in relation to sin and

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271 Ford and Kelly, Contemporary Moral Theology, 183.
272 Ibid., 200.
273 One case study Kelly examined in 1947 is that of a Catholic African-American family that is shunned at each of the nearby white parishes. Kelly rightly criticizes the lack of hospitality of these white parishes and states that those treating the African-Americans in this way are in serious sin. However, despite the difficulty of circumstances, the African-Americans in question are still morally obligated to attend Sunday Mass. Though they may have diminished freedom, they maintain enough freedom that, should they choose not to seek out a more accepting (albeit farther away) parish, they are responsible for the sin of not attending Mass. Gerald Kelly, "Notes on Moral Theology," Theological Studies 8 (1947): 112-14.
was a concept addressed practically in terms of culpability within the context of the sacrament of confession.

The understanding of freedom and responsibility was also reflected in the authors’ understanding of maturity, a notion which was gaining ground in popular currency. Ford and Kelly saw the confessional as the place for growth in maturity. In no sense did maturity liberate one from the law or from the confessional, but rather, it was in seeking the sacrament that the person became mature. Maturity denoted the continual growth in identifying one’s freedom for actions and hence one’s responsibility for one’s sins and the willingness to bear punishment for them. Those who took their sins to the confessional succeeded in acknowledging their responsibility for their sin and grew in freedom as they became more aware of their culpability for sin and more able to avoid sin. Here again, it is possible to identify a notion of freedom tending toward virtue. The ability to avoid sin was an advance in freedom; the *habitus* that was established and strengthened in the confessional was in no way seen as a limit to freedom, but as a step toward seeking freedom through the development of virtue. Though the voluntary nature of action remained crucial, virtue was not a hindrance to freedom, but rather supported the person’s freedom of perfection and conformance to God’s will.

In summary, Ford and Kelly represent the last stand of a Thomistic-based neo-scholastic model of moral theology. Keenan describes their book *Contemporary Moral Theology* as “an example of the classicist’s resistance to the historical-minded model.” These Jesuits were distinguished by their belief in the teaching authority of the Church – in particular as it was represented by the pope – and hence they also emphasized the corresponding notion of obedience to moral obligations set forth by the Church. The call to such obedience did not inhibit freedom, in their opinion, but rather assisted freedom and allowed one to remain in a

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state of charity with God. The notion of freedom furthermore implied responsibility; a person who maintained free choice was also culpable for sins. Each of these terms was related to the understanding of a person’s supernatural end, and the sacrament of confession was instrumental in assisting a person toward that supernatural end. Maturity marked progress in the spiritual life and, again, advancement to the supernatural end; rather than an autonomous will, it denoted obedience to God’s will (set forth by the Church, in many cases) and the perfection of charity in ascribing to God’s law. All of these convictions were expressed concretely as Ford and Kelly tackled moral issues in their “Notes in Moral Theology.” That which might seem to the outsider to be ridiculous, legalistic hair-splitting was in their mind connected to a larger, supernatural picture. The method of case study and the hours spent by priests in the confessional attested to a belief that sins hindered the penitent on the journey of her supernatural destiny. Hence there was a need to remove the sins for the benefit of each person seeking sanctity. Maturity came from identifying and confessing one’s sins and by amending the will so as to sin less; this maturity was associated with growth in freedom and progress toward the supernatural end.

Pinckaers, Cessario, and other critics of a Thomistic inclination might rightly have observed concerning Ford and Kelly that what was lacking from their view of moral theology was a thorough Thomistic concept of virtue. As heirs of the casuist system, Ford and Kelly believed in the value of case studies and the skill that emerged from applying laws to actual situations that might be brought to the confessional. These two prioritized the supernatural end for human beings while also asserting that moral obligations did not detract from spiritual life. They did not, however, describe adherence to moral obligations in terms of strengthening virtue, nor did they emphasize the spiritual value of going beyond the minimum requirements. The resulting emphasis was on solving cases according to rules, rather than on strengthening virtue. Even this
more supernatural casuistic model would not satisfy those who objected to Catholic moral theology being portrayed primarily as a legal system.

Ford and Kelly’s approach could be further criticized as lacking a personal element and emphasis on love that would make the sacrament of confession meaningful for the laity. Their approach failed sufficiently to address the personal and relational dimension of the sacrament because it focused upon moral judgment of the situation, based on the objective moral law. The approach might have been more compelling if it had appealed to the lives of the faithful by conveying the value and meaning of the sacrament of penance and confession-based morality as intrinsic to a relationship with God. As it stood, however, the ultimately quick decline of the manualist system is evidence of the widespread judgment that it was insufficient for addressing the moral problems of the times.

**A New Approach to Morality: Bernard Häring, C.S.s.R.**

Bernard Häring (1912-1998) was a German who joined the Redemptorist community in 1934. Hoping to be a missionary, Häring was disappointed in his assignment to study moral theology, and he did not find his academic study to be beneficial because of the way it was structured at that time, focusing on morality understood primarily in relation to canon law. In his mind, the well-established link between canon law and moral theology only served to reinforce the legalism of moral theology and make it unhelpful for the laity. Nonetheless, Häring persevered at Tübingen, despite a suspension of his studies due to World War II. While teaching at the newly founded Academia Alphonsiana in Rome, he wrote *The Law of Christ* that in 1954 secured his fame as a moral theologian.

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In place of the primacy of obedience and obligation found in moral theology at the time, Häring emphasized the concepts of freedom and responsibility, grounded first and foremost in love, which was the law of Christ on which his book was based. For Häring this change in emphasis was not simply intellectual, but rather grew out of his experience of Germany, and the Church in Germany, during World War II. Häring attested:

Unfortunately I...experienced the most absurd obedience by Christians – God have mercy—toward a criminal regime. And that...radically affected my thinking and acting as a moral theologian. After the war I returned to moral theology with the firm decision to teach it so that its core concept would not be obedience but responsibility, the courage to be responsible. I believe I have remained true to this decision—of course not to the damage to genuine obedience, that is, to an obedience that is responsible and joined to openness and a critical sense.277

Responsibility was, for Häring, a concept that implied much more than culpability or imputability. First and foremost, responsibility denoted the “personal-essential characteristic of religion. This is the relation of dialogue, word and response, in a community....responsibility means that in a community between man and God, man responds to God’s word with the responsibility of his personal decision and action.”278 While not entirely shirking the more usual usage of responsibility, Häring nonetheless insisted that responsibility primarily implies interaction with God, with the ability to remain open to the word of love and respond in love.279 Häring used etymology to explain the word “responsibility,” and hence he defined it just as its word parts suggested: the ability to respond, in this case, to respond to the love of God. One difference between Häring’s understanding of responsibility in contrast to that of Ford and Kelly’s was chronological. For Häring, responsibility was more like a motivation or explanation

279 Ibid., 157.
for acting in a particular way prior to the action, whereas for Ford and Kelly responsibility allowed for an assessment and designation of merit or blame after the action.

Häring’s concept of freedom was closely tied to this concept of responsibility: “The personal autonomy of the Christian is based in his personality and especially in the freedom heightened by grace by virtue of which he is not only irreplaceable and unique, but also personally responsible to the Father in heaven.” Häring saw responsibility and freedom as interdependent, with freedom being an expression of response to God. Human freedom, by virtue of participation in divine freedom, allowed for the person either to accept or reject God’s call. Employing the conventional meaning of responsibility, Häring noted the importance of freedom when he said: “Freedom which makes man responsible for his actions is itself a noble trust committed to man, a tremendous responsibility.”

At this point, it is worth noting that the language of “freedom” and “responsibility” were in vogue as words of the time. In his dissertation, which in 1968 was published as a book, Albert Jonsen explored the theme of responsibility in the works of Karl Barth, Dietrich Bonhoeffer, H. Richard Niebuhr, and Robert Johann, in addition to Häring. By the time of Vatican II, this language of freedom and responsibility was reflected in the council documents, most notably Gaudium et spes. Häring was the coordinating secretary for the editorial committee for Gaudium et spes, and his input in that document becomes apparent when comparing it with his own theological work, particularly the focus on responsibility and freedom. Gaudium et spes employs the word “responsibility” 27 times and the word “freedom” 32 times, in addition to the

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281 Idem, Law of Christ, 49.
282 Ibid., 101.
283 Ibid., 103.
285 Häring, My Witness for the Church, 61.
word “liberty,” which appears ten times. Meanwhile, the word “obedience,” occurs only three times in *Gaudium et spes*, and one of these references bears a negative connotation, as it is part of the phrase “blind obedience.”

With Häring’s assistance, the notion of obedience – so often exalted in the history of the Church – took a backseat to responsibility and freedom, which had risen in popularity in the midst of international power struggles and in the European post-fascist context. The Church in the modern world would not be understood through the traditional language of obedience, which indicated an authoritative (and perhaps authoritarian) leader. Rather, *Gaudium et spes*’s panegyric approach confirmed and even celebrated the modern commitment to responsibility and freedom, both of which evoked interior motivation rather than the imposition of external authority and necessity of obedience. The general negative reaction toward obedience was understandable in the wake of World War II, but it easily tended toward a problematic overreaction that undermined the traditional importance of obedience.

Häring himself did not abandon the concept of obedience, but rather emphasized its essential compatibility with freedom: “Freedom and obedience...are not contradictionary: rather, they require one another and complement one another. Christian freedom lives from its union with obedience in faith. But in the same way obedience proceeds from the virtue of freedom.” He noted that an emphasis on the virtue of freedom should not conflict with the “esteem” for obedience in following Christ; rather obedience seeks and enhances freedom and

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286 *Gaudium et spes*, accessed on March 15, 2010 at www.vatican.va. “Blind Obedience,” is in paragraph 79, under Section 1, “The Avoidance of War.” Even the title of this section indicates that the larger context for concern about blind obedience grew out of post-Nazi and post-fascist European context.

287 The conviction that the language of Vatican II was epideictic or panegyric (in contrast to earlier ecclesiastical councils that favored anathemas and canons) is stated most convincingly by John W. O’Malley in Ch. 2, “Vatican II: Did Anything Happen?”, *Vatican II: Did Anything Happen*, ed. David G. Schultenover (New York: Continuum, 2008), 52-91.

freedom grows out of obedience in faith.\textsuperscript{289} Despite this seemingly affirmative portrayal of freedom, Häring nonetheless generally minimized a positive understanding of obedience in his discussion of that topic. His theology was haunted by the association with unthinking Nazi obedience and the knowledge that Christian obedience was so rarely understood to demand disobedience to injustice. This practicality prevented the notion from securing an important place for Häring.\textsuperscript{290}

Moreover, despite his occasional positive comments about obedience based in the Church’s tradition, Häring’s was a particular understanding of obedience at variance with other moralists of the time, such as Ford and Kelly. The Jesuit team saw the potential of freedom as proceeding from obedience to God’s law expressed by the Church. In other words, to be free was to be obedient to God and hence Church law; freedom resulted from obedience. Häring, meanwhile, was more apt to describe it the opposite way: obedience proceeded from freedom. To be free in this account was to be able to choose to be obedient. To be obedient necessitated a choice between contraries, made after careful consideration and discernment, and this meant that not all obedience was good; freedom did not guarantee a correct decision in favor of obedience. In short, for Ford and Kelly, obedience to the Church was the first step to freedom, but for Häring, freedom came first and enabled one to choose whether or not to be obedient to a particular authority.

Häring’s specific concern was about what he called “blind obedience,” and often his use of the word obedience seemed to imply the adjective, even when it was absent. This blind obedience was, first and foremost, the obedience that Häring ascribed to the German followers of Hitler, but it was also a flawed obedience that he sometimes recognized in the Church,

\textsuperscript{289} Ibid., 57, 65.
\textsuperscript{290} Cahalan, \textit{Formed in the Image of Christ}, 19. Cahalan states that Häring’s concern for blind obedience to both Nazi and Church law convinced Häring “of the need to move moral theology away from legalism and minimalism toward personal freedom and responsibility in relation to God.”
perhaps because Church and government were often entwined in his experience of World War II Germany. In 1967, Häring proclaimed: “That era of Christianity which can be roughly characterized by the narrow vision of the hierarchy and the blind obedience of the faithful—and often the unenlightened faith of both—has come to an end.”\(^{291}\) Published just a year earlier was a book that compiled a series of lectures, entitled *Liberty of the Children of God*. Though these lectures concerned both civil and ecclesiastical authority, Häring did not take pains to distinguish the two or any potential difference in how a Christian might approach these authorities in different manners. Focusing on the problem of blind obedience, rather, Häring explained that,

> Blind obedience is never a Christian obedience. God does not want blind obedience but intelligent obedience, an obedience that sees all things in the light of love. He does not want a forced obedience but rather desires that obedience which flows from one’s free will and personal evaluation of each concrete situation in which he is asked to obey.\(^{292}\)

Whenever he turned to a discussion of obedience as such, Häring was apt to distinguish blind obedience from the true Christian obedience, which he often associated with maturity and the free choice to be obedient. The circumstances of the time also contributed to his view on maturity and obedience: “The responsibility of Christians in the modern democratic state and the increased maturity of the laity so vitally necessary to the Church today force us to re-think the essence of authority and the corresponding question of obedience.”\(^{293}\)

As Häring saw it, this maturity of the laity meant that all obedience must now be a discerning, thoughtful obedience, wherein Christians were willing to criticize if they believed it was necessary. Moreover, Häring seemed to think that laity’s criticism would be necessary. In fact, he suggested that a lack of criticism for authority was not a “true and dignified kind of Christian obedience.” Rather, the one who fails to criticize, whether intentionally or 

\(^{291}\) Häring, *Christian Maturity*, 7.
\(^{293}\) Ibid., 7.
unintentionally, is “actually guilty of foolishness and lust for power.” Häring had found in the Second Vatican Council an affirmation of the laity’s maturity and sanction of their more active participation in the Church. He viewed this, first and foremost, in contrast to that “blind obedience” manifest toward Hitler, but also, secondarily, toward the obligations set forth by ecclesiastical authority, which had lost credibility to some extent through complicity in European fascist regimes.

At the heart of his concern was Häring’s experience of a Catholic morality that tended to be both legalistic and minimalistic, fostering the development of a laity overly focused on a narrow set of rules and on following those rules in order to avoid God’s punishment. Even his training, which explained morality in terms of canon law, was an indicator of the propensity for Catholicism to define behavior in terms of law. The moral theology represented by the manualist tradition reinforced such an attitude because manualists tended to focus on laws of morality and encourage the easiest way to avoid violating those laws, rather than calling Christians to aim higher. A sense of duty toward obligation conceived legalistically was problematic because it failed in recognizing that the ultimate “law of Christ,” is the law of love. Häring’s concern was that the external actions of those operating under “blind obedience,” wherein they adhered to the bare minimum of the moral law, lacked the necessary and more crucial interior disposition of love toward Christ and others. In the Law of Christ, he explained:

Love is the center, the very heart of all religious and moral good....No one denies, of course, that an action can possess a formal ethical correctness without the impulse of love, but the perfection of good in the religious sense can be formed only in the thought and action which are in some measure sustained and ennobled by the divine power of love.”

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294 Ibid., 48. It is possible that by authority here, Häring thought only of civil authority, not ecclesiastical, but this is not clearly specified.
The spirit of morality, therefore, should not revolve around duty as the obligation to perform certain actions. “Mere awareness of duty, set exclusively on the ‘must’ and the ‘must not’ of obligation, is the very antithesis of inner disposition and right intention, which as such are grounded on consciousness of true value.” In other words, Häring worried that the emphasis on obligation would detract from the inner disposition of love. Häring’s thought on this developed such that in 1966 he would write that, “What is imposed is never or seldom loved.”

Crucial to Häring’s understanding of morality was the presence of choice and personal discernment; freedom was to choose between contrary actions. Häring was confident that the truly mature Christian with strong interior life would not simply choose the easiest route in a particular situation, but would make the more valiant decision. Hence the free will acting on the law of love would naturally go above and beyond the obligations imposed by an external authority. In contrast to this was the faithful’s preoccupation with following a multiplicity of laws and obligations imposed on them by the Church, which Häring believed often distracted the faithful from acting out of their inner source of love. Ford and Kelly might have interpreted such an emphasis as granting priority to supererogatory, spontaneous moral actions than to those required by obligation. While Ford and Kelly no doubt regarded the supererogatory actions to be excellent as one strove to perfect one’s spiritual life, they still saw these actions as supererogatory, that is, above and beyond obligation, and hence not in place of obligation or in preference to obligation. Häring could be read as highlighting the intention of

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297 Ibid., 196.
298 Idem, Liberty of the Children of God, 131. There is some evidence that Häring looked to Immanuel Kant during this time period as an alternative explanation to a Thomistic manualist system experienced as external law imposed as obligation on the individual. Häring’s use of the Kantian understanding of freedom as self-legislating empowered the faithful to criticize authority. Chronologically speaking, the first action of the will’s assent was to love, not to obedience. While this love made obedience to an external authority possible, it also made criticism of that external authority possible, as both actions depended on the individual’s autonomous choice between contraries.
love or charitable interior disposition in order to determine the merit of an act, in contrast with the Thomistic notion that human acts take their meaning from their objects.

The differing trajectories of the two convictions can be supposed by considering various responses to the problem of Sunday Mass obligation for the reluctant. Ford and Kelly no doubt recognized that obligations of this kind could be fulfilled in better or worse ways depending upon intention, but they could not be knowingly and purposely omitted without sin. If the person’s Mass attendance resulted from habit or the sense of fulfilling an obligation, one could view this as an opportunity for improvement, for rectifying intention. It would not be a sufficient reason for missing Mass. The person who recognizes that this law facilitates freedom should strive rather to perfect one’s interior disposition, or intention of love in obediently performing this act of obligation; the person would never use an imperfect intention as an excuse from fulfilling an obligation.

Häring, on the other hand, worried that the very law of Sunday Mass attendance caused undue concern as to whether missing Mass was a mortal or venial sin when the real issue at hand was always responding to God’s love, not splitting hairs in identifying sin. One possible trajectory of Häring’s position was to gauge the value of an act based on the person’s perception of response to God’s love without consideration of the law. Going to Mass on Sunday was no more or less important than other acts simply because it was required, and in fact the obsession with fulfilling this duty could detract from a genuine loving response to God. The person might be so worried about getting to Sunday Mass that it becomes a distraction, causing her to fail to examine how her racist attitudes detract from her ability to respond lovingly to God.

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300 This example is mostly speculative, although Häring did comment, as noted later in this chapter, that there is no objective borderline between mortal and venial sin in the case of missing Sunday Mass. I am concerned here more with the trajectory of the two positions than the conclusions they made explicit.
In short, the difference between the two positions here represented is, again, that Ford and Kelly saw laws and obligations as facilitating freedom, that is, a freedom for excellence presuming a supernatural end. In contrast, Häring believed what he had witnessed in Catholics was that, practically speaking, the concern for law and obligation actually hindered the freedom engendered by the ultimate law, the law of love, which allowed one to make the better choice between contraries. In his 1967 book concerning the sacrament of reconciliation, Häring wrote “Legalism caters to routine and conformity, not to the individual.” Thus he argued that confessors should adopt what he saw as an Alphonsian line wherein confessors need not necessarily remedy the invincible ignorance of a penitent. Häring believed that the penitent should not be counseled immediately as to the extent of his sin as regards the law, but rather should be gradually introduced to the truth over time. Häring saw this as a dynamic approach to morality, “moving the person ever onward toward a fuller realization of Christian life.”

Häring clearly did not want this dynamic approach identified with the situation ethics that had a bad reputation. Hence he noted that “the older form of situation ethics erects its altars to human precepts and human traditions with a total carelessness with regard to fundamental divine commandments and a blindness to the exigencies of the natural law and of present opportunities conforming to ‘what truth demands’.” In contrast, in this dynamic approach, the role of the confessor was to motivate the penitent to a deeper faith, to “help him establish a personal relationship with God, a more personal prayer life, and encourage him to

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302 Ibid., 60.
303 Ibid. On the next page, Häring states that “Situation ethics...in its pejorative sense, refers to a standard of conduct which permits a person who has or could have full knowledge, as opposed to one in invincible ignorance, to seek his happiness and salvation outside the golden circle of Divine Law. It is as ‘static’ and ‘minimum-oriented’ as the legalistic morality.”
exercise fraternal charity."³⁰⁴ Häring hoped that the person would become more mature and responsible and hence able to make good moral decisions on questions of proximate occasions of sin and the influence of cultural trends. He wanted confession to be meaningful and helpful for the penitent. Hence in forming the Christian conscience, Häring suggested that the penitent be taught to see that the question should not be, “Is this a mortal sin?” but, “Is this the right response to the loving will of God?”³⁰⁵

Häring was clear that the spirit did not contradict the law; however, the moral value of the law proceeded from the inner spirit of love, which was creative.³⁰⁶ Häring had high hopes that the faithful would use freedom to seek perfection:

Freedom can also attain the stage in which man surrenders entirely to the guidance of the Spirit....There is no greater freedom than that of the children of God, who have freely risen above the impotence of sin, thrown off the shackles of the slavery of Satan, and voluntarily submitted to the law and yoke of Christ...they have freed themselves from the universal law as the sole and ultimate norm of morality and without constraint of law have accepted the joyous responsibility of seeking what is most perfect in the situation in which God has placed them; they have cast aside all desire of resisting the guidance of the Holy Spirit and have thus arrived at the very summit of freedom in obedient service to God...³⁰⁷

This quotation, from the Law of Christ, can be taken as an example of what Ford and Kelly feared was Quietism at work. Though such language was used in various contexts, often complex – such as religious women’s spiritual guidance – Häring’s words could be interpreted as denigrating the law while suggesting a sort of absorption of the soul into the divine, a false mysticism wherein the mind and will are inactive and God alone acts.³⁰⁸ The 17th-century heresy of Quietism was viewed as a threat to morality and the embodied practices of the Church, such as

³⁰⁴ Ibid., 61.
³⁰⁵ Ibid., 147.
³⁰⁷ Idem, 102-103.
³⁰⁸ The work of the Jesuit Jean Pierre de Caussade (1675-1751), Abandonment to Divine Providence, for example, consisted of letters written to Nuns of the Visitation in Nancy, France. The publication of these letters was delayed and even then edited to protect Caussade from the criticism that his writings were Quietist in nature.
as the sacraments. For those moralists like Ford and Kelly, who prized authority and saw it as the special gift of Catholic moral theology in comparison to Christian ethics, the suggestion that law constrains freedom and that perfection transcends law, rather than embodies it, was worrisome.

Gerald Kelly said as much in his “Notes on Moral Theology,” from the 1963 December volume of *Theological Studies*. In a subsection entitled “Magisterium and Natural Law,” Kelly began by discussing morality courses for the laity, agreeing that such classes lend themselves to what he identified as “new approaches.” Kelly emphasized the importance of the magisterium, even in this context: “It seems to me that no theological textbook is properly orientated unless it makes clear from the beginning that the first argument of Catholic theology is the teaching of the magisterium. This is especially important today, when people have so much ‘freedom’ to think and when they are definitely inclined to accept only what they see and agree with.”

Kelly continued by introducing Bernard Häring as the best known example of the new approaches. While stating that Häring’s treatise on virtue and faith was extensive and generally excellent, Kelly also criticized *The Law of Christ* for not explicitly stating the Church’s authority in teaching natural law specifically. Kelly saw the magisterium as filling an important role given the apparent moral impossibility of knowing the natural law; special divine guidance was necessary to understand natural law adequately. The guidance provided by the magisterium’s interpretation and communication of natural law assisted in freedom, rather than constraining it. Hence even with an extensive and excellent treatment of the virtues, this missing piece of magisterial authority in Häring’s work could indicate a potentially problematic trajectory.

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311 Ibid., 634.
Moreover, by the late 1960s and early 1970s, it was clear that Häring’s concept of responsibility had fully absorbed the sense of criticism that he associated with obedience flowing from love. This notion of responsibility was strikingly similar to Thomas Harris’s transactional theory in *I’M OK—YOU’RE OK*, discussed in the last chapter. Rather than thinking of Catholic formation in a positive light as his words had indicated in the past, Häring seemed to be simply associating the external authority of the Church with the often oppressive “Parent” voice, which could be identified as a constraint on freedom because it caused immense worry about trivial acts. In other words, borrowing Harris’s terms, we might say that Häring was looking for the “Adult” Christian to move beyond simple allegiance to the “Parent” voice and the hurts experienced by the “Child” who had been obliged to follow the parent’s rules. Häring was looking for discernment on the part of the mature Catholic; moral actions were to be motivated by love rather than the result of unthinking conditioning or indoctrination. Hence Häring observed that the formulations of preconciliar catechisms “are surely not adequate for the formation of a mature conscience.” Maturity required going beyond the memorization of catechisms and might even be inhibited by learning such rules and regulations. Like Harris, Häring was looking for the mature adult Christian to engage responsibly in a discriminating synthesis of various influences of authority. Again, borrowing Harris’s words, it was a case of seeing that “I’M OK” but the Church was “NOT OK.”

This theological conclusion played out practically in Häring’s work in various ways. For instance, Häring emphasized that most “sins” that Catholics had been obliged to confess in the preconciliar age were “sins against the laws of the Church rather than against the law of God

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312 Bernard Häring, *Sin in the Secular Age* (Garden City, New York: Doubleday, 1974), 178. Ford and Kelly may have agreed on this point about the catechisms not providing for adequate conscience formation, but might have seen them as a good starting point, especially when learned in conjunction with frequent recourse to the sacrament of confession.
proclaimed in the Gospel and inscribed in man’s innermost being.” In other words, the penitent was mistaken in thinking that she was “NOT OK” when she ate meat on a Friday; the Church, in instilling such a fear of mortal sin over such minor acts, was actually at fault. The conditioning and habituation of meatless Fridays and the fear of mortal sin that came from violating this Church-imposed law hindered a Catholic’s ability to determine a circumstance – for example, dining at a Protestant friend’s home on a Friday – in which it might be a more loving action to eat meat, rather than to refuse it. The focus on these Church-imposed laws could also distract the faithful from recognizing their larger sins. What good was obsessing over Friday meat abstinence if one was knowingly harboring hatred for a neighbor?

Kelly also noted this aspect of Häring’s theology. In the same “Notes on Moral Theology,” discussed above, Kelly addressed Häring’s discussion regarding a priest omitting to pray a “small hour” from his ecclesiastically-required daily office. Kelly interpreted Häring as saying that such an omission was likely not an objectively grave sin, but, in the case that a priest omitted the small hour with full deliberation and consciousness that God, through the Church, had required it, the priest would certainly be committing a venial sin, and as a free and basic decision to contravene a commandment, the priest would be committing a mortal sin. If the priest doubted his omission was due to an inner evil disposition, then he could take the benefit of the doubt.

The problematic issue at hand for Kelly was typical in Häring’s “responsibility-response approach to moral theology,” as Kelly described it: “It is a morality which looks much more to inner dispositions than to objective norms. And though it is generally respectful to the objective standards, it shows a tendency to look upon them as ‘external rules,’ especially when human

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313 Ibid., 198.
laws are concerned.”

Kelly stated that more thought must be given to such a new approach before it was accepted. He worried that such a focus on inner dispositions could tend toward scrupulosity, an obsession with analyzing the interior as opposed to simply acknowledging the sinful transgression of an ecclesiastical law. Nor did Kelly think scrupulosity was averted through “comforting” rule of recognizing the object of the act as slight and therefore not of grave matter.

While the tendencies toward an outlook of self-legislating mature laity and hence uncertainty of ecclesiastical teaching were already present in Häring’s Law of Christ, no doubt the catalyst for the development in Häring’s theology was Humanae Vitae. Kelly seemed to realize the potentially problematic way that Häring’s theology could tend toward an unsuitable stance against the Church’s teaching on contraception, should that position be reaffirmed. Kelly specifically raised questions regarding natural law, the importance of the magisterium’s interpretation of natural law, and the necessity of observing ecclesiastical law in reference to contraception. He saw that all of this could be endangered by an emphasis on an abstract notion of love transcending law, coupled with a primacy of one’s personal responsibility-response to God.

As late as 1966, Häring was toeing the Church’s line in opposition to contraception, advising people not to assume that the discussion around birth control was already an indication in favor of it, but rather advising that they wait for Paul VI’s judgment: “The serious study that these problems are receiving at the hands of the supreme authorities of our Church is a further reason for us to give them full obedience.”

While he privately seemed to have concluded in

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314 Kelly, “Notes on Moral Theology” (1963), 642.
favor of some forms of contraception in certain circumstances, in 1966 Häring was confidently awaiting the official conclusion, to all appearances ready to back the magisterium’s judgment.

It played out, however, in what Häring came to regard as “the crisis around Humanæ Vitæ.” Knowing he was in the majority of the members of the Papal Commission but would ultimately be unable to influence the final result, Häring did not attend the final session of the Commission. Häring did not agree with the exceptionless norm prohibiting birth control for every marital act, yet he had determined he would remain silent no matter what followed the majority and minority reports of the Commission. Häring went on retreat in order to read and reflect on the encyclical, having been leaked a copy of it prior to its release. Ultimately, however, Häring could not keep his silence and instead issued a declaration, which ended up on the front page of the *New York Times*:

> Whoever can be convinced that the absolute forbidding of artificial means of birth control as stated by Humanæ Vitæ is the correct interpretation of divine law must earnestly endeavor to live according to this conviction. Whoever, however, after serious reflection and prayer is convinced that in his or her case such a prohibition could not be the will of God should in inner peace follow his/her conscience and not thereby feel her/himself to be a second-class Catholic.316

Note that Häring did not present this statement in terms of sin or objective morality or obedience to the Church’s moral teachings. He did not dissent from the encyclical on its own terms, especially regarding Paul VI’s explicit stance against contraception. Häring did not state that Paul VI was wrong and he was right, nor did he argue that there was no sin in contraception. Despite the fact that he did think the magisterial teaching was erroneous, Haring appealed to individual conscience and a sense of belonging to the Catholic community. This reflects the move from a clearer, objective understanding of what constituted sin and morality to a more subjective and individualized notion, where it was up to the discernment of the individual to judge whether or not the prohibition of contraception was the will of God.

316 Häring, *My Witness for the Church*, 82.
Conscience, Häring implied, very likely would determine that the will of God was not identical with the magisterium’s pronouncement.\textsuperscript{317}

In his book, Keenan describes the synthesis of Bernard Häring by noting a change from fundamental morals to new norms through new values. Keenan quotes Häring to the effect that moral theology is not concerned first with decision making and acts, but rather has the purpose of gaining the right vision, presenting truths and values that bear upon decisions taken before God.\textsuperscript{318} This “fundamental option,” popularized by Karl Rahner, became a key moral category following \textit{Humanae Vitae}. No doubt the rise of fundamental option was a reaction to the problematic aspects of a morality concerned chiefly with acts, identifying sin in those acts, and sacramentally confessing those sins. And while Häring saw fundamental option as dynamic morality, focused on a relationship with God rather than a fear of breaking rules and suffering eternal punishment, it nonetheless shifted attention away from the concrete guides of morality like those memorized by many American Catholics in their childhood.

The development of Häring’s line of thought is evident in his second three-volume work entitled \textit{Free and Faithful in Christ}. The title named what Häring saw as the leitmotif as the work, but the related concepts indicate Häring’s understanding of being free and faithful in Christ: responsibility, solidarity, personalism, a communal focus, and, perhaps the most frequently mentioned concept, creativity, which Häring describes as pneumatological. The definition of

\textsuperscript{317} Interestingly, while debates about the morality of contraception in both academic and lay publications were numerous prior to \textit{Humanae Vitae}, after the encyclical’s release, the discussion turned to the debates regarding magisterial authority. Once Paul VI had spoken on the issue, it became more important to minimize and question the authority of the encyclical than to engage his natural-law-based claims in \textit{Humanae vitae}. This is particularly ironic given that the defenders of the stance against contraception argued that a change in the Church’s teaching would undermine its authority by indicating that the Church of the past had gotten it wrong and might be wrong elsewhere in its moral teachings as well. In fact, the restating of the Church’s position on contraception contributed to the undermining of magisterial authority. The Church did not seem credible having taken such an unpopular position opposed to the view of so many American Catholics.

creativity, however, is not exactly clear, though Häring says a theology of responsibility characterized by liberty, fidelity, and creativity may cause a “rethinking of a number of doctrines, traditions, teachings and practices, and to distinguishing the deposit of faith from ideologies, taboos and other obscuring factors.”319 Like other concepts in this work, “creativity” exemplifies the degree to which Häring’s theology had become lacking in substance. Expressed in negative terms, creativity becomes somewhat clearer: “One of the most uncreative approaches in the Church is to stress fidelity to certain negative commandments to such an extent that fidelity to Christ and his great affirmative commandments of justice, love and mercy is seriously neglected.”320 Häring associated the rigidity and legalism of the manuals and manual-based, authority-based moral theology with a lack of creativity. In contrast to this, creativity was about freedom and relationships and response.

One shortcoming of the moral theology represented by Ford and Kelly was its lack of biblical text. Häring’s efforts to make use of the Bible are noteworthy. In particular, Jeffrey Siker notes that Häring tended toward a self-selected “biblical concept” approach, wherein he identified a concept such as sin or conscience in the Bible and then did what Siker calls a “word study,” followed by discussion of the concept.321 By the time he wrote Free and Faithful, Häring also freely borrowed from the field of psychology in elucidating the important concepts, including those he chose from the Bible. For example, Häring drew upon psychologist Erik Erikson, known for his theory of life cycles, when he wrote that, “The fundamental option is studied above all in the light of a psychology of development. As a consequence, a much more dynamic vision prevails which better meets the biblical perspectives.”322 Häring saw the theory

319 Häring, Free and Faithful in Christ, 4.
320 Ibid., 75-6.
322 Häring, Free and Faithful in Christ, 166.
of self-actualization as a good way of describing moral development, but he clarified that in true progress towards maturity, the person does not simply seek self-realization, but rather self-transcendence.  

This self-transcendence fit with Häring’s understanding of freedom in Christ, and such freedom could come contra an established authority. Noting Karl Marx’s and B. F. Skinner’s criticism of organized religion, Häring suggested that “It is not just a matter of being set free from some concrete fears but, rather, liberation from a system of religion that is built too much on sanctions, laws, controls: a system that unavoidably creates fearfulness, scrupulosity and lack of loving trust.”

Häring also sought to advance the recognition of social sins. “There has been a transition from a rather individualistic concept [of sin] to one characterized by solidarity.” Häring believed that original sin had been used too often to excuse people from their responsibility in structures of sin extant in the world as each Christian instead focused only on his own salvation.

As individuals and as members of the community, we all have to examine our consciences about whether we have any share in the oppression, manipulation and violence that persist around us. This terrifying share can fall to us not only through direct participation in criminal misuse of authority or of power, but also because of uncreative use of our freedom, a lack of commitment to the common good, or lack of initiative and creativity. One of the main causes of so many evils in society and Church is surely a legalistic morality that stifles the positive energies of liberty.

In contrast to the legalistic morality, Häring believed that the Church should be “a community of liberated people committed to the liberation of all, in response to the longing of all creation to share in the liberty of the children of God.”

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323 Ibid., 209.
324 Ibid., 134.
325 Idem, Sin in the Secular Age, 106.
326 Idem, Free and Faithful in Christ, 81-2.
327 Ibid., 158.
Häring’s new stress on social sin and structures of sin was a valid reminder to Catholics in the U.S. struggling with issues of racism, sexism, and war among others. But while his later work drew attention to such concerns, it did not necessarily provide a method – as confession might have – for addressing moral problems at a personal level. Nor did it address how one could understand complicity in social injustices. This concept could have been used to add a new dimension to a person’s examination of conscience and offenses against God, inviting penitents to examine, repent of, and avoid formal or material cooperation in sins of racism, for example. Instead, however, social sin turned the focus on human relationships at the societal level and the need to fix them – a task that could seem impossible to the average Catholic. Moreover, sins of a social nature were often emphasized in opposition to personal actual sins. These social sins – even though they perhaps represented remote material cooperation with evil – were assessed as having a higher priority, in contrast to the formal cooperation with evil identified by the sinner as his actual sin.\(^{328}\) Sins addressed in the confessional had in the past been overly narrow without consideration of these crucial social sins, and the limited focus on personal actual sin had not prevented or solved Catholic participation in structures of sin. The sacrament would hence seem to be of very little aid in solving these larger problems.

Moreover, the energy spent criticizing moral theology in the past prevented the structuring of a new moral theology that would be as relevant to the laity as manualism had been. Freedom, fidelity, conscience, liberation, creativity, etc. were all valuable concepts and useful as correctives, but, unfortunately, they too often remained at the level of a concept, with no institutional structure or parish-level practices other than that which was a criticism of authority represented by the teaching office of the Church and the manualism of the past.

\(^{328}\) One example might be “Don’t worry about your sin of having missed Mass on Sunday! What really matters is your sin of using racial slurs!” In fact, the two might be connected and both are formal cooperation in evil and hence sufficient matter to confess in the sacrament of penance.
Conclusion

For Ford and Kelly there was a real urgency tied to the recognition and confession of sins. Those who sinned knowingly and failed to confess their sins put themselves at risk for eternal damnation, but God’s grace and forgiveness were available for those who sought it in the sacrament; it was possible for sin to become an occasion of grace and redemption. In short, what made moral theology so important to Ford and Kelly was that eternal salvation was at stake and that human beings could move closer toward that supernatural end by conforming to God’s will through the law of the Church. There were subjective considerations in their application to sins confessed by penitents within the confessional, as casuistry was an attempt to take into account the complexity of actual events, not the abstraction of rules. The problematic tendency of casuistry was to continue making rules to address every situation while neglecting the importance of formation and development of virtue. Ford and Kelly recognized that objective moral laws were, after all, objective, and the outright refusal to follow them was dangerous. Heaven, hell, and purgatory were just as real as sin. Ford and Kelly’s manualism, however, was perceived as inadequate to the task of modern moral theology, and the relevance of this critique is exhibited in the rapid decline of manualism’s popularity.

Häring had in the past expressed concern about life after death, in 1966 describing the sacrament of confession as “a pre-judgment of mercy, a prelude to the final judgment, so that we may look forward to it with happy confidence.” Häring also argued for the meaningfulness of those condemned to hell because they stand as a testimony to the fact that God has not willed to save humanity without its cooperation, nor to make people happy without their free will. By the mid- to late-70s, however, Häring had a slightly different emphasis wherein the value of the sacrament of confession was not described as tied to death and judgment but

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330 Idem, Bernard Häring Replies, 170.
rather regarded as “proclamation of the messianic peace and as personal and communal commitment to the kingdom of justice, peace, and liberation.” Häring remained confident in God’s mercy, but seemed less certain of the Church’s knowledge of mortal and venial sin, for example, in the case of missing a Sunday Mass, which he did not generally regard as a mortal sin. Writing in Free and Faithful, Häring seemed to question the value of such categories altogether: “My conviction is that an objective border-line, valid for all, between mortal and venial sin can never be determined.”

Häring’s version of morality was meant to call Catholics beyond minimalistic laws to perfection in Christ; these laws, enumerated by the Church, could even be seen as constraints on freedom inasmuch as they prevented the person’s free choice to worship and serve God out of love. For Häring, there needed to be a choice of contraries in order to make it real freedom. Many Catholics agreed with Häring’s use of responsibility and freedom. One college teacher ridiculed the “old-fashioned” way that many educators used the word “responsible”: “By ‘responsible’ they mean meeting one’s obligations…. They mean some kind of conformity of the man to something outside him. The vision they have of man is not contemporary or relevant today, nor…does it get to the heart of the human matter.”

And yet Häring’s version of responsibility and freedom was, practically-speaking, elusive. It made it more difficult to identify personal actual sins just as it also held the sinner accountable for a host of social sins in which material cooperation seemed ordinarily impossible to escape. Furthermore, while Häring maintained the concepts of heaven, hell, and purgatory, the final judgment seemed to have lost its place of importance. The emphasis was on mercy, but with so little importance and clarity given to identifying sin, even the concept of mercy seemed

331 Idem, Sin in the Secular Age, 187.
332 Idem, Free and Faithful in Christ, 213.
groundless. Sin had been used to identify specific actions that were then confessed in the sacrament of penance. Now, the rare appearance of actual sin indicated a sort of indefinable turning away from God that was difficult to address personally and therefore unlikely to be dealt with in the sacrament of penance.

In some ways, pre-Vatican II Catholic moral theology based in the seminary with an eye to forming confessors was too specific, too rational, and too rigid, without sufficient attention to the Thomistic conception of virtue and its importance for the moral life. With its numerous case studies, objective moral norms, intellectual debate, and manuals for responding to penitents, the moral theology of Ford and Kelly seemed out of touch with the new directions taken by Catholics in the United States; the context and circumstances of American Catholic lives had changed. Had their approach to moral theology been adequate and compelling, it would not have suffered such a quick rejection in the wake of Vatican II and Humanae Vitae.

The great strength of Häring’s work was to identify the “law of Christ” with the “law of love.” Häring’s work spoke to a generation of moral theologians and laity who had felt constrained by the manualist tradition, unable to grow in charity because of the preoccupation with the constantly multiplying rules of morality presented by manuals and often uncritically preached in terms of “mortal sin” to the laity. The weakness of Häring’s work, much of which was read at a popular level as well as the academic level, was that it tended to view this so-called law of love in opposition to obedience and obligation to moral rules held by the Church. It also provided no guidance or guidelines for the strengthening of virtue. Häring’s work decreasingly valued magisterial teaching at the same time that it increasingly reflected the trends and opinions among the laity described in the last chapter. Häring embraced psychology and relied upon it in his own work. Häring questioned the birth control prohibition in Humanae Vitae. Häring celebrated the idea of freedom and challenged the past glorification of obedience
and obligation to Church law, understood as the authoritative representation of God’s eternal law.

And as Häring moved away from the manual-based moral theology he had been taught, his notion of sin became more elusive; the focus on responding to God and acting out of love were a needed response and yet ultimately insufficient for replacing manual-based moral theology. Häring increasingly viewed the law of love in opposition to the law of the Church, discounting sins identified by the Church and highlighting instead a response to God that was outside the conventional language and delineation of sin. The discernment of individual conscience was to take the place of rules and laws passed down from the magisterium through priests. This would allow for greater maturity of the laity in their moral decision-making as well as a more positive understanding of God’s love, mercy, and forgiveness. With little reference to personal actual sin, however, these concepts were not sufficiently grounded. How important was God’s forgiveness with such a weak account of sin? And what role could penance play in such a schema?

When comparing Ford and Kelly to Häring, there is no reason to assume a substantial disagreement between them in the 1960s, or to assume that their moral theology was utterly contradictory. At the same time, however, Ford and Kelly clearly had different emphases than Häring when it came to the concepts of freedom, responsibility, obligation, and obedience. Both sides agreed that charity should be the foundation of morality, but Ford and Kelly did not see how this was possible with any denigration of the law, the objective moral norms that were obligatory and required obedience. These norms, and obedience to them, facilitated the freedom that led to the person’s supernatural destiny. Yet despite the Jesuit team’s admirable defense of a traditional understanding of obligation and obedience, the paucity of a personal element and emphasis on charity made the sacrament of penance seem disconnected from the
whole of a person’s life. We will see in the fourth chapter the many criticisms aimed at the sacrament of penance in the 1950s, indicating that it tended to be too routine and impersonal, not sufficiently fostering growth in virtue in the context of a loving relationship with God. In the midst of these criticisms, Häringer’s moral narrative, which had less emphasis on moral rules, sin and penance and had more emphasis on responsibility and freedom in the context of loving response to God, was justifiably compelling. We will see in the fifth chapter that it was the Häringer trajectory of freedom and responsibility with a focus on the individual’s interior disposition of love and desire for meaning that resonated with the U.S. bishops as they considered revising the practices of penance in the United States. The criticisms of both the sacrament of penance and other non-sacramental penitential acts highlighted the weakness of a manual and confession-based morality with little reference to virtue like that taken to be normative by Ford and Kelly. The Häringer-style path depending upon individual freedom and responsibility with little reference to actual sin, eternal law, or virtue was ultimately an insufficient answer for the question of how to revitalize penance among American Catholics.
CHAPTER IV

THE SACRAMENT OF CONFESSION IN THE UNITED STATES, 1955-1975

When Dorothy Day wrote her autobiography in 1952, she began with a description of her experience of the sacrament of confession:

When you go to confession on a Saturday night, you go into a warm, dimly lit vastness, with the smell of wax and incense in the air, the smell of burning candles, and if it is a hot summer night there is the sound of a great electric fan, and the noise of the streets coming in to emphasize the stillness. There is another sound too, besides that of the quiet movements of the people from pew to confession to altar rail; there is the sliding of the shutters of the little window between you and the priest in his “box.”

Some confessionals are large and roomy—plenty of space for the knees, and breathing space in the thick darkness that seems to pulse with your own heart. In some poor churches, many of the ledges are narrow and worn, so your knees almost slip off the kneeling bench, and your feet protrude outside the curtain which shields you from the others who are waiting....

Going to confession is hard—hard when you have sins to confess, hard when you haven’t, and you rack your brain for even the beginnings of sins against charity, chastity, sins of detraction, sloth or gluttony. You do not want to make too much of your constant imperfections and venial sins, but you want to drag them out to the light of day as the first step in getting rid of them. The just man falls seven times daily....

“I have sinned. These are my sins.” That is all you are supposed to tell; not the sins of others, or your own virtues, but only your ugly gray, drab, monotonous sins. 334

Like many Catholics of her time period, Day frequented the confessional often, a practice known as “devotional confession.” This practice of devotional confession was apparently the fruition of much positive promotion of the sacrament throughout American history. According to historian James O’Toole, the sacrament of penance was central to Catholic practice in the United States

as early as the beginning of the 19th century. By the Civil War, efforts were made to regularize confession, and the promotion of frequent confession seemed to be effective. O’Toole notes that “long hours in the box were the norm for the clergy in the face of steadily increasing demand from the laity.” As evidence of this, O’Toole cites the rule of 1855 wherein Rome exempted American priests from reading the prayers of their breviary on any day when they spent more than five hours hearing confessions.

According to O’Toole, the popularity of the sacrament of confession continued throughout the first two-thirds of the twentieth century and showed no signs of abating. The sacrament was connected to other popular religious practices, such as the “First Friday” devotions to the Sacred Heart, where Catholics received communion at Mass on the first Friday of the month for nine consecutive months. Parishes accordingly added confession times on the preceding Thursday in addition to their usual Saturday schedule. Parish missions and the Forty Hours devotions also were associated with participation in the sacrament of confession. By the mid-1950s, however, Catholics – both lay and clergy – were beginning to voice concerns about how the sacrament of confession was practiced in the United States. The expression of these concerns indicated the beginning of the decline of the sacrament of confession.

As noted in the first chapter, Thomas describes penance as both a virtue and a sacrament because of how he understands human action to be involved in both: the virtue, as a habit, is the principle of penitential actions, and these penitential actions – contrition, confession, and satisfaction – constitute the matter (materia) of the sacrament, which destroys

336 Ibid., 133.
337 Ibid., 134-135.
338 Ibid., 136-137. O’Toole’s detailed chapter here provides a valuable and interesting discussion in different rates of confession based on gender and ethnicity, which are somewhat tangential for the purposes of this chapter.
the remote matter of sin. The frequent reception of the sacrament strengthens the virtue both because of the repetition of penitential acts and because of God’s grace found in the form of the sacrament. Far from “habit” denoting something negative for Thomas, it signifies a “second nature,” that when ordered to the good, as in the case of virtue, is an asset to the person acting with her supernatural end in mind. The virtue of penance helps the sinner to seek the sacrament of penance, and the sacrament further strengthens the virtue of penance.

As was also noted in the first chapter, Alasdair MacIntyre proposes that it is in the context of a particular community with specific institutional forms that people learn or fail to learn to exercise the virtues. By Lateran IV in 1215, the sacrament of penance was privileged as a practice wherein Catholics could learn to develop virtue and grow in exercising virtue; Thomas’s emphasis on the virtues is properly understood within the Dominican ministry both of preaching and hearing confessions. The manualism that followed upon Thomism, however, generally neglected the language of virtue and did little to draw upon this concept even when promoting frequent use of the sacrament of penance.

Perhaps because of this paucity in regard to understanding Thomistic virtue, the sacrament of penance in the United States by the 1960s was criticized by some clergy and laity as an unthinking habit, lacking in meaning and overly focused on law. Though routine can, indeed, become an obstacle to meaning if a practice goes unexamined, it was not merely the repetition of the sacrament that was identified as a problem. Instead, the routine nature of the sacrament led to an interrogation of the motivation for receiving the sacrament. Some critics regarded those making frequent use of the sacrament of penance to be insufficiently disposed and overly concerned with minor sins while overlooking more important ones; penitents could mistakenly look upon the sacrament of penance mechanistically, as an easy fix to wipe out sins with minimal effort on their own part.
This concern reflected, to some extent, the theological understanding that in order for an act to be penitential, it must have the virtue of penance as a principle. This requires a strong conviction in the presence of sin as a reality and a reaction to sin exhibited in contrition, based on a relationship with God, i.e. sorrow for doing injustice to God. The interior act of contrition is then expressed exteriorly in penitential acts, such as the verbal confession and satisfaction associated with the sacrament. Some critics during the time period at hand judged that those making frequent use of the sacrament of penance were simply subject to routine, and therefore not properly motivated by a desire for authentic and profound conversion. Even those with a strong sense of sin and desire for the sacrament of penance could struggle with identifying sins fit for the confessional, as evidenced by Day’s words cited above. It would not be surprising if those less well-formed than Day in the faith would easily fall into routine reception of the sacrament with a narrow and insufficient examination of conscience that did not cause suitable contrition. If this were the case, then it became possible to imagine that the frequent use of the sacrament of penance was really a form of hypocrisy, used by Catholics to distract and excuse themselves from waging important battles against social sins like racism while they were busy fighting insignificant skirmishes with getting to Mass on Sunday. Catholics seemed obsessed with sins, but only those of a ritual (eating meat on Friday) or sexual (using contraception) nature. Those who sought the renewal of the sacrament of penance hoped for a more personal and profound conversion, seeking authenticity to counter hypocrisy, while also expanding the conception of sin beyond the personal actual sins many were apt to confess. Critics questioned the emphases in the conventional lists of sins and the routine and individualistic nature of the sacrament, but they generally did not take up the language of virtue.

This chapter will first address the recognized problems in the practice of confession during this time period, and secondly, it will describe the theological responses to these
problems, as well as how these theological responses were expressed practically or pastorally. By minimizing the value of repeated confession – especially for venial sins – and by emphasizing freedom of conscience instead of a multiplicity of laws with corresponding sins, priest-theologians hoped to inspire a more genuine use and positive view of the sacrament, focused on relationships and communal reconciliation with the larger Church. Ultimately, however, these responses undermined the virtue of penance by minimizing the reality of actual sin, and the value of the sacrament of penance to counter sin in everyday life. Hence these attempts at reforming the sacrament of penance also unwittingly contributed to the decline of this paradigmatic example of the virtue of penance.

The Practice of Confession and Its Problems

In the 1960s many troubling issues arose as to how the sacrament of confession was practiced in the United States, and according to O’Toole, “all the accumulated dissatisfactions with confession among the laity were the starting point” for explaining the rapid decline in practice of the sacrament. O’Toole’s claims are supported by clergy and laity from the time period, as will be indicated by the other sources used in this section. Those that practiced the sacrament of confession generally fell into two categories. First, there were those who partook frequently of the sacrament (monthly or even weekly) in a practice that was known as devotional confession. The second group of penitents could be considered “special occasion” penitents. The confessions of these penitents were of a more annual nature; they confessed during the Lenten season in order to prepare for their Easter obligation of receiving communion. This annual group might also be moved to confess at another time during the year on the occasion of a parish mission, where exhortations to confession and opportunities for the sacrament were common. Or they might confess in association with their parish’s Forty Hours

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339 Ibid., 171.
devotion or even confess monthly for a time in association with the Sacred Heart “First Friday” plenary indulgence. And of course, when death seemed imminent, many of the faithful desired to receive the sacrament one last time.\textsuperscript{340}

Even in the 1950s, clergy and laity acknowledged problems in how the sacrament of confession was practiced. But as the 1960s progressed, these criticisms became more pronounced. Among the concerns about the sacrament of confession were the following: the void in meaning associated with the routine nature of the sacrament, the legalistic tendency of the sacrament, detracting from the sense of the relational nature of sin and suitable interior sentiment, scrupulosity and issues of conscience formation, the failure adequately to address spiritual and personal problems, and a lack of attention to the communal nature of the sacrament, including the neglect of recognizing social sins, such as racism. The discussion of these problems will serve as preparation for the explanation of the ensuing theological, pastoral, and practical expressions that were responses to these problems.

\textit{Devotional Confession}

In the practice of devotional confession the faithful - clergy, religious, or lay - sought the sacrament of confession frequently, even if only for venial sins. In his 1943 encyclical \textit{Mystici Corporis Christi}, Pope Pius XII articulated the esteem for devotional confession, which he deemed to be in peril due to contemporary criticisms of the practice by younger clergy:

\begin{quote}
[I]t is true that venial sins may be expiated in many ways which are to be highly commended. But to ensure more rapid progress day by day in the path of virtue, We will that the pious practice of frequent confession, which was introduced into the Church by the inspiration of the Holy spirit [sic.], should be earnestly advocated. By it genuine self-knowledge is increased, Christian humility grows, bad habits are corrected, spiritual neglect and tepidity are resisted, the conscience is purified, the will strengthened, a
\end{quote}

\textsuperscript{340} Ibid., 136.
salutary self-control is attained, and grace is increased in virtue of the Sacrament itself. \(^{341}\)

It would seem that many Catholics in the U.S. adhered to the notion of frequent confession, as they sought the sacrament of penance regularly, whether monthly, biweekly or weekly.

Many priests, likewise, continued to exhort the laity to partake frequently of the sacrament of penance. The topic was raised regularly, for example, in the sermons provided by the *Homiletic and Pastoral Review*, which was a popular publication for priests and likely served as the basis for homilies heard by many American Catholics each Sunday. In 1956, one priest entitled his homily for the Third Sunday after Pentecost “Unpublished Miracles of the Confessional.” After a rousing description of sin attacking the soul, the priest urged those hearing the homily to seek confession in order to address this sin: “The soul has...recourse to the confessional where the priest is really a doctor. Let the sinner but declare his weakness frankly; let him regret his faults; let him be disposed to take the means to fall no more, and there will take place in the confessional a cure. There will take place the most marvelous of resurrections.”\(^{342}\)

Two years later in 1958, Fr. Lincoln Whelan reminded the faithful in his suggested homily that temptations easily turned into sin, and hence he warned against neglecting the sacrament of confession: “Catholics cannot afford the luxury of indifference and neither can we afford to follow the crowd along the path of least resistance, because that is always a down-hill deal. We are destined by the sacraments to go up. But one of the cold facts that we must

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consider on this warm day is the evidence that too many parishioners neglect the sacrament of Penance during the summer season.\textsuperscript{343}

And it was not just the people in the pew who were exhorted to regular confession year round, either. In 1960, Fr. Winfrid Herbst wrote an article for *HPR* entitled “The Priest’s Confession,” wherein he encouraged his fellow priests to have frequent recourse to the sacrament. Herbst noted early on that Canon 125 prescribes frequent confession for clergy, and though the law did not delineate “frequent” in relation to clergy’s confession, Canons 1367 and 595 stipulate weekly confession for seminarians and religious respectively. Herbst continued by observing that there are some priests who find devotional confession to be a heavy burden and thus postpone it, even avoiding the sacrament despite the numerous benefits and sanctifying grace associated with the practice of devotional confession. Seeking to inspire his confreres, Herbst drew from the example of the saints:

Weekly confession would not seem to be so superfluous if one were to think of the great saints who went every day, e.g., St. Charles Borromeo, St. Catherine of Siena, St. Bridget, St. Ignatius of Loyola. St. Francis Borgian went to confession even thrice a day. In this, of course, the saints are to be admired, not necessarily imitated; but their example should spur on the priest to penitential regularity in receiving this great sacrament.\textsuperscript{344}

Herbst ended his piece with some practical advice for the priest about finding a good confessor for weekly confession, advising which venial sins the priest should confess, and providing instruction on contrition and firm purpose of amendment. Herbst’s description of the happiness of beginning again after each weekly confession affords a panegyric that may have gained the attention of at least some priests reading it in *HPR*, while also perhaps feeding an expectation that the sacrament could not always meet in the person’s experience.


Likewise, for the young girl who might be considering a vocation to the convent, devotional confession was of tantamount importance. Such was the subject of Fr. Joseph Champlin’s 1962 article entitled, “Father Confessor and Future Sister.” Here Champlin described how best to advise a young female penitent who is interested in becoming a nun, with his proposed objective to discuss “frequent confession to a regular confessor as a means of preserving and fostering the germ of a religious vocation already present in a young lady’s soul.” This regular interaction through the confessional, Champlin argued, could provide adequate spiritual direction to foster the young girl’s discernment of religious life. It would allow the confessor to suggest spiritual practices common in religious life. And finally, Champlin noted, spiritual direction through the confessional would require the young lady to come frequently and regularly to the sacrament, which would require effort on her part. Endurance for six months would indicate a stability suitable to the religious life, and the reward for the confessor’s effort was likely to be prayers from the convent!

In HPR’s suggested homily for Low Sunday (the Sunday after Easter) in 1963, Fr. Joseph Beckman chose “Frequent Confession” as the title and subject of his sermon. No doubt with objections to devotional confession or even the Easter duty confession in the front of his mind, Beckman proceeded to explain how frequent confession helps people to give up habitual sin, to become more perfect, and to increase grace in order to fight against future sins. Beckman even drew upon the example of religious sisters, who “don’t rob many banks or commit many murders” yet confess weekly. “If they need confession so often to remain close to God, what about us who do commit more serious and varied sins?” Beckman described the confessional

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346 Ibid., 128.
as one of God’s greatest gifts, but with a value dependent on how well and often the penitent uses it. He ended his homily with the exhortation: “Receive penance often and your life will be revolutionized in a wonderful way for the good.” Such panegyric exhortation to frequent use of the sacrament of penance was not unusual at the time.

**The Meaning Void in the Assembly Line of Penance**

By the mid-1960s, however, misgivings regarding the practice of devotional confession were being voiced more and more frequently. To some, it seemed that the sacrament should have more meaning, be more significant as an encounter with Christ and experience of God’s forgiveness; the sacrament of penance did not seem always to live up to its more positive portrayals. Even the clergy expressed reservations about how the sacrament was practiced. One priest, suggesting that devotional confession seemed more like passing through an automat than a personal encounter with Christ, summed up the criticism in this way: “The penitent enters a small box-like structure, often situated in one of the darkest and most undecorated corners of the church, marks his sins on an invisible scoreboard, and slides them impersonally through the confessional grill. Bad marks erased, rapidly he recites a formula of contrition precisely while the priest recites, perhaps with greater rapidity, a formula of absolution.” This criticism pointed to a concern that the sacrament was so quick, routine, and impersonal that it diminished its meaning.

In accord with this concern, the Benedictine author worried that the personal element of confession was absent in the perfunctory manner in which the sacrament was normally practiced. Resonating with the popular contemporary notion of personalism, the priest noted that Christian sorrow is deeply personal, bespeaking an intimacy with Christ and a conversion

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348 Ibid., 318.
back to the Father. With hope for changes in the sacrament at the conclusion of Vatican II, the author recommended an anticipation of these changes by a recollection of the true meaning of the sacrament: “As priest and penitent become aware that they are engaged not in an impersonal inquisition, administration, or treatment, but that together and personally they celebrate the conversion of the sinner and the mercies of God, they will seek to express themselves like human persons.”\(^{350}\) This new dynamic that he imagined would be different than past expectations for the brief and anonymous sacrament, and he recognized that such an acknowledgement of the personal meaning of confession might require some architectural and liturgical changes—better soundproofing, for example, brighter lighting, and perhaps the use of a candle representing Christ’s presence in the confessional.

Another critique of the sacrament based on the concept of personalism was the issue mentioned above in regard to spiritual direction; some critics believed that the sacrament was not used enough in order to offer spiritual direction for those who needed or desired it. In the rush to get penitents through the line, priests could not often listen well or offer adequate spiritual guidance. In this analysis, the priest was losing an important opportunity for helping the faithful really to advance in their faith. Spiritual direction had long been valued in the Church, but the contemporary focus was merely to judge sins, assure adequate contrition and absolve so the line could move on. Some thought that the sacrament ought to have a more casual and conversational form. Although one author insisted that the confessional must not become a psychiatrist’s couch, he nonetheless hoped for an experience of the sacrament that would not require the penitent’s anonymity or kneeling posture, but rather a face-to-face, personal

\(^{350}\) Ibid., 205.
discussion with the priest-confessor taking on the role of “soul-friend,” or “anamchara” an Irish term drawn from that penitential tradition.\textsuperscript{351}

An old concern for confessors had been the importance of assessing the penitent’s contrition. This was based on the Thomistic understanding described in Chapter 1 that contrition, confession and satisfaction constituted the matter of the sacrament of confession. While the priest heard the penitent’s confession, and assigned the penance that would make up the satisfaction part of the sacrament, he could not always be certain as to the penitent’s sorrow for her sins. Fr. John Danagher, a canon lawyer writing in 1956, entitled his \textit{HPR} article “Was the Penitent Sorry or Not?” And indeed, Danagher’s article went through various scenarios of penitent’s contrition or lack thereof, and the appropriate responses of the confessor who must be able to judge both the sins and the contrition of the penitent. The very title of Danagher’s article implies a relationship between the confessor and penitent akin to an impersonal courtroom, rather than the more affective concerns mentioned above.

Homilies in the 1950s, meanwhile, supported the emphasis on the penitent’s contrition. In one such homily, for example, a description of the benefits of the sacrament was followed by the warning that “no sin can be forgiven unless a man is sorry for it. If he is not sorry, he does not turn away from sin; he does not turn back to God.”\textsuperscript{352} Similarly, another homily from the same year of 1956 informed the faithful as follows: “[The Confessor] is a father, a judge, a doctor. He makes the decisions, gives the advice—and it is your duty to obey. Remember, too, that the most important part of Confession is sorrow for sin, a sorrow that includes a firm

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purpose of amendment.” To some, it may have been an inspiring homily, but to others this description may have been off-putting. The phrase “duty to obey” may have seemed a bit audacious for some adults to accept fully, in addition to the pompous portrayal of the priest’s role. By 1969, for example, a man wrote in a letter to *Sign* magazine: “I and countless other middle-class thinking Catholics” are no longer willing to submit to confessors’ warnings and judgments.”

During the 1960s, the concern for contrition shifted to an appraisal as to the possibility of genuine conversion of heart in the context of devotional confession. The common denominator for both contrition and conversion was a conviction that there must be an interior sentiment of sorrow to match the exterior actions of confession and satisfaction in the exercise of the sacrament. Thomas made a distinction between two notions of penance: first, penance as sorrow, which is a “passion of the sensitive appetite” and secondly, sorrow as “an act of the will.” During the 1960s, the focus turned toward this first more emotional and experiential understanding of sorrow, rather than sorrow as an act of the will expressed by the acts constituting the matter of the sacrament.

The habitual, seemingly perfunctory practice of the sacrament caused a reevaluation of the interiority that was based on a more dramatic conversion of the heart, rather than contrition, which was understood as an act of the will not necessarily requiring an emotional outpouring of sorrow. This critique was evident in Fr. Ronald Modras’s *HPR* article entitled,

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354 It would be interesting to know the reception to this and other homilies with a similar message during the 1950s. While there are no such records in this case, secondary sources indicate that laity were beginning at this time to object to such messages.
355 Quoted in O’Toole, “In the Court of Conscience,” 173. O’Toole has many other similar quotations where the laity asserted their ability to make mature decisions as capable adults without the input of a confessor. O’Toole notes that “The flat assertion that lay people must ‘accept exactly what God has decreed’ from the lips of the confessor was no longer convincing.”
“Frequent Devotional Confession: How Often a Change in Heart?,” wherein Modras suggested that some adult confessions sounded like kid confessions, reducing confessors to bite their lips to stay awake or to wring their hands in anguish during their Saturday afternoon of hearing confessions. Such devotional confession, he said, was simply “the sacrament of reconciliation, reduced to a routine comparable to brushing one’s teeth in order to get that nice, clean feeling.”

This priest’s main concern was that devotional confession seemed to undermine a sense of penance as a conversion of heart: “Penance is a change of heart. Besides a person with a habit of mortal sin, how many people are capable of having a change of heart or of intensifying such a change once a week? Or even once a month?” He suggested that a person’s recourse to the sacrament should not be based on the calendar, but rather on the penitent’s desire for reaffirming her conversion. Modras believed that the sacrament had been reduced to a mere formality, with an underlying misunderstanding as to sacramental causality. The laity seemed to think that they received grace simply by receiving the sacrament, when in fact a conversion of heart was necessary for the actions of the penitent to constitute the matter of the sacrament. Devotional confession was not necessarily an easy ticket to an increase in grace, according to Modras: “And in the case of devotional confession of venial sins, without this intensification of conversion, of sorrow and intention of amendment, there is no actual increase of sanctifying grace.”

Again, the implied criticism was that such a habitual practice of devotional confession was too routine to allow for genuine interior conversion, or, to use Modras’s phrase “change of heart.” Modras did not think a suitable change of heart was occurring weekly for those seeking

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358 Ibid., 658.
359 Ibid., 653.
the sacrament that frequently. Modras’s emphasis on conversion brings to the forefront the problem of differentiating between contrition and conversion. Thomas, and the Tridentine Church teaching that had adopted his sacramental theology, stated that contrition was quasi-matter for the sacrament of penance. For Thomas, even the interior act of contrition was an act of the virtue of penance, and in fact, these two were often closely identified. Although priests in the 1950s worried about the penitent’s contrition, their solution was to exhort a greater commitment to detestation of sin expressed in a corresponding vow of purposeful amendment (e.g. avoiding the near occasion of sin). This commitment was as a sign of contrition, which was regarded as an act of the will, not a feeling of the heart. In the 1960s the solution tended toward a more intentional and purposeful seeking of the sacrament, motivated by individual instances of desire for the sacrament and change of heart that effected amendment. Both contrition and conversion were interior, but whereas the former implied specific effort and action of the will, conversion indicated something personal, somehow more meaningful and profound because it was rare.

Special Occasion Confessions

This preoccupation with conversion in regard to the sacrament of confession was a replacement for the more traditional concern about contrition. As noted above, contrition had long been a worry for confessors inasmuch as they needed to judge whether a penitent’s contrition was sufficient to merit absolution. This was a particular concern for confessors when it came to evaluating those penitents who only sought confession once a year, in preparation for their “Easter duty,” based on Lateran IV’s prescription that the faithful should receive communion at least once a year.

For some ethnic groups – such as the Lithuanians and Polish, for example – there was a tradition of the confessor handing out “confession cards” or “Easter tickets,” signifying that the
parishioner had been to confession and communion during the Easter season. These cards were then required in order to join parish societies or enroll their children in the parish school.\textsuperscript{360} Such a practice, especially when associated with the paying of a nominal fee, as it often was, was problematic in the eyes of many Church officials. A requirement for confession in these terms seemed to undermine the penitent’s desire for the sacrament and call into question the penitent’s contrition. It was likely that the faithful had other objects to their actions, such as enrolling their children in the parish school, rather than simply receiving God’s forgiveness and grace in the sacrament. In other words, it was not clear that their actions were really penitential, that is, motivated by the virtue of penance. They may have confessed sins and received absolution, but have been lacking the adequate contrition to constitute as the matter for the sacrament.

One subgroup of annual penitents whose contrition and purpose of amendment were often doubted was those whose yearly confession included the sin of contraception. Leslie Woodcock Tentler, in her book \textit{Catholics and Contraception}, describes confessors as “bedeviled” by the problem of birth control, especially when it was confessed prior to major feasts, as it was in association with Easter. Confessors then felt the need to question penitents, who often used unclear language in their confession.\textsuperscript{361} Many confessors had a difficult time determining the penitent’s firm purpose of amendment as indication of contrition when it came to this sin. As the phrase “Easter duty” implies, it seemed that many of the faithful came to the sacrament merely out of a sense of duty – the necessary preparation for their Easter reception of the Eucharist. As in the case of devotional confession, this practice of annual confession again raised the question of the interior contrition accompanying the exterior practice of the sacrament. If

\textsuperscript{360} O’Toole, “In the Court of Conscience,” 141.
the faithful approached the sacrament primarily out of a sense of duty and habit acquired during childhood, they might be lacking in adequate contrition including the firm purpose of amendment and commitment to avoid sin in the future. In such a case, penitents might be lacking the necessary contrition; their use of the sacrament then would not be an act of the virtue of penance, since the end of their acts was not to amend for sins against God. Moreover, contraception was always understood to be a mortal sin, and this rigidity could make it difficult for confessors to be pastoral in the way they would have liked.\textsuperscript{362}

Tentler quotes the postwar judgment of Francis Connell to the effect that the sin of contraception is the most difficult and trying problem which confessors encounter in the U.S. In the following decades, the issue of contraception became even more complicated for confessors to address due to their increasing lack of conviction on the topic. There was a diversity of opinions among the clergy, and, despite earlier statements condemning contraception, such as Pius XI’s \textit{Casti Connubii}, it was not clear to the faithful that the Church had spoken authoritatively once and for all on the use of artificial birth control. The knowledge that a papal commission had been formed to investigate the issue was reason enough to make confessors in the mid-1960s lenient with those who did confess it and to make the laity doubt whether they need confess it.\textsuperscript{363}

Another significant criticism of the sacrament of penance as practiced annually or on special occasions was that it did not adequately address spiritual or personal problems. This

\textsuperscript{362} Ibid., 150.
\textsuperscript{363} According to one priest’s anecdotal account, confessors’ leniency on the issue of contraception often varied with their nationality. All the Catholics in one region of New Jersey knew that if you wanted to be absolved from the sin of birth control without interrogation, you went to the Italian national parish, not the neighboring parishes pastored by the Irish. The long lines of penitents at this parish testified to the confessors’ optimism in giving the benefit of the doubt to the penitents on the issue of contraception. Conversation with Rev. James Spera, current pastor of Assumption Parish, Roselle Park, New Jersey, June 2012. This description accords nicely with Tentler’s account of penitents seeking leniency from their confessors in regard to confessing birth control. Tentler describes Catholics prior to the mid-1960s as accepting Church teaching on birth control, even if they found it difficult to adhere to it. See Tentler, \textit{Catholics and Contraception}, 148.
sentiment could also be associated with the practice of devotional confession, but it was more evident among those who only sought confession when they felt compelled to do so by external pressures. Had they found the sacrament to be more valuable in terms of responding to their problems, they would have been more eager to receive it. One homilist in 1963 used his Easter homily to address “Once-A-Year Catholics” on the topic of confession. After explaining contrition and a resolution to avoid future sin, the priest further explicated what he had in mind by listing the sins: “This means that we are not willingly going to miss Mass again – on any Sunday—during the coming year, that we will not commit another sin of impurity, practice birth control, eat meat on Friday, or drink to excess.”

364 Such a list indicates what was thought to be the primary subject matter for confession, namely, sins against Church law (missing Mass, eating meat on Friday) and sexual sins (impurity, birth control), in addition to the ever-popular sin of drunkenness. But this list of sins did not always seem relevant to the spiritual and personal problems of the people in the pew, and this was particularly the case as they moved out of close-knit urban Catholic communities to more religiously pluralistic neighborhoods where they had increased contact with Protestants. Amidst Protestant neighbors, partaking of meat on Friday did not seem so sinful, and when most of the population was turning to artificial birth control, that also did not seem to be a big issue. What was missing, again, from this list of sins was a focus on relationships. Suburban Catholics struggled to maintain their Catholic identity in their personal dealings with family and friends, Protestants and Catholics alike. A two-minute trip to the confessional, even on a regular basis, did not seem adequate to address the issues of life, given the narrowness of sins highlighted in the confessional. More than just resolutions, Catholics sought solutions. Something else was needed as a way of dealing with personal and relational problems. Perhaps this is why some

turned to psychology and counseling rather than confession and why so many seminaries in the early 1960s began offering courses in pastoral counseling.\textsuperscript{365}

\textit{The Demise of Devotional Confession}

The perception of a problematic overuse of the sacrament of confession contributed to the decline of devotional confession and even special occasion confession. As mentioned above, critics often saw this practice of regular confession as perfunctory and legalistic, while lacking adequate interior conversion and a sense of sin as relational. Another common concern was the phenomenon of “Catholic guilt,” or, in its more severe form, scrupulosity. In 1959, a Jesuit priest addressed the issue of scrupulosity in \textit{HPR}, advising confessors to be empathetic and understanding of the scrupulous. He noted that for many people, scrupulosity is just a phase, but for others it may be an indication of personality disorders, such as obsessive compulsive behavior.\textsuperscript{366} The existence of scrupulosity as a problem in the confessional is also indicated by its occasional mention in homilies to the faithful. One priest advised the scrupulous to choose just a few sins to confess, knowing that all other venial sins would also be forgiven. He criticized the scrupulous for making the confessional a “torture chamber” rather than a “tribunal of mercy.”\textsuperscript{367} And a canon lawyer counseled fellow confessors not to let the scrupulous delve into the past.

\textsuperscript{365} Gillespie, \textit{Psychology and American Catholicism}, 61. Gillespie states that in 1957 only a few seminaries had classes in pastoral counseling but by 1962 over a hundred seminaries were offering such courses. Gillespie also describes three psychological studies performed on seminarians (1956), priests (1967), and bishops (1970s) respectively. They study of bishops found that they were “less self-actualized” than the priests in the other study. O’Toole does not provide numbers supporting this claim, nor does he provide an approximate date where more Catholics turned to professional counseling. He suggests that the laity began to see priests as poorly prepared to advise them on the problems that were troubling them. “In the Court of Conscience,” 177.


unnecessarily, unless they thought it would be beneficial for the penitents to make a general confession of all past sins.\textsuperscript{368}

This issue of scrupulosity, or sin-obsession was a particularly important concern when it came to the subject of children. It had been a common practice for Catholic school children to be taken to confession regularly during their normal school hours at their parish school. It was thought that this recurrent opportunity for confession would help children to form the habit of devotional confession. By the mid-60s, however, this custom was disparaged for a number of reasons, not the least of which was that forcing kids to think about their sins and go to confession would cause scrupulosity or a Catholic guilt complex. In an age of celebration of freedom, moreover, some critics, like Fr. Andrew Greeley, writing in 1965, found it reprehensible that schoolchildren seemed coerced into partaking of the sacrament of confession, for example, before First Fridays.\textsuperscript{369}

There is seemingly no documentation as to how detrimental (or if it was indeed detrimental) regular confession was to Catholic school children, nor do the harmful effects of the early and frequent practice of confession make their way into the debates about children and the sacrament. Rather, the debate about children’s confession became a theological discussion, not an evaluation of pastoral practice on this front. The theological debate involved the relationship between the sacraments of penance and Eucharist and the appropriate age for children to receive each of these. The sacraments of penance and Eucharist had long been linked together, and, since Pius X’s lowering of the age of first communion from 12 to seven with the decree \textit{Quam Singulari} in 1910, children had been allowed to confess at that early age as well.

\textsuperscript{368} John C. Danagher, C.M., “Was the Penitent Sorry or Not?” \textit{Homiletic and Pastoral Review} 56, no. 12 (September 1956): 1009.
\textsuperscript{369} Andrew M. Greeley, “Authority and Freedom,” \textit{Homiletic and Pastoral Review} 65, no. 12 (September 1965): 1002.
Now, however, theologians were quick to point out that, strictly speaking, the sacrament of penance was only necessary in cases of mortal sin, and, since children are incapable of mortal sin, there is no need for them to receive the sacrament of penance. Thus many liturgical reformers were eager to separate the two sacraments in the case of children, delaying first reception of the sacrament of penance until the children were more mature and capable of committing sin. One advocate of this position explained it thus: “More maturity is required for confession than mere devotion as is the case with communion. No priest can validly administer a sacrament without a sufficient matter. There must be a well founded presumption that the child to whom a priest gives absolution is really capable of guile or sin.”

While there were some on the other side who argued for the importance of keeping penance and Eucharist together, gradually this theological position that the sacrament of penance was unnecessary for children led to the pastoral practice of delaying the first reception of the sacrament of penance until several years after the children’s first communion.

Even by 1970 when the sacrament of penance had begun its rapid decline, one author was continuing to harp on the problems of legalism in the confessional: “Both children and adults are actually led to an attitude of pharisaical legalism precisely through our confession practice.” This priest worried that children get the wrong idea of the gospel and end up seeking the sacrament of penance in order to circumvent the true penance that is a genuine conversion. Such an understanding implies that the sacrament, especially when routine, is an easy way out of penance and conversion. The result was to emphasize penance as something that is a rarer change of the heart coming about gradually and finding expression in changed behavior. The mere repetition of acts of the will such as contrition, confession, and satisfaction

did not seem sufficient. This contrasted with the 1950s frequent exhortation to contrition. Frequent efforts at contrition now seemed inadequate; something more profound was needed and kids, it seemed, were not capable of it because of the inherently venial nature of their sin.

Meanwhile, the Vatican responded to the trend in delaying confession in an Addendum to the 1971 “General Catechetical Directory,” put forth by the Sacred Congregation for the Clergy. This document emphasizes the moral formation of children and the usefulness of confession even in the case only of venial sin. Specifically, the document notes the importance of confession for the development of the virtue of penance in children and says that the practice of putting confession ahead of communion should be retained. Moreover, it asks that regions that want to change this practice seek approval from the Vatican. The Addendum of this document is an indication of how widespread the practice of changing the order of these two sacraments had become. Recognizing this practice, and seeing it as problematic, the Sacred Congregation for the Clergy saw a reason to address the issue formally and affirm the traditional order of penance before Eucharist.

While children were the acknowledged subject on this debate of regular confession at a young age, the theological arguments in support of putting communion ahead of penance were easily applied to the subject of adult devotional confession as well. Given that confession was only strictly necessary in the case of mortal sin, why celebrate or encourage the practice of frequent confession merely for venial sins? It was not uncommon in the 1960s for priests to advise their parishioners to make less use of the confessional. A Redemptorist priest acknowledged this fact: “[S]ome priests have been discouraging the practice of frequent confession. The aim of these priests, as I understand it, is to offset a routine and mechanical

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approach to this sacrament.” In the context of well-established weekly confessions, no doubt few priests expected the nearly complete disappearance of the sacrament in the time period to follow.

Another important factor in this discussion was the distinction between mortal and venial sin. Delineating sins into these two categories had long been the mainstay of manualist moral theology, and the laity were taught to think in these terms as well. As time went on, however, mortal sin came to seem more like a myth than a reality – or at least, most people believed that mortal sin must be a very rare occasion and extremely difficult to verify. Here the psychological influences came into play, as discussed in Chapter 2; those capable of committing what would categorically be labeled as “mortal” sins most likely suffered a diminished culpability. In other words, they were not as “free,” as the manuals might have assumed they were in years past; they lacked full consent of the will. Rather, these sinners were captive to their own past and unknown psychological influences that had taken root in their behavior. Under such circumstances, many sins considered mortal in years past were now relabeled as venial. And many venial sins, such as washing one’s car on a Sunday, were no longer regarded as sins at all.

Accompanying this modification in the understanding of mortal and venial sin was a seeming revision in the list of sins. The violation of the Friday meat abstinence had long been preached as a mortal sin and hence was conventionally understood to be so by the faithful. When the American bishops altered this penitential practice in 1966, eating meat on Fridays ceased to be considered a mortal sin. For the laity not schooled in the changes of Catholic cultic

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374 See Bernard Häring’s comment mentioned in Chapter 3: “My conviction is that an objective border-line, valid for all, between mortal and venial sin can never be determined.” From Häring, Free and Faithful, 213.
practices through the years, it was an abrupt alteration that seemed to indicate that other longstanding “sins” might soon no longer be considered sins either. In particular, there was high hope that contraception might go the way of Friday meat abstinence and also exit the sin list. And if this list of sins was so easy for the hierarchy to amend, how was the laity to know with confidence what sins were really sins? Or perhaps there was no objective list of sins, but rather, whether an act was a sin or not might depend upon the individual. The notion of sin and list of sins were not as clear or as important as they had been in the past. The newfound emphasis on conscience led many of the faithful to believe that they were the best judges as to what constituted sin on their part; they were no longer willing to accept the delineation of sins as was communicated to them. The confessor, long recognized as “judge” and even inquisitor in the confessional now no longer seemed as stable in that role. Now he must either find a way to remain useful to penitents or lose this part of his job altogether.

Hence the Redemptorist priest mentioned above agreed that the mechanical approach to the sacrament ought to be countered but suggested that a better response than discouraging penitents from approaching the sacrament would be to provide more adequate spiritual direction in the context of confession, while eagerly anticipating the changes to the rite that were no doubt forthcoming in the wake of Vatican II. It was hoped that these changes would make confession meaningful and desirable.

Thinking Outside the Box

The commendation of spiritual direction was an obvious attempt to make the sacrament of confession feel more personal and more focused on relationships. In response to the pastoral and theological problems recognized in the practice of a perfunctory devotional confession and an obligatory annual confession, many priests began to re-consider whether the confessional was a good place for guiding their flock. In the past, numerous priests had argued that adequate
spiritual direction could be delivered to anonymous penitents through the sacrament of confession. In supporting this, confessors were often exhorted to listen well and give the penitents time to ask questions and to seek advice on particular problems.

Another solution to the perfunctory feel of confession was for confessors to make penances more personally suited to the penitent. One priest, writing in the *American Ecclesiastical Review* suggested:

Surely, the people would appreciate a pastoral updating in the practice of giving penances. There are countless devout Catholics who long for a more imaginative and meaningful approach to sacramental penances. They are devoutly hoping that confessors will soon get over the “three Hail Marys” syndrome. Suiting the penance to the sin and to real life of the penitent would do much to offset the problem of routine and formalism.\(^{375}\)

In fact, this was a constant refrain when it came to trying to improve upon the sacrament of confession. Fr. Gerald Ruano suggested that priests had made confession boring for penitents:

“We may have been the reason why good wholesome Catholics have tagged the ‘it’s a Bore’ label on confession or at least on our confessional.”\(^{376}\) Ruano’s solution was much like that suggested above, namely, tailoring the penance to the penitent’s needs and personality, not just his sins. In practical terms, Ruano warned against penances that were hard to remember, long in duration, or unusual; they should be able to be completed prior to leaving the church. Penances should be simple, but with an edge. Ruano also wanted confessors to get over the obsession with the quantity of prayers assigned in penance and instead to urge quality or intensity of prayer so that it would be more meaningful to penitents.\(^{377}\)

But while more personal, tailored penances could help to make the sacrament more meaningful, this approach did not seem likely to solve all the perceived problems with the

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\(^{375}\) Lowery, “A Piety Void?” 35.  
\(^{377}\) Ibid., 841.
practice of the sacrament. Hence priests also thought there were some things that penitents could do in order to improve upon the practice of the sacrament of confession. In 1967, Fr. John Corrigan published an instructional pamphlet intended as a guide to sacrament of confession for the laity. Corrigan noted that devotional confession was not an abuse, but he insisted that it presented a challenge for the penitent in terms of making devotional confession valuable for spiritual growth.  

Corrigan noted that the sacrament of penance is not just a “God and me” affair, but rather every sin is an offense to God and the Church. Corrigan saw the typical, impersonal confession as problematic:

If the penitent kneeling for absolution and guidance is merely a voice with two sins of uncharitableness [sic] and four sins of impatience, he has confessed things and not revealed a person. He has brought his laundry list of sins to the confessional, but not his authentic Christian life. It would require a Cure d’Ars, with power to read the heart to react to such a bloodless avowal of faults with anything more than the most banal considerations.

Corrigan then provided numerous examples of good confessions, emphasizing the importance of the penitent identifying himself according to state in life, profession and circumstances.

Corrigan also suggested that the penitent give the context of sins, include significant temptations to sin, and conclude with a specific resolution. Corrigan commented on his example confessions by noting that “They are free of any narrow, legalistic view of sin, and surely the penitents see that minimum requirements of morality are far from the call of Christ, who invites all to perfection.”

Corrigan exhorted the laity to seek regular confessors, rather than making their decision of a confessor each Saturday based on which line was shorter.

Penitents were also advised by priests to ask questions when necessary or seek advice on

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379 Ibid., 9.

380 Ibid., 11-12.

381 Ibid., 18.

382 Ibid., 24.
particular problems. And, most importantly, penitents were supposed to come to confession intentionally and purposefully, when they sincerely desired a conversion of the heart, and not just out of habit.

Although the confessional may not have been the place for prolonged discussion of problems, a priest also did not realistically have time for extended spiritual direction outside the confessional for every member of his parish either. The same John Corrigan, now addressing his fellow priests, rather than laity, wrote in *Homiletic and Pastoral Review* that, “As a practical approach, one of the pastoral facts of life is that only a few persons come to a priest for regular spiritual direction….If the great majority of Christians are to receive any person-to-person word of encouragement of counsel, it is going to be heard in the confessional.”  

Hence the confessor had to strive to make God’s forgiveness more real and personal for the penitent even in such limited circumstances.

This solution, however, was deemed inadequate for many who perceived the primary problem with confession as related to the box itself. A darkened, cramped space where the penitent was forced to kneel in an uncomfortable position, unable to see the person with whom she was talking seemed unlikely to convey the message of God’s mercy and forgiveness. If confession were to take on a more personal feeling, it would require more than just effort on the part of the confessor to be Christ-like and come up with imaginative penances. Hence suggestions for face-to-face confession, more in the style of psychological counseling, became popular.  

Catholic priest, psychologist, and *peritus* at Vatican II, Charles A. Curran’s classes at Loyola of Chicago on pastoral counseling became tremendously popular as priests strove to

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384 O’Toole, “In the Court of Conscience,” 182.
prepare themselves for a modified role. Some people felt the solution to the impersonal nature of the sacrament of penance would require a new sort of liturgical space:

The dark confessional should be replaced with a setting more suited to proclaim the joy and warmth of a real ‘con-celebration’ of God’s merciful love by penitent and minister. A large, beautifully decorated confessional room should replace the “Box.” Such rooms could be built into every new church. In other situations, the sacristy or parlor could be adapted to this use. The penitent then would be able to speak or whisper, and also have the option to sit or kneel. Anonymity could be preserved or dispensed with by having the confessor seated with his back towards the penitent as he enters, or by arranging a sliding veil or curtain between the minister and penitent.

This Paulist priest found that the new theology of the sacrament was inadequately being put into practice, and hence the sacrament was remaining individualistic, monotonous and juridical.

The observation that the practice of the sacrament of confession was overly individualistic was another major theological criticism of the box and the traditional “assembly line” of penance. This evaluation was made on at least two accounts. First, penitents unjustifiably focused on sins of an individualistic nature, confessing primarily sins against Church ritual practices, sexual sins, and sins in relation to their immediate family members. Even those who practiced devotional confession apparently failed to confess social sins, such as racism. One priest stringently observed:

Quite often adult Catholics prepare for confession with the same examination of conscience they used as children, with the one exception of their expanded appreciation of the sixth commandment. As a result, their self-knowledge is often little more than pre-adolescent. The rarity with which sins of racial prejudice are confessed and the almost utter oblivion of Catholics to their unchristian lack of involvement with the needs and problems of their environment point to a deficiency in their appreciation of sin and those responsibilities which go beyond the commandments. These are problems which

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385 Gillespie, *Psychology and American Counseling*, 122. The change in Curran’s thought is in some ways indicative of the overall change in attitude regarding psychology and counseling among American Catholics. While Curran’s 1952 book *Counseling in Catholic Life and Education* emphasized consonance with a Thomistic model and an emphasis on virtue, his 1969 book *Religious Values in Counseling and Psychotherapy* “shows a clear contrast...with a shift in emphasis from virtue to value.”

obviously the mere frequenting of penance will not solve. Indeed, habitual, mechanical confessions serve only to perpetuate them.\textsuperscript{387}

The second account of perceived individualism in the sacrament of penance was related to the seemingly narrow focus of the sins that were identified and brought to the confessional: penitents appeared unaware of the important theological point that the sacrament signified reconciliation with the larger Church, and not just with God. There was a move to call the penitent out of his own little world to a bigger and more complete picture of sin and reconciliation.

Fr. James Leehan made just this point in his \textit{HPR} article entitled, “Penance and Its Social Dimension”:

Because of this profound unity among men and among Christians, it is becoming increasingly clear that we do not sin alone; there is a deep and definite solidarity in sin. Any sin, whether a proud reaction to the will of God or an apathetic abdication of responsibility, is not only an offense against God but is contrary to the love which builds unity; it destroys or hinders the building of the community of man and is contrary to God’s plan for mankind. Every sin is a refusal to love, or at best a lack of love; it is a refusal to be concerned, to open oneself to others and to communicate with them and through them with God. It is a spurious affirmation of one’s autonomy and independence from other men and from the community. This reaction and resistance to interpersonal relationships is, therefore, a refusal to fulfill oneself as a person.\textsuperscript{388}

Drawing on the language and theology of Vatican II’s phrase “the People of God,” many theologians criticized the penitents who practiced devotional confession as being concerned primarily with their own salvation and sanctity, perhaps even self-obsessed in the case of those who were deemed scrupulous. But where was the sense that penance was something to be performed by the People of God, as a community?

The theological critique had its pastoral application in the move toward communal penance services. Seeking a return to the sources in arguing for an updating of the confessional practice, many theologians turned to early Christian history and the practice of public and

\textsuperscript{387} Modras, “Frequent Devotional Confession,” 653.
\textsuperscript{388} Leehan, “Penance and Its Social Dimension,” 495.
communal penance in contrast to the Irish-monastery influenced, manual-based practice of private confession. They hoped that this early practice of the sacrament would renew and update the current practice of the sacrament.\textsuperscript{389} Lehan noted that “these [communal] celebrations are highly effective means for teaching the communal nature of sin and of confession. They also satisfy the need of many for a clearer sign of the communal reconciliation and joy connected with the forgiveness of sin.”\textsuperscript{390}

Suggestions for the newly described sacrament of reconciliation came in various forms. Among liturgists and others with a post-Vatican II excitement for all things liturgical, the sacrament was now identified as being, properly speaking, “a liturgy” or “a liturgical celebration.” In the past, the understanding was that “sacrament” was the umbrella category and the liturgies, rites, or ceremonies that accompanied the sacraments were there to serve the sacraments by making the significance of the sacrament’s form and matter more apparent to participants. The sacraments, themselves were not considered as instances of enacting the liturgy.\textsuperscript{391}

But as “liturgy” became the umbrella category, with sacraments serving as instances of liturgies, there was a push to make it more apparent that the sacrament of penance was, in fact, a liturgy. In order to capture reconciliation as both sacrament and liturgy, one priest, inspired by Edward Schilliebeeckx’s and Bernard Häring’s theology, described a communal penance service that would feature a liturgy of the Word, including a gospel reading and homily, accompanied by appropriate hymns and prayers. In this format, the group would be kept to 30 or 40 of the

\begin{itemize}
\item \textsuperscript{389} For a more recent example of this, see Joseph A. Favazza, \textit{The Order of Penitents: Historical Roots and Pastoral Future} (Collegeville, MN: Liturgical Press, 1988).
\item \textsuperscript{390} Ibid., 501.
\item \textsuperscript{391} Romanus Cessario, “The Sacraments of the Church,” in \textit{Vatican II: Renewal Within Tradition}, ed. Matthew L. Lamb and Matthew Levering, (New York: Oxford University Press, 2008), 138-9. Though he does not provide examples, Cessario claims that presently “the study of sacramental theology remains almost exclusively subordinated to the programs in liturgical studies....students, especially in the United States, who express an interest in studying the sacraments are confided to the care of professional liturgists.” See 140.
\end{itemize}
faithful, who would then have the opportunity for private individual confessions with the two or more priests concelebrating the liturgy.  

A Paulist priest, Fr. David Gomez, meanwhile suggested three proposed forms of the sacrament of reconciliation: 1. Communal celebration with a general and public confession of sins, 2. Communal celebration with the private confession of sins, and 3. Celebration by the priest with the individual penitent. In regard to the first option, there would be a general absolution, with the faithful advised to confess their sins in their next private confession. The second option was like that suggested above, requiring more than one priest and including a liturgy of the word. While the first would clearly express the sacrament’s communal nature, the second would still emphasize confession as a public act of worship.  

In the case of the third practice, already in use, there would need to be changes to update the sacrament, in particular communicating to the penitent that sin is not simply an offense against God, but a renunciation of one’s identity in Christ that diminishes “the social achievement of reconciliation.”

When it came to children, communal penance services appeared to provide an excellent way to communicate the social nature of sin. These services might alert children to the presence of sin without requiring them to undergo private sacramental confession that was deemed theologically unnecessary due to their not being able to commit mortal sin. One diocese suggested having second-graders participate in a non-sacramental communal celebration of penance as a way of introducing them into the concept of reconciliation. This same diocese then proposed that the children’s first sacramental reception of penance occur in fourth grade in a communal setting (It is unclear whether this service would include private auricular confession).

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394 Ibid., 683.
From fifth grade on, students would be able to partake of the sacrament in both communal and private settings.\(^{395}\)

This seemed to some people an appropriate and gradual outline for initiating children into the sacrament of reconciliation, especially since they would presumably be ready for their first communion prior to the maturity needed for their first confession. Moreover, communal penance was the older form of the sacrament, and public penance had been recognized as a valid and licit form of the sacrament in the past. The only concern expressed in relation to this was that it might seem to be “an easy way,” since there was no individual confession involved.\(^{396}\) This was countered by the plan’s supposed merit of not forming children in the habit of routine, mechanistic and individualistic devotional confession habit, but rather rightly inculcating a sense of the social nature of sin and penance. When children did seek individual confession later in life, it would be with the knowledge that their sins had social impact on the Church as a whole and that their reconciliation was not just with God, but with the Church as well. This procedure for introducing children to penance was of course theoretically put to an end with above mentioned General Catechetical Directory of 1971.

As related to adults, however, the experimentation with the sacrament of penance continued. In some cases, proposals removed the sacrament of penance from the form of the sacrament altogether. That is, the suggestions for reform actually made penance non-sacramental. In the aforementioned plan for introducing children to the sacrament, for example, several of the steps included non-sacramental penance. This push for non-sacramental penance was not restricted only to children. While in 1950s, the confessional had been presented as the quintessential place for receiving God’s forgiveness and best method of seeking God’s


\(^{396}\) Ibid., 312.
forgiveness, theologians of the 1960s sought to broaden that understanding. Theologically, many were quick to point out the Church’s understanding that numerous penitential actions could bring about a forgiveness of sins, particularly the forgiveness of venial sins. An emphasis on sacramental confession seemed to limit God’s power to forgive while also detracting from these other penitential acts.

Crucial to such a theological argument for non-sacramental penance was the understanding of contrition as the most important act of penance and isolatable from the other two. As was evident in the Baltimore Catechism’s explanation, the Church had taught that perfect contrition could obtain pardon even for mortal sin without the sacrament of confession: “Perfect contrition will obtain pardon for mortal sin without the Sacrament of Penance when we cannot go to confession, but with the perfect contrition we must have the intention of going to confession as soon as possible, if we again have the opportunity.” Hence the context for understanding the forgiveness associated with perfect contrition was that of an emergency, say, in the case of impending death without access to a confessor. But it was not an unreasonable conclusion to think that if a perfect act of contrition in emergency circumstances was sufficient for obtaining forgiveness of mortal sin that it might also be sufficient in other (non-emergency) circumstances, including if the person did not have the intention of seeking the sacrament at the first opportunity.

This supposition was expressed in a question posed in the American Ecclesiastical Review and answered by Francis Connell. The questioner wondered if a person who had made a perfect act of contrition could receive the Eucharist prior to receiving the sacrament of penance, and Connell replied by asserting that this would be a grave violation of the law and a sacrilege

against the Eucharist.\textsuperscript{398} An article in \textit{HPR} at about the same time period alluded to the perfect contrition debate, this time in regard to Protestants receiving the Eucharist without having been formally received into the Church. The author noted that some people suggest a non-Catholic could just make a perfect act of contrition prior to receiving the Eucharist, but this position fails to take into account canon 807, which stipulates the person must then have recourse to the sacrament of confession within three days. Moreover, accepting such a position would in fact be affirming the Protestant position against the need for the sacrament of confession while also profaning the Eucharist.\textsuperscript{399}

As noted in the first chapter, theologians from the time of Thomas Aquinas and even earlier had thought contrition to be an act of the virtue of penance that also constituted the matter of the sacrament of confession. While contrition was not restricted to the confessional, its primary identification was with the sacrament. Both of the above authors held fast to this postulation, objecting to circumventing the sacrament of confession through perfect acts of contrition, but not all theologians chose to emphasize this traditional understanding. Many theologians rather sought to emphasize the numerous other ways that sins were forgiven, such as saying acts of contrition, and these theologians thereby minimized the sacrament of confession and especially the practice of devotional confession.\textsuperscript{400} One priest wondered why frequent confession had ever become popular given that it was out of line with the bulk of Christian history. This author sought to emphasize the efficacious value of various non-sacramental works of satisfaction, suggesting that, “Perhaps what is now called for is a re-


appreciation of personal works of penance, themselves signs of God’s salvation operative in the lives of his people, rather than a frantic effort to ‘save the sacrament’. 401

Others took an opposite, but related approach, seeking to extend the sacramental aspect of confession beyond the confessional. This was the case in the proposed communal penance services where there was a general absolution without individual confession of sins. Writing in 1970, still in the early stages of responses to Vatican II, author Peter Riga made another suggestion for delivering the grace of the sacrament without requiring the faithful to show up to confession hours: the penitential rite at the beginning of Mass could be made sacramental. Riga observed that the penitential rite at the beginning of Mass had not reached its full development, but could conceivably become fully sacramental, including a general absolution at the beginning of every Mass. Riga thought that this would be a powerful way of linking reconciliation and the Eucharist, as they had always been linked in the tradition of the Church. Moreover, it would communicate more adequately to the faithful that penance is an act of the whole Church.

Riga did not think such a change to the penitential rite would negate the practice of private confession, but rather that the two could co-exist. Riga then took the separation of absolution and confession a step further by suggesting that confession/spiritual direction become non-sacramental. He suggested that such a format might be more joyful for the faithful and more meaningful because they would then seek confession/spiritual direction out of a desire to do penance rather than to receive absolution. While the latter, that is, approaching the sacrament for absolution, fostered a mechanistic understanding of penance and an unthinking habit of confessing, this new form would result in greater satisfaction. 402 In short, Riga, and

401 Ibid.
many who wanted to change how the sacrament was practiced, hoped that penance would become more meaningful and hence more penitential.

The Liturgical Reform and More Frequent Communion

The criticisms applied to the sacrament of penance during this time were not unlike some of the criticisms of the Tridentine liturgy; like the sacrament of penance, the Mass seemed to be less meaningful than it could be or should be. The regular attendance at Mass seemed more a testament to the faithful’s sense of duty in fulfilling an obligation than an instance of enthusiasm and love for God. The rote actions of the Mass bore affinity with the acts of the confessional; the repetition seemed for some to indicate unthinking routine. The perceived problems in the practice of Tridentine liturgy occasioned a move for reform of the Mass. In one of his last public addresses as pope, Benedict XVI noted the need for this and the growth of the liturgical movement after World War I, which he described as follows:

a rediscovery of the richness and depth of the liturgy, which, until then had remained, as it were, locked within the priest’s Roman Missal, while the people prayed with their own prayer books...it was as though there were two parallel liturgies: the priest with the altar-servers, who celebrated Mass according to the Missal, and the laity, who prayed during Mass using their own prayer books, at the same time, while knowing substantially what was happening on the altar.  

Benedict spoke of two principles in the council’s reflection on the liturgy in preparing Sacrosanctum Concilium: active participation and intelligibility, which he contrasted with “being locked up in an unknown language that is no longer spoken.”

In the United States there were similar concerns about the liturgy prior to Vatican II. The priest’s prayers and the people’s prayers did not seem to correspond as they should, and the use of Latin meant that most people could not understand what was being prayed. The


404 Ibid.
combined effect was a dearth in meaning; the liturgy was experienced by many as routine and impersonal. Hence one approach by the liturgical movement in the U.S. was to promote a dialogue Mass wherein the entire congregation said the Latin responses to the priest’s prayers aloud.\textsuperscript{405}

Another concern regarding the Mass was the infrequency with which the faithful received communion. In January of 1953, Pope Pius XII released an apostolic constitution reducing the Eucharistic fast to three hours, with even further exemptions for the sick, travelers, those performing tiring work, and priests saying Mass at late hours.\textsuperscript{406} Four years later in 1957, Pius XII’s \textit{motu proprio}, entitled \textit{Sacram Communionem} further reduced the fasting obligations.\textsuperscript{407} The intent of both of these changes, as well as the new option of celebrating evening Masses, was to encourage and facilitate more frequent communion by the faithful, and, as one priest explained: “Like all the other liturgical changes of Pope Pius XII, this serves the spiritual welfare and greater holiness of the people. The old fast law was for many an obstacle, a hindrance, and an excuse. The new law makes frequent Communion a practical possibility for all.”\textsuperscript{408}

These changes, combined with the liturgical movement and the implementation of Vatican II’s \textit{Sacrrosanctum Concilium}, opened new possibilities for the faithful in regard to their experience of Mass. They participated in a new, more externally active way and could perceive more clearly what was happening at the Mass. O’Toole suggests two ways the changes to the Mass affected the sacrament of confession. First, the use of anticipation or vigil Masses on

\footnotesize{\textsuperscript{405} O’Toole, \textit{The Faithful}, 203.  
\textsuperscript{408} Frederick R. McManus, “Principle of Reverence Retained in Revised Fasting Regulations,” \textit{Boston Pilot}, March 30, 1957, unnumbered page as found in the McManus Files, CUA Archives.}
Saturday evening quickly became popular, but they could conflict with conventional confession times, which had often been on Saturday afternoon or evening: “While some parishioners perhaps continued the old practice of doubling up, most of those in church on Saturday afternoon gave their attention to the Mass rather than to confession, and they would probably have been encouraged by their pastors to do exactly that.”\textsuperscript{409} O’Toole further observes that the use of the vernacular meant that the faithful now recited the Confiteor aloud in English, and heard the priest grant them a kind of pardon following it. Moreover, right before receiving communion, the faithful also stated “Lord, I am not worthy to receive you, but only say the word and I shall be healed.” O’Toole states that this also played a role in displacing confession.\textsuperscript{410}

More opportunities to attend Mass, encouragement for frequent communion, and hearing and participating in the Mass in English may have turned the attention of clergy and laity to the Eucharist at the expense of the sacrament of penance. The newfound intelligibility of the Mass perhaps made it seem exciting and interesting, whereas confession continued on in its preconciliar form, which now might seem outdated. While American Catholics were thrust into the liturgical changes, the changes to the sacrament of penance were slow in coming, and its popularity had already diminished by the time the new rite was released a decade after the Mass changes took effect.

\textbf{The New Rite of Penance}

When the new \textit{Rite of Penance} was promulgated in the United States in 1976, it turned what had been a two-minute process, with a simple format for the penitent that was easily

\footnotetext[409]{O’Toole, “In the Court of Conscience,” 174. Though O’Toole links anticipation Masses with the Vatican II liturgical changes, as noted above, the evening Masses were made possible by Pius XII in 1953, well before Vatican II. I could not, however, find any kind of data as to when evening Masses became prevalent or popular in the United States. An earlier date of the presence of vigil Masses would indicate that there was actually little correlation between this practice and the decrease of confession that occurred in the late 1960s.}

\footnotetext[410]{Ibid., 174-5.}
taught to children, into a much more complex matter.411 The book had 228 pages containing new prayers and procedures, including those tailored to particular situations, i.e. penance services for children or for the season of Advent. This book included three different forms of the rite of penance: the Rite for Reconciliation of Individual Penitents, the Rite for Reconciliation of Several Penitents with Individual Confession and Absolution (what became known as communal penance services), and the Rite for Reconciliation of Several Penitents with General Confession and Absolution.412 Even for the standard individual confession, the priest had a choice of five introductory statements, including three biblical prayers. The outline of the rite was supposed to include a greeting, the sign of the cross, invitation to trust in God, Reading of the Word of God, Confession of Sins and Acceptance of Satisfaction, Prayer of the Penitent and Absolution, and the Proclamation of Praise of God and Dismissal.413 The priest now had to make a lot of choices when hearing confessions, and the delay in the penitent’s confession (after prayer, greeting, and reading) could make it challenging for him to remember his sins. The new, longer form of this rite was impractical for both priest and penitent.

The communal penance service was also quite involved, including an introductory rite with song, greeting, introduction and opening prayer; a liturgy of the word with two readings, responsorial psalm, gospel, homily, and examination of conscience; a rite of reconciliation including a general confession of sins, a litany, the Lord’s prayer, individual confession and absolution, proclamation of praise for God’s mercy, and prayer of thanksgiving; and a

411 This is O’Toole’s description regarding the old form of confession, Ibid., 152, 182 on the new rite.
412 Bishops’ Committee on the Liturgy, National Conference of Catholic Bishops, Rite of Penance, (New York: Catholic Book Publishing, 1975), 6. The third form of the rite was meant to be used only in exceptional cases, and the Vatican soon made it clear that they would not approve of general absolution employed simply by the personal judgment of a bishop, as Bishop Carroll Dozier had done in Memphis. See O’Toole, “In the Court of Conscience,” 184.
413 Bishops’ Committee on the Liturgy, Rite of Penance, 32.
concluding rite with blessing and dismissal.⁴¹⁴ There is evidence that communal penance services under this form initially enjoyed some success, with 63% of parishes in the U.S. having at least one within a year of their authorization.⁴¹⁵

In theory it made sense that communal penance services would be more meaningful because they better emphasized the social nature of the sacrament and were more reflective as to the significance of sin and penance, but in practice they were more inconvenient because they required additional time. The hybrid of a public service with private confession led to impatience on the part of some laity, and ultimately these services did not maintain the popularity that the traditional private confession had for so many years. Hence O’Toole states that, “The laity’s response was positive, but hardly enthusiastic.”⁴¹⁶ In the end, “Communal penance services were not the occasion for widespread return to penance and reconciliation by American Catholics.”⁴¹⁷ In the quest to make the sacrament of penance more meaningful, the new rite had also made it much longer and more demanding for the busy laity. Moreover, such services were also infrequent in comparison with the regular and extensive confessional schedules of earlier years.

Minimizing the Sacrament, Undermining the Virtue of Penance

It was not common, but also not unheard of during the late 1960s and early 1970s for someone to reference the virtue of penance as a supporting point for making changes to the sacrament of penance. In his critique of devotional confession, Ronald Modras noted that “proper understanding of the sacrament of penance demands appreciation of the virtue of penance, which in turn demands an understanding of the nature of sin, to which penance is

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⁴¹⁴ Ibid., 44.
⁴¹⁵ O’Toole, “In the Court of Conscience,” 183.
⁴¹⁶ Ibid.
⁴¹⁷ Ibid., 184.
antithetic. 

Likewise, a Benedictine who was re-examining the liturgical year, commented on the season of Lent: “As for the penitential elements the faithful are to be instructed on both the social consequences of sin and also that essence of the virtue of penance which leads to the detestation of sin as an offense against God.” The author notes that the understanding of penance in the past had been too individualistic and hence should be understood as a re-entering into union with God and God’s people, but he fails to mention the sacrament of confession in relation to this, relying instead on the penitential practices of the season of Lent.

Yet despite this conviction that there were many acts of the virtue of penance beyond those that constituted the matter of the sacrament of penance, the new emphases in theology of the sacrament of penance and the pastoral application of this theology simultaneously minimized the sacrament, while undermining the virtue of penance. The new emphases did not take up the Thomistic understanding of the virtue of penance as the principle for the sacrament of penance, and the sacrament of penance as strengthening the virtue of penance as well as other virtues. Despite the occasional reference to the virtue of penance, those hoping to renew the sacrament of penance did not turn to a Thomistic account of the virtues in order to do that. Rather, the emphasis on making the sacrament seem more communal or social, combined with the broadened sacramental understanding beyond the acts of contrition, confession and satisfaction, took the focus away from what Thomas had defined as the form and matter of the sacrament, in particular reducing the role of the penitent’s action. This section will discuss the aforementioned theological debates and changes to the practice of the sacrament of penance with particular attention to the understanding of the virtue of penance.

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418 Modras, “Frequent Devotional Confession,” 653.
As noted in Chapter 1, the Thomistic understanding is that habit is the principle of act, and that repeated actions strengthen a virtue. The key acts of the virtue of penance are contrition, confession, and satisfaction; they take the place of matter in the sacrament according to Thomas, and hence these human acts are identified by the Council of Trent as the “quasi-matter” of the sacrament, with the priest’s absolution providing the form of the sacrament. The virtue of penance increases the more that a person engages in these and other penitential acts. Many of the suggested changes to the sacrament of penance undercut the virtue of penance by diminishing the need for these three acts.

By delaying the age of first confession, children lost a few years of working to develop the penitential habit in response to their sins. By discouraging devotional confession, again, there was lost opportunity for strengthening the virtue through verbal confession and assigned satisfaction. Lombard and Thomas had both understood that though contrition was an interior act of the will, it should be expressed through external acts of the penitent. The push for general absolution without verbal confession of sin also could be a cause for the weakening of the virtue of penance; verbal confession required an examination of conscience in order to articulate one’s sins and was more likely to elicit contrition than not identifying specific sins. General absolution did not necessitate an examination of conscience, verbal confession, or even contrition for that matter. In this sense, it provided form with no matter, which meant it was no longer a sacrament. Additionally, the emphasis on conscience and freedom was detrimental to church teaching on what constituted a sin. The resulting reduction in the list of sins may have likewise contributed to a diminishment of the virtue of penance. Less identifiable sins meant less contrition, confession, and satisfaction.

As was mentioned in the last chapter, one of the criticisms that moral theologians like Bernard Häring had about manual-based moral theology was that it tended to foster a
minimalistic morality. In other words, the faithful tended to do the bare minimum to fulfill what
they saw as their Christian duty. The focus on obligatory practices such as Friday meat
abstinence and attendance at Sunday Mass, as well as a preoccupation with sexual sins
detracted from a holistic sense of charity that would foster awareness of a more diverse number
of sins, including social sins such as racism. This morality was regarded as minimalistic in the
sense that the faithful did not strive to advance beyond what was required of them by the
Church.

It is somewhat ironic, therefore, that one of the theological emphases in the wake of
Vatican II was that the sacrament of penance was only strictly necessary, even annually, in the
case of mortal sin. There was nothing theologically inaccurate about such a statement, but it
certainly promoted a minimalism in regard to identification of sin and use of the sacrament of
confession. That numerous priests chose to emphasize the superfluous nature of devotional
confession and discourage penitents from approaching the sacrament frequently could only
have contributed to the decline. O’Toole rightly points to the shifting relationship of the
sacrament of penance and that of the Eucharist. The laity were instructed to receive communion
more often (even at every Mass attendance) and told that they need not go to confession
before doing so, except in the case of mortal sin. Again, while this was theologically correct in
fact, it supported a minimalistic practice of the sacrament of penance; priests had long taught
that the reception of the Eucharist would be more fruitful if preceded by the sacrament of
penance. But if confession was not necessary to receive the Eucharist, then why bother?\footnote{O’Toole, “In the Court of Conscience,” 182.}

In the case of both discouraging the practice of devotional confession and delaying
children’s first confession, the faithful were not provided with the opportunity to develop the
virtue of penance as they had had in the past. There was no longer a pressing need for the
frequent exercise of self-examination and identification of sin required by recurrent partaking of
the sacrament of penance, and without the sense of sin as a reality – and actual sins that were
identified, named, and could be removed – the faithful were unlikely to understand the need for penance. While the regular confession of only venial sins doubtlessly could have its problems,
like the tendency toward scrupulosity and a problematic routinization, it nonetheless had served
an important role by providing the possibility for habit formation, that is, strengthening of the virtue of penance. Beyond just a regular examination of conscience, the practice of devotional confession forced the faithful to articulate their sins. When they sought the sacrament of penance, they actually had to perform the acts that constituted the matter of the sacrament – contrition, confession and satisfaction. And they did this under the direction of a priest, representing Christ and the Church. There was an accountability and a humility inherent in this particular practice that had the potential to strengthen the virtue of penance. Such accountability and humility was not present in some newly proposed forms of the sacrament, nor was it present in the decision to forego the sacrament based on the theological explanations given by priests.

There was some theological and historical support in favor of delaying children’s first confession despite offering them an early first communion, especially since the communion age had just been lowered by Pius X in 1910. Yet unfortunately, the practice of separating first confession from first communion further served to separate penance from the Eucharist. Children would be in the habit of receiving communion for several years before they attempted to include the habit of regular confession.\footnote{Although the General Catechetical Directory insisted on first confession prior to first communion, the opposite order apparently continued to be practiced into the 1980s in some places, including my own parish in Iowa. My first communion was in 1986, and my first confession was in 1988.} It should not be a surprise that for many of these children, the two sacraments were not even necessarily linked. For even after receiving the
sacrament of reconciliation for the first time, they were likely instructed that they need not partake of it regularly prior to receiving communion. An early confession linked with the Eucharist developed the sense of sin, the ability to identify and name sin, the virtue of penance, and the recognition of the need for penance prior to Eucharist. The postponement of confession did the opposite, effectually postponing the development of the virtue of penance through its chief acts of contrition, confession, and satisfaction. Perhaps, therefore, it is not surprising that O'Toole reports a generational difference in attitude toward the sacrament of confession, with college-aged young adults in the 1970s expressing the most dissatisfaction with the traditional practice of confession. It was generally this segment of the Catholic population who was subject to delayed confession accompanied by an emphasis on frequent reception of the Eucharist. In other words, the Catholic who was seven and making her first communion (but not first confession) in 1965 would have been in college by 1976. Others who made their first communion and confession in the years preceding the close of the council were no doubt also affected to some degree by the separation of first communion and confession; perhaps they had made their first confession at age seven but were then told they need not go again until they were at least 12.

As mentioned in the first chapter, the virtue of penance was tightly linked to the sacrament of penance in the thought of Thomas Aquinas and many in the Catholic tradition; the language of virtue for penance in fact arose at the same time that the repeatability of the sacrament of penance was confirmed. The human acts constituting the matter of the sacrament of penance were the chief acts of the virtue of penance. Hence the new theological emphases in American Catholicism that sought to limit the practice of the sacrament to only when strictly necessary were detrimental to the virtue, even if or when theologians simultaneously promoted

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422 O’Toole, “In the Court of Conscience,” 170.
other non-sacramental acts of the virtue of penance. In the limiting of the sacrament of confession, there was a lost opportunity for cultivating the virtue of penance through regular penitential acts such as contrition, confession, and satisfaction.

The excitement over communal penance services with general absolution and face-to-face spiritual direction in place of sacramental confession also detracted from a key act of the virtue of penance, namely, the articulated confession of sin to another person. In fact, a common denominator of the various suggested penitential practices (non-sacramental communal penance services, acts of contrition, the penitential rite at the beginning of Mass) was that they did not require the faithful to articulate their sins. Though an examination of conscience was implied in these practices, the need for a good examen was not as crucial as when the person would be verbalizing sins to a priest. In a sense, the omission of this act of the virtue of penance made penance potentially easier and hence less likely to foster the virtue of penance in the lives of the faithful.

Another great cause for the decline of the sacrament of confession, according to O’Toole, was the change in the American Catholic understanding of sin and a reconsideration of specific sins. Chapters 2 and 3 of this dissertation sought to describe these changes. As sin ceased to be thought of as a concrete reality, it became more difficult to define certain sins. Peter Riga observed this when he wrote: “It must be noted...that theology today is again rethinking the whole concept of ‘mortal’ and ‘venial’ sins, which, after all, is not older than the high Middle Ages, at least as judgment as to whether a person should approach the Eucharist or not.”

Riga also observed that new studies of psychiatry and sociology indicated that people are actually limited in many choices that seem to be free. He added to this a comment on the change to the conventional list of sins:

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Moreover, we have also seen the rather shocking (at least for some of the faithful) changing of what was once considered to be ‘mortal’ sin (meat on Friday, fasting during Advent, and soon doubtless, obligatory Sunday attendance) to being either optional or non existent. What of all those of the faithful who committed such faults and died before ‘penance’? Many of the faithful simply do not see that something can be a ‘mortal sin’ today and tomorrow by the decree of a Pope or any other man, is nothing of the sort.\footnote{Ibid.}

In this Riga seemed rightly to capture the laity’s changing notion of sin that included a lack of confidence in Catholic Church teaching and practice, given the emphasis on such actions as sinful prior to the changes.

Moreover, the growing primacy of conscience and “freedom” in the thought of Catholic clergy and laity undermined traditional Church practice and teaching. In particular, the position that saw contraception as morally acceptable became paradigmatic as a case of conscience and moral autonomy for the laity struggling with complicated decisions in this area. Again, it is ironic that a theological emphasis that sought to limit legalism and minimalism ultimately concluded by demanding less, not more of the faithful, at least when it came to Church law and teaching. The more sympathetic understanding of sin and human weakness unwittingly contributed to a decline in the virtue of penance opening up the possibility of an I’m OK-You’re OK interpretation of the faithful’s disagreements with Church teaching in regard to sin.

From a theological perspective, one might also note that the minimizing of the sacrament diminished not only the penitential acts of the penitent, but disregarded the importance of form provided by the priest in his absolution. As Thomas argued, it was this form that perfected the acts of the penitent which served as matter. The form and matter which constituted the sacrament removed the remote matter of sin, and this removal of sin was necessary for the person’s salvation. While acts of the virtue of penance could be a cause for the forgiveness of sins even outside of the sacrament of penance, these acts performed in
conjunction with absolution perfected them, bringing greater assurance of the forgiveness of sins and aiding the recovery and strengthening of all virtues, including that of penance. Thomas had compared the Eucharist to nourishment, and the sacrament of penance to medicine.⁴²⁵ A person without sin could be adequately sustained by the Eucharist, but those with sin would have greater benefit from the medicine of the sacrament of in combination with the nourishment of the Eucharist.

**Conclusion: The Sacrament of Penance is Hard**

As Dorothy Day noted in the quotation at the beginning of this chapter, “Going to confession is hard—hard when you have sins to confess, hard when you haven’t, and you rack your brain for even the beginnings of sins against charity, chastity, sins of detraction, sloth or gluttony.”⁴²⁶ That which makes the sacrament of confession hard is precisely those acts—contrition, confession, and satisfaction—that constitute the matter of the sacrament as explained by Thomas and adopted by the Catholic tradition since then. These same acts are also described by Thomas as the acts of the virtue of penance. So in other words, what makes the sacrament hard is relying upon the necessary virtue of penance. And this phrasing should not be surprising given that the repeatability of the sacrament is that which first brought about the designation of penance as a virtue, as discussed in Chapter 1. Though the virtue of penance has roots long before Christianity, the language of virtue in regard to penance did not occur until the time in which the sacrament was authorized as repeatable. And it is precisely in the repeated reception of the sacrament that virtue is strengthened, helped along with the aid of the sanctifying grace dispensed in the form of the sacrament, the absolution by the priest.

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⁴²⁵ ST, Tertia Pars, Q. 84, A. 6.
The changes to the sacrament during this time period addressed what were oftentimes rightly perceived as problems with the way the sacrament of confession was practiced. Perhaps because of the use of manuals in the training of confessors, the sacrament had a legalistic tendency, with some of the primary sins confessed being the violations of Church ritual laws, such as breaking the Friday meat abstinence or failing to fulfill the Sunday obligation of Mass attendance. Such an emphasis detracted from the more relational nature of sin, and as personalism became popular, theologians worried that this aspect was missing from the common American practice of the confession. So also, it could appear that the sacrament was practiced in a merely external sort of way, lacking in the appropriate interior sentiment of true sorrow and contrition.

Scrupulosity and an overabundance of “Catholic guilt” indicated a problem in conscience and conscience formation. Perhaps the Church was simply not realistic about human weaknesses and tendencies toward sin, and perhaps it had erred in making the faithful preoccupied about sin. This was related to the changes in the idea of freedom. Catholic schoolchildren who had long been taken to confession regularly throughout the school year before First Fridays now appeared as victims who had the sacrament forced on them. It could be argued that their freedom was being impinged upon, rather than that the practice was facilitating their freedom by forming them in a valuable virtue that would serve them well for the rest of their lives.

With the rising popularity of psychology and counseling services, many worried that the confessional did not adequately address spiritual problems or personal problems, and perhaps even exacerbated them by reinforcing shame. Especially as Catholics moved out of close-knit urban Catholic communities, the practice of confession seemed ill-suited to address the

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concerns of life in the religiously pluralistic suburbs. For the younger generation, this was particularly the case; confession did not make sense or seem an effective way of addressing the problems of life. Moreover, the sacrament seemed individualistic; the communal nature of reconciliation with the Church was unclear as each person headed into the box for a couple of minutes alone with a priest. And the focus of sins confessed was of a highly personal nature, again, with emphasis on Church law and little attention to pressing social sins, such as racism in parish communities or the purchase of fruits that relied on unjust migratory labor.

The alteration in theological emphases and pastoral applications of these emphases was made with the best of intentions. In the wake of Vatican II, the faithful – both lay and clergy – had the courage to address the failings of this sacramental practice and try to amend them in order to reinvigorate the sacrament of confession. Unfortunately, however, these criticisms and resultant changes did little more than seemingly contribute to the decline of the sacrament while simultaneously undermining the virtue of penance as well. The repetition, or the habit – whether annual or weekly – of receiving the sacrament of penance was ultimately not the problem. What needed reexamination was whether the external acts of confession and satisfaction were properly motivated by the virtue of penance and how the faithful might work on making the sacrament not simply routine, but penitential. In other words, the sacrament of penance fell short of its potential for serving as a structure to develop virtue among American Catholics.
As we have said, it was our Lord Himself who issued the first passports to Paradise when He lived here on Earth. But before He returned to His Father, He arranged a plan by which the passports would be available to anyone who wanted them — through all the ages, everywhere on Earth. They are always important to all of us, but for some of us nowadays they can take on a special importance for the people who have been prevented from receiving them, for example...

Here come a couple more for freedom!

...and it looks as though they’re going to make it!

Welcome! You made it without a scratch! You’ll be feeling fine in no time. A little food’s all you need.

Yes, a little food...

...and a place to live like a human being once again.

You cannot know how happy we are! They gave us no freedom. We had no priests, no living — that was all...

Is there a Catholic priest here? We want to go to confession and receive our Lord once again.
JACK WILL CALL HEADQUARTERS FOR THE CHAPLAIN AND SOME OF THE OTHER OFFICERS. YOU CAN TELL ME ABOUT THIS "CONFESSION" WHILE I FIX SOME COFFEE. YOU AREN'T THE FIRST PEOPLE WHO HAVE ASKED FOR A PRIEST THE MINUTE THEY ARRIVED. IT MAKES ME WANT TO KNOW MORE ABOUT IT.

RECEIVING THE SACRAMENTS AGAIN HAS BEEN ONLY A DREAM FOR US EVER SINCE THE COMMUNISTS BECAME OUR RULERS AND CLOSED OUR CHURCHES.

SACRAMENT? IS THAT WHAT CONFESSION IS?

WELL, IT'S PART OF THE SACRAMENT OF Penance. IT HAS THE POWER TO FORGIVE THE SINS WE COMMIT AFTER BAPTISM.

CHRIST GAVE HIS APOSTLES THE POWER AFTER HIS RESURRECTION...

RECEIVE THE HOLY SPIRIT; WHOSE SINS YOU SHALL FORGIVE, THEY ARE FORGIVEN THEM; AND WHOSE SINS YOU SHALL RETAIN, THEY ARE RETAINED.

HE GAVE ST. PETER THE POWER TO TAKE HIS PLACE ON EARTH IN TEACHING AND SANCIFYING PEOPLE.

I WILL GIVE YOU THE KEYS OF THE KINGDOM OF HEAVEN; AND WHATSOEVER YOU SHALL BIND ON EARTH SHALL BE BOUND IN HEAVEN, AND WHATSOEVER YOU SHALL LOOSE ON EARTH SHALL BE LOOSED IN HEAVEN.


IN OTHER WORDS, A CATHOLIC CAN'T FORGIVE ANOTHER CATHOLIC'S SINS UNLESS THE ONE DOING THE FORGIVING IS A CATHOLIC PRIEST.

YES, ONLY AN ORDAINED CATHOLIC PRIEST HAS THE POWER TO FORGIVE SINS... ...AND SO WE HAVE LONGED FOR THE DAY WHEN WE COULD ONCE AGAIN SEE A CATHOLIC PRIEST AND BE ABLE TO RECEIVE THE SACRAMENTS.
THEN WE TELL THE PRIEST OUR SINS.

WE MUST CONFESSION ALL
OUR SERIOUS SINS AND HOW
MANY TIMES WE COMMITTED
THEM.

WHAT IF YOU FORGET A
SIN—OR DON'T TELL ABOUT
A SIN ON PURPOSE?

IF WE REALLY
FORGET A SIN,
IT WILL STILL
BE FORGIVEN.
BUT IF A SERIOUS
SIN IS PURPOSELY
OMITTED, NONE
OF OUR SINS ARE
FORGIVEN AND
WE COMMIT
ANOTHER SERIOUS
SIN THAT IS A
SACRILEGE.

"AND THEN..."

I ABSOLVE YOU FROM YOUR
SINS IN THE NAME OF THE
FATHER AND OF THE SON AND
OF THE HOLY SPIRIT.

O MY GOD, I AM
HEARTILY SORRY FOR
HAVING OFFENDED THEE...

AND THAT'S ALL
THERE IS TO IT?

THERE IS MUCH MORE
INVOLVED IN THE SACRAMENT
THAN THAT...

THE JEEP'S IN
SIGHT, BILL.

CHAPLAIN
BRENNAN AND
CAPTAIN
DERRICK'LL BE
HERE IN A
JIFFY!
WE ARE VERY HAPPY TO SEE YOU.

NOT HALF AS HAPPY AS WE ARE TO BE HERE, FATHER! IT IS GOOD TO KNOW WE ARE FREE AND TO SEE A CATHOLIC PRIEST AGAIN.

IN FACT, WE'VE BEEN TELLING ONE OF THE GUARDS ABOUT THE SACRAMENTS, AND HOW WE HAVE LOOKED FORWARD TO RECEIVING THEM.

LATER, WHILE THE COUPLE IS INTERVIEWED, FATHER BRENNAN CONTINUES THE WORK THE HOLY SPIRIT HAS BEGUN THROUGH THE REFUGEES.

...BUT THERE IS A CERTAIN PUNISHMENT CALLED TEMPORAL PUNISHMENT THAT CONFESSION USUALLY DOES NOT TAKE AWAY COMPLETELY. WE MUST REMOVE IT OURSELVES OR ELSE SUFFER FOR A TIME THAT IS WHY THE PRIEST GIVES THE PENDANT CERTAIN PRAYERS TO SAY — TO REMOVE THE TEMPORAL PUNISHMENT?

CORRECT! BUT EVEN THAT OFTEN DOES NOT REMOVE ALL THE PUNISHMENT. WE CAN REMOVE IT OURSELVES BY PRAYER, GAINING INDULGENCES, AND DOING OTHER PENANCES SUCH AS FASTING AND ALMSGIVING.

"BUT YOU NOW KNOW THE BASIC STRUCTURE OF THE OUTWARD SIGN OF THE SACRAMENT. CONTRITION, CONFESSION, AND AN INTENTION TO SAY THE PENANCE ARE THE MATTER. THE WORDS OF ABOLITION SAID BY A PRIEST ARE THE FORM."

"NATURALLY THE BEST KIND OF SORROW IS PERFECT CONTRITION. IF CONFESSION IS NOT POSSIBLE..."

DEAR LORD, I AM SORRY FOR MY SINS BECAUSE I HAVE OFFENDED YOU. YOU ARE SO GOOD, I LOVE YOU DEARLY...

"HOWEVER, OUR SINS CAN BE FORGIVEN EVEN THOUGH WE HAVE ONLY IMPERFECT CONTRITION. SORROW BECAUSE WE FEAR PUNISHMENT."

"AND WE HAVE PERFECT CONTRITION AND A PURPOSE TO GO TO CONFESSION AS SOON AS POSSIBLE, OUR SINS WILL BE FORGIVEN BY GOD."

...AND THIS CONFESSION WOULD FORGIVE THE SOLDIER'S SINS.

"CHAPLAIN, I'M AFRAID OF TWO THINGS TONIGHT. ONE'S THE PATROL I'M GOING ON AND THE OTHER'S THE FACT THAT IF I DON'T COME BACK, I'LL BE IN HELL. WILL YOU HEAR MY CONFESSION?"

OF COURSE.
When Thomas Aquinas wrote his material concerning the sacrament and the virtue of penance, it was in the context of describing a sacrament that was repeatable. The acts that constituted the matter of the sacrament – contrition, confession, and satisfaction – were the same acts that could be described as acts of the virtue of penance. But even though Thomas did not have the opportunity to expand on other practices of the virtue of penance in the Tertia pars, Christians participated in numerous non-sacramental penitential practices at his time period. So also there were various penitential practices in place in the United States prior to the Second Vatican Council. Given that the last chapter focused on the sacrament of penance as containing acts of the virtue of penance, this chapter seeks to describe other acts of the virtue of penance; these non-sacramental penitential acts are motivated by the virtue of penance while also further strengthening that virtue. This chapter focuses especially on those penitential practices that were integral to Catholicism prior to the changes in penance implemented in the wake of the Council. While the social nature of the sacrament of penance is not always apparent to observers, penitential practices such as Friday meat abstinence and Lenten fasting more obviously illustrate the social dimension of penitential practices. These practices were obligatory, and they were done consistently by the majority of Catholics in the U.S., reinforcing Catholic identity, including the penitential dimension of Catholic life.
The current chapter will describe the penitential practices in place at the time when the sacrament of penance was at its height in the United States. The chapter will note the recognizable problems with regard to how penance was performed and explain some of the suggestions at the time for addressing these problems. The chapter will then turn to Paul VI’s Paenitemini, which called for a renewal of penance to be taken up by local episcopal conferences. The National Catholic Conference of Bishops’ answer to this summons was their “Pastoral Statement on Penance and Abstinence.” An examination of this document reveals the underlying theology of the time, which favored individual choice with the belief that freely chosen penance would be more meaningful, indicating “inward penitence and conversion.”

This document also demonstrated great confidence in the liturgical changes for reinvigorating a meaningful penance. The changes implemented by this letter greatly reduced the obligatory days of penance practiced in the United States, and the emphasis on individual choice unwittingly led to the decline in such longstanding penitential practices as the Friday meat abstinence and Lenten fasting. The move from socially instituted, communally practiced penance to individually chosen penances was a response to recognizable problems in penitential practice; nonetheless, the attempt at reform ultimately destabilized the established structures of penance without replacing them with social structures that would better facilitate the exercise of the virtue of penance.

While it is not the intent of this chapter to prove a causal link between the decline of the sacrament of penance and these other penitential practices, it is noteworthy that the declines of both were simultaneous. This is due in some part to the cultural and societal changes among

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U.S. Catholics that would have influenced Catholic participation in the sacrament of penance and other penitential practices. But it also may be that there was a commonality in regard to the theological emphases regarding sin and penance. As noted in the first chapter, the virtue of penance is an interior habit and the principle of penitential acts. A coincident decline in both sacramental and non-sacramental acts of penance may indicate their shared common source, namely, the virtue of penance, the exercise of which presupposes a strong sense of sin as a reality identifiable in one’s own life, as well as structures to facilitate growth in the exercise of the virtue of penance.

Whether the acts that make up the sacrament – contrition, confession and satisfaction – or other acts such as fasting, all penitential acts are rooted in the acknowledgment of sin as a reality and the necessity of amending for actual sins by penance. Responses to sin in the form of penitential acts, whether sacramental or not, are acts of the virtue of penance. As Thomas noted in the *Summa Theologiae*, a person cannot always be partaking of the sacrament of penance, but a person should repent habitually and continually, never doing anything contrary to penance that will destroy the habitual disposition. 431 Practically speaking, a daily examination of conscience based on the Ten Commandments and Sermon on the Mount can reveal sin enough to motivate contrition, which seeks external expression in any number of acts of satisfaction. The obligatory nature of penitential practices in the Church assumes that individuals and the Church as a whole will be aware of sin, sorry for that sin, and wanting to amend for it. Penitential structures, such as the sacrament of penance, Friday meat abstinence, Lenten fasting, etc. are socially instituted in order to provide specific ways for the Church to live out the penitential dimension of the Christian life, to improve in the exercise of the virtue of penance.

This chapter will argue that there was a need for reform in regard to penitential practices, but those changes to penance implemented by the NCCB did not ultimately lead to the renewal of penitential practices in the U.S. but rather weakened the social structures in place to facilitate growth in the virtue of penance. In the quest for meaningful penance, these practices were modified, so as to be selected by the individual, rather than obligatory and hence more obviously communal. This emendation accompanied a decline in the non-sacramental external practices associated with penance, such as fasting and abstinence from meat. The change relied more heavily on the will of the individual to choose and perform penance without the social support of a larger community sharing in that particular penance.

The first few sections of this chapter will discuss several key penitential practices that were part of Catholic culture in the United States prior to the Second Vatican Council. Perhaps the most notable of these was the Friday meat abstinence, which was an important marker of Catholic identity in a religiously pluralistic country. There were other penitential days and seasons as well; Catholics were supposed to fast every day of Lent, during Ember Days (three days, four times a year), and on the days prior to major feasts such as Christmas. All of these practices were both communal and obligatory. There was one other penitential practice that was a crucial part of Catholic culture, namely, the offering up of suffering in penance for one’s sins. “Bearing the ills of life,” was involuntary in the sense that the faithful did not choose this suffering, but it was voluntary and individual in that this penitential practice depended on the person and how she chose to deal with suffering. Yet regardless of how well a person might, in practice, bear the ills of life as penance for his sins, it was nonetheless a part of the Catholic understanding of penance.

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432 Pope Benedict XVI, in his encyclical Spe Salvi, urged a return to this concept of “offering it up.” ¶ 40, accessed on 4 December 2012 at http://www.vatican.va/holy_father/benedict_xvi/encyclicals/documents/hf_ben-xvi_enc_20071130_spe-salvi_en.html.
After describing the above listed penitential practices, the chapter will observe the recognizable problems that arose in regard to these practices. Chief among these problems was the inherent legalism given that most penitential practices were obligatory and rarely explained in terms of their role in facilitating growth in virtue or aiding the Church toward the final end of the beatific vision. Rather than emphasizing the significance and meaning of penance, priests and theologians tended to speak of penance in legal terms, as evidenced by the numerous debates regarding the letter of the law. Given the legalistic tendency and dearth of spiritual exposition, the regular practice of these penitential acts could devolve into an unthinking routine, a criticism also applied to the sacrament of confession. Some people worried that these external penances were not accompanied by suitable reflection, an appropriate interior sentiment, or adequate contrition for sin. Others thought that the penitential focus was too individualistic, narrowly concerned with the personal piety and salvation of those who performed these penances and hence failing to address larger social issues and the individual’s complicity in social ills.

In the following section, the chapter will discuss Paul VI’s *Paenitemini* and the National Conference of Catholic Bishops’ (NCCB) letter that implemented changes in penance in light of the pope’s document. These changes were similar to those made by other countries around the world, and they reflect emphases in theology during that time period. Departing from the more traditionalist, manualist approach to morality represented by Gerald Kelly and John Ford, the NCCB favored a more Häring-like perspective that rested upon finding meaning through the concepts of freedom and responsibility. This played out practically in an emphasis on individually chosen penitential practices over those that were communal and obligatory, with a specificity that was socially instituted. Accompanying this was a conviction that such voluntary
penance is more meaningful than a particular penance which is required by Church law and supported by social structure.

The chapter will conclude by observing that there was a clear need for reform in regard to penance as it was practiced in the United States. And yet the changes that were made, though well-intentioned, did not further facilitate or renew penitential practices and the exercise of the virtue of penance. Rather, they inadvertently contributed to the decline of non-sacramental penitential practices, which had buttressed the sacrament by providing additional social structures with the potential to aid in strengthening the virtue of penance. Granted that habits formed out of obligation do not necessarily facilitate the exercise of virtue in every person, these penitential habits could nonetheless serve as an important beginning for development in the virtue of penance. Theologians, and the bishops, for that matter, had hoped that making penance individual and voluntary with fewer days and seasons of penance would increase the quality and possibly even the quantity of penance, calling people to move beyond the “lowest common denominator” of legalistic, minimalistic morality to a fuller participation in penitential practices that were truly penitential for them, rather than simply routine.

On the contrary, overall the faithful decreased their penance in accordance with the decrease of clearly defined, socially structured obligatory penance. While some older Catholics may have continued with the penitential practices ingrained in them from an early age, young adult Catholics more easily fell out of the habit of penitential practices as they lost the solidarity that was found in the communal practice of penances like Lenten fasting and Friday meat abstinence. Children, moreover, were no longer raised with socially instituted, unambiguous penitential practices shared by the entire Catholic community. The approach brought by the NCCB did not focus on the self-examination or rectification of intention for the penitential habits already formed and socially instituted, but rather invited the individual to make a judgment as
to what would be suitably penitential for her. It was difficult to strengthen the virtue of penance in an environment that no longer had clearly defined penitential norms practiced socially. The changing concept of sin, which minimized its importance for morality and made it seem intangible and elusive, also contributed to the younger generation’s view that penance was largely unnecessary. Though the penitential dimension of Christian life was still assumed by the Church hierarchy, the new structures instituted governing penitential practice were insufficient to facilitate the development of the virtue of penance.

Penitential Practices Prior to Vatican II

The rapid decline of penance in the United States during the late 1960s and early 1970s is often equated with the demise of the sacrament of penance, and rightly so, since this was the paradigmatic practice of penance, and it did suffer a decline. There is very little discussion of the decline of the various other penances lived out by Catholics. There was, however, a whole host of penitential practices performed socially by American Catholics prior to Vatican II, and the decline of these other penitential practices was roughly concurrent with the waning of sacramental penance. This section will discuss a few of the most common and recognizable Catholic penitential practices associated with particular days and seasons, beginning with Friday meat abstinence and continuing on to consider Lent, Advent, Ember Days, and days before major feasts. The section will end with a discussion of the Catholic view of suffering, particularly in regard to how this was viewed penitentially.

Dispensation and Development of Penitential Practices

Before describing each of these penitential practices individually, it is beneficial to note that even the practices that were well-established in the United States at the time of Vatican II in fact had undergone numerous changes throughout American Church history. All of the practices of fast and abstinence by that time were based on the 1917 Code of Canon Law
applicable to the whole of the Latin rite church, i.e. canons 1250-1254. Prior to 1917, the general law required the faithful to fast on all the days of Lent except Sunday, on Wednesdays, Fridays, and Saturdays of the Ember weeks (explained below), and on the four vigils of All Saints, Christmas, Assumption, and Pentecost. By custom in many places, such as Rome, the faithful also fasted on Wednesday and Friday during Advent. Fasting according to the general law of the Church included only one meal a day, abstinence from meat, abstinence from eggs and milk products during Lent, abstinence from fish at those meals where meat was eaten on a fast day, as well as on Sundays of Lent. Abstinence from meat without fast was observed by the general law on all Fridays and Saturdays throughout the year.433

As sometimes happened, however, the Holy See granted dispensations to different episcopal regions on account of their situations and needs that made adhering to these canonical prescriptions difficult. In contrast to “canon law,” these regulations for fast and abstinence including various dispensations were regarded as “common law.” Before the 1917 Code, the Church in the U.S. discerned how best to apply fast and abstinence rules in their jurisdiction. In some cases they requested dispensations. For example, in 1837, the Third Provincial Council of Baltimore asked for and was granted a dispensation from the custom of fasting on Wednesdays and Fridays of Advent and from abstaining on Wednesdays of Advent; in 1840 the Fourth Provincial Council of Baltimore asked for a perpetual renewal of an indult dispensing from abstinence on Saturdays, and this indult was renewed for twenty years by Pope Gregory XVI. In 1866, the Second Plenary Council asked that all dispensations granted to the

433 “Report of the Bishops’ Committee on Fast and Abstinence,” 1951, page 19, Frederick R. McManus Papers from The American Catholic History Research Center and University Archives at the Catholic University of America (hereafter “McManus Papers”), Box 1, Series 2, Folder 25. Thanks to Carter Rawson of the C.U.A. Archives for assisting me with the McManus papers. It would be fascinating to know the extent to which these fast and abstinence practices were observed by Europeans. The fact that Catholic immigrants to the U.S. seem to have brought such practices with them as a part of their lives would indicate that adherence to these rules was widespread among the laity in Europe in the 20th century.
diocese of Baltimore be extended to other dioceses, but Pope Pius IX preferred individual
requests from each bishop in the U.S. In 1884, the U.S. bishops meeting at the Third Plenary
Council decided it would be difficult to pass uniform legislation on the subject of fast and
abstinence and hence left it to the authority of provincial councils to determine what was best
for their territories. Leo XIII in 1886 granted U.S. bishops the authority to dispense each year
from abstinence on Saturdays. That same year, James Cardinal Gibbons consulted the
archbishops in the U.S. at the request of the Holy See, and then sent a petition for a uniform set
of fast and abstinence regulations.

This petition was granted by Pope Leo XIII in a document entitled *Indultum Quadragesimale*,
which permitted the use of meat, eggs, and milk products at all meals on Sundays during Lent,
at the principal meal on Monday, Tuesday, Thursday and Saturdays, excepting Saturday of Ember week and of Holy Week. It also allowed for the use of eggs and milk products at the evening collation daily during Lent and at the principal meal when meat was not allowed. *Indultum Quadragesimale* further allowed a small piece of bread in the morning with a beverage, the possibility of taking the principal meal at noon or in the evening, and the use of lard and meat drippings in the preparation of foods. Those exempt from the law of fasting were permitted to eat meat, eggs and milk more than once a day.\(^{434}\)

The 1895 so-called “Workingmen’s Privilege” allowed the bishops in the United States to
permit the use of meat in circumstances where there was difficulty in observing the common
law of abstinence, excluding Fridays, Ash Wednesday, Holy Week, and the Vigil of Christmas.
This workingmen’s privilege (or indult) allowed only for meat once a day during Lent, taken at
the principal meal, and never taken in conjunction with fish. This particular indult was extended

\(^{434}\) Ibid., 21.
not only to the laborer but to his family as well. The motivation of such an indulg

cation was no doubt to allow for enough sustenance such that the many Catholic immigrants to the U.S. who worked as manual laborers could perform their difficult physical work without danger to their health.

After the 1917 Code, there were some additional documents modifying fast and abstinence rules, particularly to accommodate difficult wartime conditions that included limitations in food availability. In 1917 Pope Benedict XV granted the faithful of countries in World War I the privilege of transferring Saturday Lenten abstinence to any other day of the week, excepting Friday and Ash Wednesday. In 1919 Cardinal Gibbons was granted his request of transferring Saturday Lenten abstinence to Wednesday for all bishops of the U.S. This permission, as well as the workingmen’s privilege were frequently renewed but, after 1931, only on the basis of personal requests from individual bishops. During World War II in 1941, Pope Pius XII granted to all bishops the power to dispense entirely from fast and abstinence, excepting Ash Wednesday and Good Friday. He extended this again in 1946. In 1949, Pius XII placed some restrictions on the earlier granted dispensations, requiring yearlong Friday abstinence, fast and abstinence on Ash Wednesday, Good Friday, and the Vigils of Assumption and Christmas, but allowing eggs and milk products at collations on days of fast and abstinence.

The 1951 “Report of the Bishops’ Committee on Fast and Abstinence” detailed the fast and abstinence regulations for the United States, while also providing commentary on these regulations. The origin and mandate of the committee, which included bishops Leo Binz, William O’Connor, and John Cody, was stated in their preamble: “…the bishops generally have desired to

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435 Ibid., 22.
436 Ibid., 22-23.
clarify, simplify and to unify fast and abstinence practices in the United States."\textsuperscript{437} While each of these committee members held doctorates in sacred theology (S.T.D.), they consulted both theologians and canonists in preparing tentative regulations on fast and abstinence which was sent to all bishops in the U.S. with a request for comments. The revised formula, with one modification was submitted to the bishops at their annual meeting on November 14, 1951 and adopted by them as the uniform norm for the U.S.\textsuperscript{438}

The bishops noted the purpose of fast and abstinence regulations in the first paragraph of the text for the document: “To foster the spirit of penance and of reparation for sin, to encourage self-denial and mortification, and to guide her children in the footsteps of Our Divine Savior, Holy Mother Church proposes by law the observance of fast and abstinence.”\textsuperscript{439} After detailing the abstinence and fast regulations, including the days and seasons of these fasts as well as defining who was obligated, the bishops concluded the regulations by stating:

We earnestly exhort the faithful during the periods of fast and abstinence to attend daily Mass; to receive Holy Communion often; to take part more frequently in exercises of piety; to give generously to works of religion and charity; to perform acts of kindness toward the sick, the aged and the poor; to practice voluntary self-denial especially regarding alcoholic drink and worldly amusements; and to pray more frequently, particularly for the intentions of the Holy Father.\textsuperscript{440}

The commentary that followed these regulations gave an account of the special faculties granted by the Holy See to bishops in the U.S. Of particular importance was Pius XII’s 1949 decree that set forth a minimum of abstinence and fast for the faithful throughout the world, regardless of prior indults; these regulations were abstinence on all Fridays, fast and abstinence on Ash Wednesday, Good Friday, and the vigils of the Assumption and Christmas.\textsuperscript{441} However,
this decree also allowed local ordinaries the authority to determine when to dispense from fast or abstinence.

It also gave the bishops the authority to determine how best to apply the workingmen’s privilege (or partial abstinence), which the U.S. bishops chose to extend to all the faithful in the U.S. in 1951 when they updated the fast and abstinence regulations. This relative norm defined a fast day as allowing one full meal and two collations which together did not total a full meal; the relative norm had long been in use in Europe, until the absolute norm of two ounces (first collation) and eight ounces (second collation) was introduced by Alphonsus Ligouri to assist the scrupulous in deciding how much food they were allowed on a fast day. The bishops thought that the relative norm allowed for the person to take enough food to do his daily work properly, and hence the relative norm “makes it possible for most persons to fast, whereas...most persons cannot fast according to the “absolute norm.” In some places, such as Ireland, a modified relative norm allowed for one full meal (amount judged by the individual) and two collations totaling no more than 12 ounces, or 18 total ounces of food for those who needed the sustenance to perform strenuous work. By 1950, however, many other countries had agreed upon uniform fast and abstinence regulations for their regions by sanctioning the relative norm.

This and the other regulations detailed in the 1951 report were still in effect up until 1966, with a few modifications. One such change was in regard to the end of the Lenten fast. It had formerly ended at noon on Holy Saturday, but in 1956 the fast was extended to the

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442 It would be interesting to know how many people had access to the weight measurement that would be required by this absolute norm.
443 Ibid., 10.
444 Ibid., 14.
445 Ibid., 13-19.
midnight between Holy Saturday and Easter Sunday. A third change was to transfer the vigil fast and abstinence from the feast of the Assumption to that of the Immaculate Conception, with a decree noting that many ordinaries of various nations informed the Apostolic See of the difficulties, due to circumstances of time and place, “that constantly stand in the way of the complete observance of the law calling for fasting and abstinence on the vigil of the Assumption.” A dispensation was also granted from fast and abstinence on the Vigil of All Saints’ Day in the U.S., and in 1959, Pope John XXIII granted to all the faithful the option of transferring their Christmas vigil fast, normally December 24th, to December 23rd. The following sections provide a more detailed description of each of these penitential practices observed in the U.S. in the 1950s and until 1966.

**Friday Abstinence**

Meat abstinence was perhaps the most familiar public marker of Catholic identity; it was a penitential practice noticeable to non-Catholics as well as Catholics in religiously pluralistic America. The Church’s 1917 Code of Canon Law defined the law of abstinence as forbidding the eating of flesh meat and the juice of meat, but not eggs, dairy or condiments made of meat fat. Abstinence from meat was to be observed on Fridays throughout the year, as well as on

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446 Archbishop Leo Binz, letter to Edward Cardinal Mooney, dated November 14, 1956, 1. McManus Papers, Box 1, Series 2, Folder 25.
448 Unfortunately there is no data as to how many Catholics actually observed these fasts. Given the private nature of eating meals in one home, it would probably be difficult to judge. By the popularity of discussions surrounding fasting found in pastoral publications, however, it seems that the clergy took these fasts seriously and likely communicated that to their parishioners.
Ash Wednesday, the Fridays and Saturdays in Lent, Ember Days, and the Vigils of Pentecost, Assumption, All Saints’ Day and Christmas Day. In particular, it was the weekly recurrence of the Friday meat abstinence that was a constant reminder that Catholics were different from their compatriots. Though Christians of many denominations used Sunday as a day for rest and worship, Catholics were distinct as the group whose faith required them to do something particular on Friday as well. This distinctiveness may even have added to the penitential nature of the practice, since Friday meat abstinence sometimes drew criticism from non-Catholics.

The importance of Friday meat abstinence at this time period was evident when Fr. Francis Connell tackled the question as to whether a Catholic who accidentally ordered a meat dish on a Friday could eat it on the grounds that it would be an inconvenience to lose money on it and waste food. Connell stated that there was no categorical answer to the question because of the variety of circumstance, but he believed it best to try to switch out the dish for something without meat. Connell’s explanation focused on the issue of scandal. A Catholic seen eating meat in public on a Friday would no doubt give rise to scandal, and this was especially true if he were a Catholic priest. In such a case, the priest could appear as a hypocrite, asking that his parishioners do something that he clearly was not. Protestants who witnessed the priest eating meat on a Friday might be confused, thinking perhaps that they had misunderstood the Catholic Friday meat abstinence rule. Hence Connell suggested that a priest would certainly do his best to find a way to pass up the inadvertently ordered meat. While the basis for this answer may appear to be superficial in nature inasmuch as it is concerned with external appearances rather than the internal significance, it nonetheless captures the prominence accorded to Friday meat abstinence. Friday meat abstinence was supposed to be an act of penance, of course, but it was

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451 Canon 1252, §2, Canon 1250, in *Codex iuris Canonici*, 346.
also an important opportunity to witness to the Catholicism and its distinct penitential view embodied socially through established penitential practices. Publicly ignoring such a well-known rule could cause a misunderstanding of Catholicism as a whole.

**The Lenten Fast**

The next most recognizable time of penance for Catholics in the United States was the season of Lent. Catholics were obliged to fast on every day of Lent, excluding Sundays. This fast was also one of partial abstinence from meat; one principal meal – normally lunch, but it could be supper instead – was of normal proportions and could include meat, excepting Fridays. The other two meals, named “collations” were not to total a full meal and could not include meat. Whereas the tradition of Friday meat abstinence was more clearly defined, Lenten fasting and partial abstinence were often harder to demarcate. Due to the nature of the relative fast, one man’s collation could be another’s principal meal. Moreover, dispensations from Lenten fasting were more liberally given in various cases, such as for those who were manual laborers. Despite this variation in practice, however, Lenten fasting was a social structure meant to facilitate penance among the faithful.

Perhaps because of the imprecision of the prescriptions for Lent, these regulations were often the subject of considerable discussion, particularly among the clergy as they strove for clarity in communicating the requirements to the faithful. The canonist John Danagher wrote several articles for *Homiletic and Pastoral Review* on the subject of Lenten fast and abstinence. In one piece from 1956, Danagher noted that the faithful often had questions in regard to fast and abstinence. He sought to give solutions to these problems: first, the case of someone who inadvertently ate meat at other than the principal meal, and secondly, the question of whether children should be served meat during lunch at a Catholic school. Danagher explained that the essence of the law of fasting consisted in taking only one full meal. Hence the inadvertent eating
of meat at other than the principal meal did not violate the essence of the law, nor did it mean that it must be counted as the principal meal, nor that meat must be avoided at the principal meal. In other words, partial abstinence from meat was ancillary to the prescriptions for fasting. On the basis of this conviction, Danagher could easily solve the problem as to whether children could be served meat on the weekdays of Lent. Because the children were not obliged to fast, they were not bound by rules of partial abstinence and therefore could be served meat, excepting days of complete abstinence.

It was not just Danagher and other canon lawyers who were concerned with the legal side of fasting and abstinence. The topic frequently gave rise to questions from readers, most of whom were priests. One inquirer wrote in to ask whether it was a mortal or venial sin to eat meat deliberately at a non-principal meal on a day of fast. The canonist responded by saying that anything more than two ounces of meat at a collation was “grave matter.” Another person asked whether those who were traveling were bound by the law of fast, and Danagher responded by explaining that traveling did absolve from the laws of both fast and abstinence, but that the journey should be necessary and a dispensation should be sought. Another time, a priest asked whether confessors should freely dispense with fast and abstinence regulations for members of their parish who sought dispensations. An additional frequently asked question concerned whether milk, chocolate milk, milkshakes or other beverages were permitted between meals on fast days. Fr. Connell answered several questions related to this in

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454 Ibid., 401-402.
And a related question was whether the taking of vitamins violated the fast.\footnote{Francis Connell with Walter J. Schmitz, “A Problem in Fasting,” in the section “Answers to Questions,” \textit{American Ecclesiastical Review} 136 (1957): 275. See also Francis Connell, “A Nourishing Drink on a Fast Day,” \textit{American Ecclesiastical Review} 136 (1957): 364.}

It was clear that at least some Catholic clergy, and perhaps the laity as well, were concerned with getting the fast right. Yet there was supposed to be meaning to Lent beyond the attention to fasting regulations, and the faithful also seemed aware of this. In one suggested homily published in 1956, the priest noted the problematic attitude encapsulated by the saying, “I’m just a layman.” He pointed out that laymen are “doers” for Christ, witnessing by their actions to people who may never hear a priest speak. Practically speaking, the homilist recommended “penance with a smile,” focusing on kindness, cheerfulness, and love, rather than on voluntary penances like giving up cigarettes or moving pictures. He promoted “positive” penitential practices, such as reading the gospels or attending Mass daily as a way to advance in the love of God.\footnote{Cecil L. Parres, “Vitamins and Fasting,” in “Questions Answered,” \textit{Homiletic and Pastoral Review} 59, no. 7 (1959): 673.}

Another homily, a year later in 1957, observed in the same vein that the Church is purified by the annual observance of Lent: “we pray that whatever we gain by abstinence we may follow up with good works.” The author further explained, “Abstinence...is a means to an end; that is to say, we abstain from meat in order to obtain something else more desirable.”\footnote{Gerard P. Minogue, “First Sunday of Lent: For a More Positive Lent,” \textit{Homiletic and Pastoral Review} 56, no. 4 (1956): 327-328.} Both fasting and abstinence, the priest suggested, were done for the good of the soul; the dearth left by these practices could be filled to overflowing with the fullness of Christ. In other words, the exterior practices of fast and abstinence should rouse the heart and raise the mind to meditate on the supernatural; in this way the external practices of the body could aid the

internal efforts of the soul. These homilies imply that at least some people saw the penitential dimension of Christian life as facilitating progress toward a supernatural end.

**Advent, the “Little Lent”**

In many places of the world, such as England, Ireland, and Australia, the Church also observed the season of Advent with socially instituted communal penitential practices, specifically, abstinence from meat on Wednesdays in addition to Fridays, as well as fasting on Wednesday and Friday. This had its root in a widespread practice of the early Church, and it remained a custom in many Catholic communities in Eastern Europe, no doubt influenced by Eastern Orthodox and Eastern Catholics who practiced a strict 40-day “Philippian fast” during the season of Advent. In 1837, the United States had been granted a dispensation from the custom of fasting on Wednesdays and Fridays during Advent, as well as a dispensation from Wednesday abstinence during Advent. However, as new Catholic immigrants came to the U.S., they often brought with them the penitential customs still practiced socially in their homelands. Hence the tradition of using Wednesdays and Fridays during Advent as particular days for penance continued to be observed by Polish Catholics, for example. Though that practice was no longer obligatory throughout the United States, Advent nonetheless maintained a penitential nature in virtue of the violet vestments worn by priests and the omission of the “Gloria” at the Mass and omission of the *Te Deum* in the Divine Office during the season. The 1941 version of

462 Ibid., 442-443. This point is fairly standard of traditional spiritual writings on these topics.
464 The Philippian fast is so named because it begins following the feast of St. Philip, which, on the Orthodox calendar, is celebrated on November 14.
My Sunday Missal explained: “During Advent Christ lives and works in the soul, imparting joy and urging preparation by penance for His coming.”

The penitential nature of Advent was also described by Pope Pius XII in his 1947 encyclical Mediator Dei, on the liturgy:

In the period of Advent...the Church arouses in us the consciousness of the sins we have had the misfortune to commit, and urges us, by restraining our desires and practicing voluntary mortification of the body, to recollect ourselves in meditation, and experience a longing desire to return to God who alone can free us by His grace from the stain of sin and from its evil consequences.

Priests in the U.S. ascribed to the traditional penitential understanding of Advent as a season for reform and penance inspired by the expectation of the coming of Christ. This was a continuation of practices already observed in some ethnic groups and at least encouraged in others.

Writing for the liturgical magazine Worship in 1951, the Benedictine Basil Stegmann described Advent as the opening scene for the drama of salvation played out liturgically:

The world must realize, first of all, its utter misery brought on by sin. It must recognize the divine power to avenge man’s injustice and ingratitude, and that only humble repentance and a renewed faith in God's love will restore peace to the earth, through the merciful intervention of the promised Redeemer.

As the article continues, Stegmann comments upon the Advent reading which features John the Baptist proclaiming the message to “do penance.” Stegmann writes, “Every generation must look forward to the coming of the Redeemer, and prepare itself by penance.” Homilists in HPR likewise suggested numerous voluntary and quite diverse Advent penances throughout the

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469 Ibid., 8.
years, such as cheerfulness, almsgiving, and giving up smoking.\textsuperscript{470} Homilists also urged the faithful not to neglect their interior preparation for the holy day of Christmas as they worked upon the external preparations associated with decorations, gift-giving, and feasting.\textsuperscript{471} The faithful were encouraged to increase their personal prayer or attendance at parish devotions and daily Mass.\textsuperscript{472}

A cartoon in the magazine \textit{Treasure Chest of Fun and Fact} shows how this message of preparation was communicated to Catholic school children. A segment entitled “Advent Action” showed a group of girls discussing what they could do to prepare spiritually for Advent. After some discussion, the girls decide to make a visit to the Blessed Sacrament after school during each day of Advent and to encourage friends to do the same. In the last frame of the cartoon, a caption notes that “For some, Advent was a time of giving. For others it was a wasted opportunity” as the various figures’ prayer bubbles indicate. Whereas one says, “Baby Jesus, please take my visits and whatever merit I earned as your Christmas gift,” another says, “I didn’t do much for you this Advent, dear Jesus, but I’ll do better next year.”\textsuperscript{473} A text-dense follow-up to the cartoon ends its explanation with the following: “The main purpose of doing penance in Advent should be to honor God because we love Him, and to lessen the punishment due for our sins. It makes a wonderful birthday present for the Baby King Who came into the world so he could die on the cross to save us all.”\textsuperscript{474} This cartoon is representational of the common view that Advent was about spiritual preparation that was associated with penance as reparation for

\textsuperscript{474} “Advent Action,” 14.
sin. This message was instilled in Catholics from a young age, showing that even kids could embrace penitential practices.

Another Advent theme was expressed in several homilies that encouraged the faithful to use the season to make greater effort to fight sin in their lives. One homilist in 1957 addressed the problematic nature of work-sponsored Christmas parties: “What travesty! What a travesty especially for a Catholic who should have some conception of the fact that Advent, the period before Christmas, is supposedly a time of preparation and of penance.” This priest advised that Catholics might have to forego their work Christmas parties in order to maintain a clear conscience. As another priest emphasized, Advent was a season to make efforts to get rid of sin, sometimes by rooting out near occasions of sin and not giving in to selfish desires. The clergy wanted it to be clear that Advent was a season of longing and desire, contrition and purification, not satisfaction, indulgence and celebration. One priest author proposed that the penance of Advent would be complemented with the grace of God, especially if the Church’s members ordered their penance to the proper growth of the soul with regular, well thought-out penitential acts, rather than performing penitential works haphazardly. For Catholics increasingly exposed to religious pluralism in the work place or in the suburbs, it might have been complicated to implement the advice contained in these homilies, especially if it meant appearing uncharitable or judgmental toward Protestant co-workers or neighbors. The voluntary penances of Advent were already challenging, but they could seem even more difficult for a Catholic who was surrounded by non-Catholics already partaking of Christmas celebrations.

Also writing in the 1950s, the Benedictine liturgist Ermin Vitry struck a similar theme in his *Worship* article entitled, “Aspirations for Advent.” While not speaking of penance *per se*, Vitry nonetheless warned of the danger of Christian complacency, or, what he called, “the most insidious sin of the modern Catholic, namely, compromise.” Vitry described laziness in the struggle for sanctity, the contemporary self-conceit that he believed would prevent the receptivity to which the Catholic was called, especially highlighted during the season of Advent. Vitry did not think it necessary to forego completely progress and modern comforts, but he saw the spirit of the times as opposed to the living of one’s vocation. Advent was a time to try to use the things of the world wisely without being enslaved to the world. In other words, Advent was a time for reflection, prayer and action – a renewed conversion to the quest for sanctity. Again, such a message could seem inconsistent with life in religiously pluralistic suburbs and difficult to enact without the social support present in other penitential practices such as Friday meat abstinence and Lenten fasting.

By the late 1960s and early 1970s, priests shifted their focus, minimizing the apparent contradiction of liturgical Advent in the midst of preemptive Christmas celebrations and instead reflecting the reality experienced by American Catholics. The emphases in regard to Advent moved from penitential preparation to joyful expectation. Advent homilies focused on penance and self-denial were few and far between. Even those suggested homilies with penance in their title failed to mention the subject in a substantive manner. The Catholic understanding of Advent as a time for penitential preparation was losing its credibility as Catholics in the U.S. became more like their Protestant compatriots. Proclaiming a message of penance at this time

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480 Ibid., 25.
would be a stance more counter-cultural in nature than most Catholics were willing to adopt. Compared to the 1950s, there was little social support for embracing the penitential nature of Advent.

Meanwhile, one homilist who brought up the subject of sin during Advent spoke about “social sin,” minimizing the private and personal nature of sin in order to highlight the role of the community in preparing for confession and in benefiting from confession. This same homily downplayed personal effort in order to accentuate the notions of grace and gift. Using the language of “conversion,” to speak of penance, the priest notably quoted Bernard Häring.\footnote{Oscar J. Miller, “I’m an Innovator: Fourth Sunday in Advent,” \textit{Homiletic and Pastoral Review} 70, no. 2 (1969): 141-142. Miller’s quotation of Häring (unspecified text) was as follows: “For sin has offended the Church, marred her harmony and unity; and conversion must lead the sinner back again to the community of love and life in the Church. Conversion – such is the clear meaning of the rites of the Church—is not the result of personal effort, but grace and gift from the sacred community of the kingdom of God, with which the sinner by his own free endeavor must cooperate toward reacceptance.” 143.} A more lengthy article entitled “Advent Has Its Problems,” treated Advent in a more in-depth manner, considering particularly where the emphasis should lie, Christ’s birth in Bethlehem or his second coming at the end of time. It made no mention of doing penance or the penitential nature of Advent. Rather, the author suggested that Vatican II had restored Advent as a time of joyful expectation.\footnote{Charles E. Miller, “Advent Has Its Problems,” \textit{Homiletic and Pastoral Review} 73, no. 2 (1972): 25.}

This change in tone for Advent was perhaps captured by the move among some liturgists and clergy to replace the violet vestments common to Advent and Lent with blue vestments that were specific to Advent. Despite the fact that the General Instruction of the Roman Missal excluded blue from the list of acceptable main colors for liturgical vestments, many wanted to distinguish Advent from Lent, specifically in order to minimize the recognition of Advent as a penitential season.\footnote{\textit{General Instruction of the Roman Missal}, 3\textsuperscript{rd} ed. (Washington, D.C.: United States Catholic Conference of Bishops, 2010), ¶345-346.} One former seminarian, who had a negative experience of

\section*{Notes}

\footnotetext[483]{Oscar J. Miller, “I’m an Innovator: Fourth Sunday in Advent,” \textit{Homiletic and Pastoral Review} 70, no. 2 (1969): 141-142. Miller’s quotation of Häring (unspecified text) was as follows: “For sin has offended the Church, marred her harmony and unity; and conversion must lead the sinner back again to the community of love and life in the Church. Conversion – such is the clear meaning of the rites of the Church—is not the result of personal effort, but grace and gift from the sacred community of the kingdom of God, with which the sinner by his own free endeavor must cooperate toward reacceptance.” 143.}


\footnotetext[485]{\textit{General Instruction of the Roman Missal}, 3\textsuperscript{rd} ed. (Washington, D.C.: United States Catholic Conference of Bishops, 2010), ¶345-346.}
this trend during his time in the seminary in the 1980s, states that blue-focused liturgists strove to rid Advent of its penitential character and the notion that it was the “little Lent.” This move may also have been ecumenically motivated or related. The use of a blue called “Sarum blue” for Advent was a norm among other churches, such as the Episcopal church, which attributes its use to an ancient English custom symbolizing heaven and Mary. It is possible that liturgists wanted to highlight the unique nature of Advent as preparation for Christmas, rather than seeing it as a lesser version of Lent.

Regardless of the exact motivation for changing the liturgical color of Advent, it seems to have been one of the unauthorized implementations of Vatican II that persists in the United States today. In those Catholic parishes that continue to use blue vestments, it does visually distinguish Advent from Lent and may therefore diminish Advent’s penitential character and the association with Lent that signifies both seasons as times of preparation. The difference between penitential preparation and joyful expectation might be best understood in terms of action. The former term implies doing something to get ready for Christmas, whereas the latter phrase is more passive, indicating waiting or anticipating. Advent is a season of both preparation and expectation, but as the liturgical emphasis moved toward expectation, penitential preparation diminished. This change in emphasis followed upon, and was likely related to, the changing demographics of Catholics increasingly integrated with non-Catholics who did not share in a liturgical season that was meant to guide the spiritual preparation for Christmas. Performing penance during Advent in a religiously plural setting would have to be counter-

487 Christopher Webber, Welcome to Sunday: An Introduction to Worship in the Episcopal Church (Harrisburg, PA: Morehouse Publishing, 2003), 44-45. Episcopal churches apparently have the option of using violet, under Roman custom or “Sarum” blue under English custom. There is debate about whether Sarum blue is actually blue, however, or actually violet. Some people also suggest that the notion of blue vestments was a marketing scheme of Almy, the Anglican-based vestment makers.
cultural and primarily driven by the commitment of the individual or nuclear family, as there were no significant social structures in place to support penitential practices during Advent.

**Vigil Fasts**

Prior to Vatican II, the season of Advent concluded with a fast on December 24th before the feast of Christmas on December 25th. Often this vigil fast could be transferred to December 23rd without a dispensation. This pattern of fasting before feasting was a long-standing tradition of the Church and was prescribed in the United States for several vigils, with the idea that penance served as a preparation and a way to focus prior to a major celebration.

As mentioned above, there were changes through the years as to which vigils should be observed with fast and abstinence. Per the 1917 Code of Canon Law, the vigils of Pentecost, Assumption, All Saints and Christmas were to be days of fast and abstinence. Modifications in 1949 reduced these vigil days to two: Assumption and Christmas. Later, in 1957, the December 7th vigil of the Immaculate Conception was substituted for the August 14th vigil of the Assumption. As noted above, in 1959 Pope John XXIII allowed for December 23rd to be substituted for the 24th as a day of fast and abstinence anticipating Christmas. Moreover, the Lenten fast which had formerly ended at noon on Holy Saturday was in 1955 extended until midnight of Easter Sunday by the decree *Maxima Redemptionis mysteria*.

In all cases, the fast and abstinence observed on the vigils of feasts were supposed to remind people of the upcoming feast. There is little evidence to indicate how well these vigil fasts were kept by religious or laity, so it is not certain how they were experienced by the

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488 “Decrees and Decisions: Canonical: Fast and Abstinence in the United States,” 117. Also under section (2) in commentary on Canon 1252 of document entitled “Section II of Part II, Book III in McManus Papers, Box 1, Series 2, Folder 25.


490 Under section (2) in commentary on Canon 1252 of document entitled “Section II of Part II, Book III in McManus Papers, Box 1, Series 2, Folder 25.
faithful or what significance they might have held. Perhaps because the feast itself was the focus of the liturgical celebration, rather than the vigil fast, there were no homilies featured in *HPR* that indicate any particular emphasis on the importance of fasting prior to that feast. The obligatory nature of these fasts, however, would indicate that this penitential preparation was also practiced socially as was the liturgical celebration of the feast.

*The Ember Days*

The Ember Days occurred four times annually, roughly at the beginning of each of the four seasons. The practice of fast and abstinence for the Wednesdays, Fridays, and Saturdays after the Feast of St. Lucy (winter), after Ash Wednesday (spring), after Pentecost (summer), and after the Exaltation of the Holy Cross (fall) were officially prescribed by various ecclesiastical leaders at different times and places. One mnemonic rhyme that helped the faithful to remember when Ember Days occurred was: "Lenty, Penty, Crucy, Lucy," i.e. after Ash Wednesday, after Pentecost, after the Exaltation of the Cross, and after the feast of St. Lucy. A Latin mnemonic for Ember Days was Sant Crux, Lucia, Cineres, Charismata Dia/Ut sit in angaria quarta sequens feria. According to the *Catholic Encyclopedia*, the practice of Ember Days dated from the third century as an effort to sanctify a pagan Roman practice of having religious rites associated with the three times of planting, harvesting, and vintage. The Church adopted seasonal religious rites in order to thank God for gifts of nature, make use of them in moderation, and help the needy. At some point in the following centuries a fourth season was added. With Gregory VII (ca. 1085) the Ember Days also became connected with ordinations.

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491 “Ember Days,” accessed on 5 April 2013 at http://www.fisheaters.com/emberdays.html. Translation provided on the site: Holy Cross, Lucy, Ash Wednesday, Pentecost, are when the quarter holidays follow.


The fast and abstinence on Ember Wednesdays, Fridays, and especially Saturdays were to be offered in a particular way for those who would receive the sacrament of Holy Orders on Ember Saturdays.

The *Saint Andrew Daily Missal* explained that fasting and prayer was a way of consecrating to God a new season and also calling down God’s graces on those to be ordained.\(^{494}\) The penitential nature of the Ember Days was indicated by the priest’s vesting in violet, as well as the prayers used for the liturgy on those days:

“May our fasts be acceptable to thee, O Lord, we beseech Thee: and by expiating our sins render us worthy of Thy grace, and lead us to Thy everlasting promises.”\(^{495}\)

“Graciously look down, O Lord, we beseech Thee, upon the devotion of Thy people, that they who are mortified in body by abstinence, may be refreshed in mind through the fruit of good works.”\(^{496}\)

“That our fasts may be acceptable to Thee, O Lord, grant, we beseech Thee, that by the oblation of this sacrifice, we may offer up to Thee a purified heart.”\(^{497}\)

“Grant to Thy servants who humbly pray to Thee, O Lord, that while abstaining from food for our bodies we may likewise abstain from sin in our souls.”\(^{498}\)

“Almighty and everlasting God, who, by salutary abstinence, dost heal us both in soul and body; we humbly beseech Thy Majesty that appeased by the fervent devotion of those who fast, Thou wouldst grant us help now and in the time to come.”\(^{499}\)

The Masses said on these days also featured additional moments of silent penitential prayer done in the kneeling position.\(^ {500}\)

\(^{494}\) Ibid., 240.

\(^{495}\) Ibid., Secret of Ember Wednesday in Advent, 33.

\(^{496}\) Ibid., Collect of Ember Wednesday in Lent, 245.

\(^{497}\) Ibid., Secret of Ember Saturday after Pentecost, 255.

\(^{498}\) Ibid., Collect of Ember Wednesday in September, 821.

\(^{499}\) Ibid., First Collect of Ember Saturday in September, 828. The 1966 interim Sacramentary’s prayers for Ember Days were consistent with those quoted above, with the primary difference being in the second person pronouns used for addressing God in the translation of the prayers from Latin, i.e. *St. Andrew’s Missal* uses the English words Thy and Thee, whereas the English translation found in the Sacramentary uses your and you. See, for example the prayers for Ember Friday of September in *The English-Latin Sacramentary for the United States of America* (New York: Catholic Book Publishing, 1966), 173.
The bishops’ report of 1951 noted that some had suggested dropping Ember Days as days of abstinence, a suggestion that likely arose from the fact that most Catholics in the United States were no longer in an agricultural setting.501 Others insisted that Ember Days traditionally had a very important place in the liturgy, “and fear was emphatically expressed that a complete dispensation would diminish their traditional importance.”502 By 1966, the reverence for Ember Days had apparently weakened to the point that the NCCB’s “Pastoral Statement on Penance and Abstinence” removed the fast and abstinence requirement for these days entirely. In 1969, with the implementation of the Missale Romanum by Pope Paul VI, and the subsequent General Instruction of the Roman Missal, the celebration of Ember Days was left to the discretion of the local episcopal conferences. In the United States, the observation of Ember Days and the traditions associated with them became optional and hence practically defunct, realizing the bishops’ fear expressed back in 1951. Following the course of other penances, when the Ember Days ceased to be communally obligatory but rather became individually voluntary in nature, their social practice ceased and only a small minority chose to observe Ember Days.

Bearing the Ills of Life

One other key penitential practice of Catholics in the United States was the practice of offering up suffering as expiation for sin. “The patient suffering of the ills of life” was listed by the Baltimore Catechism as one of the chief means to satisfy God for temporal punishment due

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500 English-Latin Sacramentary, 174-5. On Ember Wednesdays and Fridays, kneeling prayer was done after the Kyrie, whereas on Ember Saturday, particularly when using the long form of the Mass, kneeling was also done after each of the multiple readings. The one exception to this appears to be the Ember Days in the octave of Pentecost, where the prayers were not said in the kneeling position. See 155-160.

501 On the other hand, this distance from the agricultural context could stand as an argument for the necessity of Ember Days, so as to help urban and suburban Catholics recall the source of their food and many other resources, despite their own distance from agriculture.

The Baltimore Catechism included a list of the “ills of life,” including misfortune, poverty, sickness, trial, and affliction. Temporal punishment was to be expected as a consequence of sin, and in some cases this was evident. The man who found himself in poverty as a consequence of excessive gambling, for example, could bear the temporal punishment of poverty, offering it as satisfaction for his sin of gambling. On the other hand, these ills of life were regarded as particularly valuable penance when they were not brought on by one’s own sin. The temporal punishment in this case could be applied to any sin, even that of another person or a social group, such as a country. The difficult life experienced by Catholic immigrants to the United States provided ample opportunity for bearing patiently the ills of life. Families were often crowded together in small, urban spaces, money was frequently short and food scarce. Fathers worked hard, mostly at low-paying jobs, and mothers worked hard too, raising large families in challenging circumstances and sometimes trying to earn a little extra money on the side.

It was in this context that American Catholics heard the message that suffering could be useful as a penance for sin. Comfortable living with no difficulty was not to be praised or glorified, but rather was frequently criticized. The demanding situations of life, in contrast, presented an opportunity for sanctification. Catholic life in America could be tough, but if Catholics could voluntarily embrace the sufferings thrust on them involuntarily, then they gained an important tool in making satisfaction for sin. Jay Dolan suggests that the Sorrowful Mother Novena, which was the most popular devotion during the late 1930s and early 1940s, was appealing precisely because it focused on sorrow, supporting a sense of sin and guilt among Catholics who were suffering through crisis and hardship and seeking jobs and financial success.

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in the midst of the Great Depression and World Wars. This novena provided a social way for Catholics to express their conviction that suffering was meaningful as penance.

Robert Orsi gives further depth to this Catholic understanding of suffering particularly in regard to women when he writes that “the long-suffering, self-sacrificing housewife, silent and cheerful in her pain and humiliation and on her way to sanctity...had long been a familiar figure in devotional culture.” Orsi suggests that Catholic immigrants’ daughters in the United States grew up with “these domestic hagiographies at a time when social and economic circumstances, as well as the extended horizon of their own ambitions and achievements, were making it increasingly unlikely that their lives would (or could) resemble those of the kitchen athletes.” They were told to embrace a suburban asceticism and when they failed to do so, they were condemned for their shortcomings. In particular, women were blamed for embracing American consumerism and for seeking work simply in order to purchase luxuries.

And as many Catholics became upwardly mobile and moved from urban to suburban locations, they faced a different set of challenges than those encountered by their parents and grandparents. Dolan notes that the move to suburbia was a major residential shift for the Church: “In suburbia the old immigrant organizations had disappeared, the closeness of city neighborhoods was gone, and the moral integrity of family life seemed threatened.” This new life was fast-paced and mobile, and as Dolan says, “When compared to the city...suburbia seemed to be a pleasant place. The problems of race and poverty were downtown, out of sight and out of mind. That is just where the vast majority of Catholics in the 1950s wanted them: out of sight and out of mind.”

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507 Ibid., 73.
509 Ibid., 382. No doubt this was true for non-Catholics as well.
As they sought financial stability, moved to the suburbs and assimilated to the larger American culture, Catholics found new ways to avoid and address some of the sufferings of earlier generations. For those who used it, contraception allowed them to limit their family size. Education led to better jobs and hence better paychecks, and this in turn offered more comfort in less-crowded living spaces. There were new ways to address other ills of life, as well.

Counseling and popular psychology provided ways of dealing with personal problems and seeking to change situations, rather than just “offering them up” as a form of penance. Medicine became increasingly effective in dealing with many illnesses. Domestic chores found assistance in new cleaning tools and convenience foods.

Moreover, the sufferings encountered by American Catholics of this generation were increasingly unrelated to their being poor immigrant Catholics in a wealthy, Protestant society that was hostile to them; rather Catholics were sharing in the tribulations endured by other Americans. The difficulties deemed penitential by the Church and affirmed implicitly by the pope’s dispensation of the standing penitential practices during World War II were hardships endured by Catholics’ compatriots as well. Nonetheless, the importance of bearing the ills of life as a form of penance continued during this time period, nor did Vatican II did bring a theological change in regard to the penitential merit of bearing the ills of life. This topic was addressed in the midst of the discussion of the universal call to holiness in Chapter 4 of Lumen Gentium. The council fathers wrote: “For besides intimately linking [the laity] to His life and His mission, [Christ] also gives them a sharing in His priestly function of offering spiritual worship for the

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510 Americans everywhere had lost loved ones in war, for example, and dealt with limited food resources during wartime. This fact was acknowledged by Pope Pius XII’s suspension of fast and abstinence regulations for the faithful whose countries were engaged in World War II. The implication was that daily life already provided sufficient opportunity for bearing suffering; the Church would not impose anything significant in addition to this. On the other hand, this kind of suffering could be narrated as assisting primarily in building up national identity, rather than a specifically Catholic identity, and those second and third generation American Catholics who soon moved to the suburbs may thus have felt more American than their parents and grandparents.
glory of God and the salvation of men.”

Among the ways in which the laity share in the priestly function, Lumen Gentium described “even the hardships of life, if patiently borne” as a spiritual sacrifice offered by the laity.

Once again, however, the words of the council and their implementation took place in a different culture than the one in which they had been written. The ensuing popularity of “the universal call to holiness” chose to highlight other aspects than the notion of bearing the ills of life as a sharing in offering spiritual worship. With an increasing focus on the freedom and responsibility of the laity, the emphasis turned more toward action in society and participation in the liturgy. The notion of “offering it up” became less appealing to American Catholics, perhaps viewed as a quaint way that naïve, uneducated, and poor Catholics had used to endure problems rather than to solve them. The supposed supernatural value of suffering may have been comforting to some in the past whose lives presented substantial challenges, especially financial. For younger American Catholics in more comfortable situations and with fewer of the other socially practiced penances, this language was not as compelling. The importance of the penitential dimension of the Christian life and the opportunity presented by suffering was not as apparent to them without the variety of other penances performed socially in past years.

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511 Lumen Gentium, ¶ 34
512 Ibid. “For besides intimately linking them to His life and His mission, He also gives them a sharing in His priestly function of offering spiritual worship for the glory of God and the salvation of men. For this reason the laity, dedicated to Christ and anointed by the Holy Spirit, are marvelously called and wonderfully prepared so that ever more abundant fruits of the Spirit may be produced in them. For all their works, prayers and apostolic endeavors, their ordinary married and family life, their daily occupations, their physical and mental relaxation, if carried out in the Spirit, and even the hardships of life, if patiently borne—all these become "spiritual sacrifices acceptable to God through Jesus Christ". Together with the offering of the Lord's body, they are most fittingly offered in the celebration of the Eucharist. Thus, as those everywhere who adore in holy activity, the laity consecrate the world itself to God.”
513 An even stronger version of this claim seems to be Robert Orsi’s position in his chapter “Imagining Women,” in Thank You, Saint Jude, 70-94. Orsi indicates that the exhortation to “offer it up” served primarily as a way of disciplining women. “Suffering was not only the central social fact of women’s lives, in this imagining, but their spiritual destiny and vocation,” 87. “The path marked out for women was clear: rebellion, autonomy, ambition brought terrible punishment, while suffering and pain made women beloved, graceful, capable of healing and helping. All women had to do is keep silent,” 88.
Summary of Penitential Practices

The sacrament of penance was not the only act of penance practiced by Catholics in the United States. Rather, there was a collection of communal penances that marked Catholics as unique. Most well-known among these was the Friday meat abstinence throughout the year. Another practice was that of daily fasting during the season of Lent. Moreover, major feasts were preceded by days of abstinence and fast. Advent was emphasized as a penitential season, and Ember Days brought twelve additional days of fast and abstinence throughout the year. “Penance,” therefore, was not simply a once-a-year sacrament done in preparation for Easter.

American Catholics were obligated and therefore expected to practice penance throughout the year, during various times and seasons, and at the very least, weekly on Fridays when they abstained from meat. Though priests also exhorted the faithful to perform individual voluntary penances, the obligatory penitential practices were commonplace, and they were practiced socially, sustained by a close-knit Catholic community that tried to follow Church regulations, to seek dispensations if necessary, and to confess it as sin when they failed to adhere to these rules.

Recognizable Problems with Penitential Practices

The penitential practices described above had numerous natural benefits, such as promoting social cohesion among American Catholics and providing a communal context for the individuals who participated in what might otherwise have seemed to be difficult practices. Moreover, these practices marked Catholics as unique in a religiously pluralistic culture. They assisted in the maintenance of Catholic identity in a primarily Protestant country. These obligatory and hence socially practiced penances provided an opportunity for growth in the virtue of penance, understood in the context of a common Catholic narrative wherein the telos was the supernatural end of beatitude. On the other hand, these penitential practices often
came under criticism not unlike the criticism applied to the sacrament of penance as it was practiced among American Catholics. The sacrament of penance was criticized for having a perfunctory nature, tending toward legalism, detracting from the sense of the relational nature of sin, failing to cultivate a suitable interior sentiment, fostering scrupulosity, not adequately addressing spiritual and personal problems, and neglecting social sins, such as racism while also emphasizing rules, such as Friday meat abstinence, that seemed trivial in comparison.

Fast and abstinence were likewise criticized for seeming perfunctory and tending toward legalism. Many felt that these habits had become so much a part of the routine of Catholic life in America that they failed to reflect a corresponding interior sentiment of sorrow for sins. Catholics appeared to participate in penitential practices because they were obliged and because they just always had and because everyone did it. There was little examination about the meaning of these practices, but much focus as to how to interpret canon law in regard to these practices. This tendency toward legalism was signified by the many questions and articles among the clergy as to the finer points of fast and abstinence regulations. Within the long tradition of casuistry, the interpretation of this law was crucial to clergy because of their duty to inform the faithful of their obligations. Especially because the trespassing of these ecclesiastical laws was regarded as sin, priests felt a need to “get it right” when it came to penance.\footnote{Frederick McManus, in a three-page letter reviewed the policy for addressing the vigil fast when the Immaculate Conception fell on a Sunday in 1957, noting that December 7\textsuperscript{th} remained a day of fast and abstinence, although liturgically the feast would be celebrated on Monday, December 9\textsuperscript{th}, since the Second Sunday of Advent eclipsed the actual feast date. McManus observed the confusion about the feast and vigil fast, writing, “In our diocese the mistake was made of giving an elaborate explanation of the whole business, which only confused the priests.” McManus also advised obtaining a Roman Ordo from Vatican Press since it “is rather authoritative...unlike the American publishers of Ordos, they simply question the Congregation if any question or doubt arises.” Frederick McManus, Letter addressed to “Dave,” October 29, 1957, page 2. McManus Papers, Box 1, Series 2, Folder 25.} There even seems to have been an “ad cautelam” rule for bishops, perhaps best translated in this case as “When in doubt, dispense.” This would best protect the faithful from
falling into confusion or – even worse – falling into sin, in failing to observe penitential practices.515

The faithful imbibed the message regarding the importance of penance, especially pertaining to Friday abstinence. Often those Catholics who failed in many other aspects of Christian life, including failing to attend Mass on Sunday, were unswerving in their Friday meat abstinence. One reason for this may be that the Friday abstinence was a fairly straightforward rule, easy to understand and not too difficult to observe, in contrast with determining the collation amount for each meal during Lenten fasting or being cheerful in the midst of sufferings. Additionally, there was strong community and even commercial support for Friday abstinence, such as Friday fish specials and church fish fry events. Such events may have made the penitential element less evident, but it also increased the visibility of Catholic identity and made it simple to adhere to this penitential practice. The Friday meat abstinence was inherently social in nature.

Because of the perfunctory nature of fast and abstinence and the tendency toward legalism and obligation, fast and abstinence regulations could be seen as impersonal and unreflective. When it came to these practices, there did not appear to be any personal examination as to how to make these practices more authentically penitential. There was little thought as to what might be the most meaningful penance for an individual. It did not seem as though the faithful reflected on the interior conversion that ought to accompany penance. Rather, fast and abstinence as prescribed by Church law appeared to be “one size fits all,” without regard for a person’s unique challenges and strengths. In this sense, penance was not

515 Leo Binz, Archbishop of Dubuque. Letter addressed to Edward Cardinal Mooney, Archbishop of Detroit, dated November 14, 1956, page 2. From the McManus Papers, Box 1, Series 2, Folder 25. Discussing the Vigil of All Saints, Binz writes: “After much discussion we have agreed to recommend “ad cautelam” a complete dispensation from fast and abstinence for the Vigil of All Saints.” Ad cautelam could be translated here as “to be on the safe side” or more literally, “for caution.”
individualized enough and could be seen as restrictive of the person’s freedom in identifying the most appropriate penance for the person, i.e. a penance that would produce the intended effect of amending for sin. The concern was that penance might lose its effectiveness when it became routine; individually selected penances could counter this tendency. But rather than relying on the person’s maturity and responsibility to perform penance without strict prescriptions, the Church had traditionally imposed it upon everyone who did not qualify for a dispensation. The weakness of such a habit was its potential to be disconnected from contrition, with an emphasis on exterior performance of the act in accordance with social expectations rather than exterior act serving as an expression of the interior contrition. In other words, the obligatory and communal practices could cease to be truly penitential, that is, acts of the virtue of penance.

Another criticism of these practices was related to the social or relational nature of sin. The Baltimore Catechism had also listed almsgiving, as well as spiritual and corporal works of mercy as a way of expiating for the temporal effects of sin. These works were focused on others, fostering reconciliation through service to others and helping those who were in need. Penance performed in these acts clearly benefited others in a natural way and was other-centered, whereas it was harder to narrate how fast and abstinence provided natural and spiritual benefits. In this assessment, penance was again too individualized, focused on a couple of narrow practices done by individuals without any apparent benefit to the larger society that was so obviously in need. It seemed that people chose to observe obligatory practices only because they were concerned for their own salvation and not for the overall well-being of others; this was implicitly the criticism the bishops addressed when they emphasized the great potential for witness in performing corporal works of mercy. Hence there was a push to affirm positive acts – “doing something” – rather than negative acts, such as abstaining from meat or eating less food.
One instance where penance seemed harmfully individualistic in the context of social difficulty and need was the issue of racism. Michael Novak worried that fasting, voluntary sacrifices, and extra Masses or devotions would not be enough. After describing in detail the variety of Lenten sacrifices, Novak, writing in *Christian Century*, voiced his concern:

But will these millions of Catholics be led by their sincere efforts to a new concern for their Negro brothers, the poor in whom Christ especially lives, the millions of hungry children of this world? It is to be feared that many retain too individualistic a piety to understand that the liturgy speaks always of a "we," always of an entire people and always of a whole and entire, not merely ecclesiastical or devotional, life. Social life, civic life, political life — these, too, need to be revivified by new awareness and new earnestness. One of the major concerns of Roman Catholics in Lent 1965, blessed as they are with a liturgy now partly in their native tongue and plainly inviting their active participation as a priestly people, is to forge a more conscious bond between liturgy and life, between the church and the world in which it is buried as yeast in heavy dough.\footnote{Michael Novak, “Catholics and Lent,” *Christian Century* (17 March 1965): 323.}

Novak’s critique was one also applied to Catholics who regularly partook of the sacrament of penance. Penance, whether it was the sacrament or Lenten fasting, seemed of little value if these practices only made the penitents more self-focused without challenging how their overall vision. The faithful might fail to acknowledge their participation in social sins like racism, and hence to persist in these social sins despite their good intentions to avoid sin and even their practice of Lenten penances.

Like the sacrament of penance, these other practices of penance were firmly entrenched among Catholics in the United States. They were a part of the culture and a habit of the people. Although partaking of the sacrament was in a sense more voluntary, i.e. the individual chose when to go and what to say, in both cases Catholics understood penance as a normal part of everyday Catholic life. Sin was a reality, and these penitential practices were the counterpart to sin. That most Catholics would abstain from meat on Fridays, fast daily during Lent, and show up for confession frequently was expected at a time when the status quo was close-knit Catholic communities. Catholics saw themselves as distinct from other non-Catholic
Americans and often lived in cohesive Catholic communities centered in the parish and the parish school. These penitential practices were at home in such a context; there were social structures in place to facilitate the penitential dimension of Catholic life.

The move of Catholics away from urban Catholic settings to more religiously pluralistic suburbs in the 1950s and 1960s brought change in many respects. But what officially changed the way penance was practiced in the United States was not a matter of geographic location or an alteration in Catholic identity. Rather, changes to fast and abstinence regulations in the United States came from the decision of the United States bishops, as a response to and implementation of Pope Paul VI’s call for a renewal of penance in the wake of Vatican II. The changing culture of Catholicism in the United States did, however, condition Catholics to receive these alterations to penance in a particular way. Without strong Catholic culture and the cohesive community of the past, individualized, voluntary penance was difficult to sustain. The bishops’ decision ultimately, though inadvertently, minimized penitential practice as expressed through fast and abstinence while failing to replace these with other more meaningful, socially enacted, penitential practices as had been hoped.

**Paul VI’s *Paenitemini***

Three months after the close of the Second Vatican Council, Pope Paul VI released his apostolic constitution *Paenitemini*, “On Fast and Abstinence.” This brief document consisted of an introduction and three chapters, with the purpose of emphasizing the importance of penance and calling for renewed penitential practices, possibly in updated forms more suited for the times. At the beginning of the statement, the pope identified as a grave and urgent problem the necessity of reminding the Church “of the significance and importance of the divine precept of penitence.” He explained that the Church “has gained a clearer awareness that, while it is by

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517 Paul VI, *Paenitemini*, Intro.
divine vocation holy and without blemish, it is defective in its members and in continuous need of conversion and renewal, a renewal which must be implemented not only interiorly and individually but also externally and socially.” Paul VI noted that the council reflected upon its role in the earthly city, and he asserted that the Church values abstinence in order to prevent the faithful from being delayed in their pilgrimage by things of the world.

In Chapter I, Paul VI reminded the reader that “external penitential practices are accompanied by an inner attitude of ‘conversion,’ that is to say of condemnation of and detachment from sin and of striving toward God.” Beginning with a consideration of the Old Testament, Paul VI stated that the aim of penance is love and surrender to God and it is both a personal and religious act. He noted, moreover, that in the Old Testament, the social aspect of penitence was important; penitential liturgies were a condition for belonging to the people of God. Additionally, individuals, like Moses, often suffered through penance on behalf of the whole people. Penance in the Old Testament, however, was only a foreshadowing of what was to come.

Penitence “assumes ‘in Christ and the Church’ new dimensions infinitely broader and more profound.” Paul VI then linked penitence to the sufferings of Christ and the call to metanoia, or conversion and the imitation of Christ. He noted that the penitence of the individual Christian has an intimate relationship with the whole ecclesial community because the gift of metanoia is restored and reinvigorated in those who seek the sacrament of penance in order to address their sin. The sacrament also reconciles penitents with the Church that they have wounded by their sins, and the acts of penance imposed in the sacrament “become a form of

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518 Ibid.
519 Ibid.
520 Ibid., Ch. I.
of participation in a special way in the infinite expiation of Christ to join the sacramental satisfaction itself every other action he performs, his every suffering and sorrow.”

After providing this narrative of penance in the Old Testament and in Christ and the Church, Paul VI continued to consider particular expressions of penance. In the first paragraph of Chapter II, therefore, he reaffirmed the necessity of the external practice of the virtue of penance, and suggested that the Church “always attentive to the signs of the times” might “seek beyond fast and abstinence, new expressions more suitable for the realization...of the precise goal of penance.” He emphasized that physical asceticism must be a part of this, as bodily mortification aims at the liberation of man, who can become a slave to his senses. But yet penitence cannot simply be external; it must be accompanied by inner conversion.

Chapter III began with an invitation for everyone “to accompany the inner conversion of the spirit with the voluntary exercise of external acts of penitence.” Paul VI first highlighted what might be identified as involuntary penitence, namely, the patient bearing of trials in one’s work or community life, faithfulness to the duties of one’s state of life, infirmities, illnesses, poverty, misfortunes, and persecution for the love of justice. All of these provide an opportunity to satisfy as penitence and can lead to beatitude. The pope also noted that more was expected of priests in regard to penance. Paul VI then emphasized the need for voluntary acts of penance, apart from the difficulties imposed by everyday life.

Paul VI suggested that there may be penitential practices more suited to the times, and he invited the bishops to discern in their episcopal conferences norms that might be more suitable to the local conditions. He noted the traditional triad of prayer, fasting and charity, and

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521 Ibid.
522 Ibid., Ch. II.
523 Ibid., Ch. III.
he exhibited enthusiasm at the greater witness of asceticism for those in situations of economic well-being. Perhaps the most important paragraph of *Paenitemini* is this:

> Therefore, the Church, while preserving—where it can be more readily observed—the custom (observed for many centuries with canonical norms) of practicing penitence also through abstinence from meat and fasting, intends to ratify with its prescriptions other forms of penitence as well, provided that it seems opportune to episcopal conferences to replace the observance of fast and abstinence with exercises of prayer and works of charity.\(^{524}\)

The responsibility placed on the episcopal conferences was to discern whether “other forms of penitence” were more suitable than fast and abstinence. They could determine to maintain the same prescriptions if they discerned them to be opportune, but they were also permitted to choose other forms of penance. It was this paragraph that put responsibility upon the episcopal conferences to choose penitential norms other than the traditional fast and abstinence. Despite these suggested changes in penitential practice, however, Paul VI noted that certain days and liturgical seasons are designated for penitence. His declarations followed this observation duly emphasizing the penitential character of Lent and all Fridays, and describing the fast and abstinence rules in place. He tasked the episcopal conferences with deciding when there might be a need to substitute abstinence and fast with other forms of penitence, especially exercises of piety and works of charity. In the second chapter of this constitution, Paul VI suggested that there might be new forms of penance more suited to the times than the traditional fasting and meat abstinence, and in Chapter III he left it to the local episcopal conferences to decide whether to substitute other forms of penitence for fasting and abstinence in their jurisdictions.\(^{525}\)

At the close of the Council, Paul VI was clear that he had not moved away from the importance of penitential practices. Rather, this apostolic constitution aimed at the renewal of

\(^{524}\) Ibid.

\(^{525}\) Ibid., Ch. III, VI. B.
Penance in the Church, which he saw as crucial for a Church taking a new, more open stance to the world. For those in wealthier countries, the witness of asceticism could be a powerful reminder of heaven; those in poorer countries could promote social justice while also offering their suffering in prayer. By leaving the implementation of Paenitemini up to the local episcopal conferences, he may have hoped that regionalized penitential practices would take on greater significance, much in the way that hearing the Mass in one’s own language allowed for fuller participation, consequently making the Mass more personal and meaningful. Although he emphasized the role of the social in penance, Paul VI was ambiguous as to whether the changes in specific penitential practices should be imposed on whole communities by local episcopal conferences.

One interpretation of Paenitemini would be precisely this, namely, that local episcopal conferences knew best what penances were suited to their populations, and they could choose something specific and impose this on the local Church in the place of fast and abstinence. For example, they could decide to retain the Friday meat abstinence for their jurisdiction, or instead impose an abstinence from something else that was more appropriate. Another interpretation would be that the choice of penitential practice was to be primarily left up to the individual Catholic, who could best discern what penance would be most meaningful to himself or herself. This latter option was the American interpretation of the apostolic constitution; the NCCB decided to maintain only two days of fast and abstinence (Ash Wednesday and Good Friday) and Friday abstinence solely during Lent, but for all the Fridays throughout the year and for the whole season of Lent, the choice of penance was left to the individual. This resulted in a multitude of different Friday and Lenten sacrifices, as well as a diminishment in the practice of these once-communal penances.

526 Ibid., Ch. III, C.
The NCCB’s Pastoral Statement on Penance and Abstinence

In the same year that Paul VI penned *Paenitemini*, the National Catholic Conference of Bishops in the United States released their “Pastoral Statement on Penance and Abstinence,” which was the American implementation of the apostolic constitution. More than just an implementation, however, it was also an interpretation of *Paenitemini*, influenced by the popular currents in theology and the bishops’ understanding of Catholicism in the U.S. Even a brief perusal of this 28-paragraph document can leave the reader with a sense of historical context and the time period’s prevailing theological convictions about morality, particularly indicated by its approach to penance. The bishops wrote from a standpoint of great confidence in their congregations’ penitential ability and commitment to penance, and they believed the faithful’s penitential actions would be more effective as penance if freely chosen rather than imposed. They moreover trusted in the liturgical renewal as a way of reinvigorating a sense of penance even without the traditional penitential practices of fast and abstinence.  

527 Hence the

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527 There is some indication that a canonist turned liturgist, Frederick R. McManus was influential in the writing of the NCCB letter (Thomas Krosnicki, SVD, email to the author, Feb. 11, 2013). Fr. Krosnicki expressed confidence in McManus’s authorship but did not have documentation to prove it.) The suggestion of McManus as ghost-writer of this letter makes sense not only because he was the Executive Director of the Secretariat of the Bishops’ Committee on the Liturgy for the National Conference of Catholic Bishops at that time period, but also because of the numerous references to liturgy and the liturgical renewal that appear in that letter, as well as his experience with penance regulations in the U.S. and their relationship to canon law. Unfortunately, however, I have not found significant evidence to conclude definitively McManus’s role. Notably, in his edited book *Thirty Years of Liturgical Renewal: Statements of the Bishops’ Committee on the Liturgy*, McManus did not include the Pastoral Statement on Penance and Abstinence, indicating perhaps that he did not think of this as part of the liturgical renewal. See Frederick R. McManus, ed., *Thirty Years of Liturgical Renewal: Statements of the Bishops’ Committee on the Liturgy* (Washington, D.C.: United States Catholic Conference, 1987). Moreover, in undated typewritten notes from his personal papers held at the Catholic University of America Archives, that which seems to be a commentary on the Code of Canon Law regarding the fast and abstinence regulations observes that these regulations fall under the virtues of religion and temperance. It is noteworthy that the author of these notes, likely though not certainly McManus, did not mention the virtue of penance because neither the virtue of religion nor that of temperance depend upon a clear notion of sin. In other words, this perception of fast and abstinence seems to circumvent sin and penance, depending instead upon religion (or piety) and temperance. Notes entitled “Introductory Canons (not listed under any title)” found in the McManus Papers, Box 1, Series 2, Folder 25. This was the only place where I encountered fast and abstinence being associated primarily with the virtue of religion and the virtue of temperance.
NCCB letter provides both a window into the theological currents popular at the time and a sense of the culture of Catholicism in America.

Like Paenitemini, the bishops began by insisting upon the obligation to repentance, required by divine law. They proceeded to explain that forms and seasons of penance vary from time to time and people to people, but that personal and communal acts of penance are a pledge of inward conversion. After the four-paragraph introduction, the statement contained four sections, concerning Advent, Lent, Vigil and Ember Days, and Fridays. In short, the two most significant changes in the U.S. affected the longstanding practices of fasting every day during Lent and abstaining from meat on Fridays throughout the year. While the season of Lent and Fridays remained days of penance for the faithful, the bishops determined that each member of the faithful could choose the penance appropriate for his or her situation.

Before examining Fridays and the season of Lent, however, it is worthwhile to turn some attention to the season of Advent and Vigil and Ember Days. As regards Advent, the bishops noted that it had “unfortunately lost in great measure the role of penitential preparation for Christmas that it once had.” In an implied reference to the longstanding custom of Wednesday and Friday abstinence during Advent, the NCCB suggested a greater reliance on the liturgical renewal rather than an attempt to restore the penitential spirit of Advent by looking to austerities of the past. The NCCB’s confidence in the liturgical renewal for reinvigorating the Church was nowhere more apparent than in this section on Advent. In a mere five paragraphs on Advent, the liturgy and liturgical renewal were mentioned a combined eight times.

It would be interesting to note the similarities and convergences of moral theology and liturgical renewal during this time period, particularly as regards the quest for greater meaning and freedom, especially as the NCCB letter seems to reflect the currents of thought in both areas. That, however, is not beyond the scope of this particular project.

NCCB, “Pastoral Statement,” ¶5.
Nor did “liturgical” seem an adjective limited to the Eucharistic liturgy of the Church: “If in all Christian homes, churches, schools, retreats, and other religious houses, liturgical observances are practiced with fresh fervor and fidelity to the penitential spirit of the liturgy, then Advent will again come into its own.”530 The bishops noted in this vein the development of a rich literature concerning family and community Advent liturgical observances. They did not specify anything in particular, but stated that they urged instruction based upon this literature and were “counting on the liturgical renewal of ourselves and our people to provide for our spiritual obligations with respect to this season.”531

The newness of hearing the penitential prayers of the Advent season in English for the first time may have added profundity to the recognition of Advent as a penitential season in 1966. However, as noted earlier in this chapter, Advent’s penitential character seemed to wane in the following years as the anticipation of Christmas became more and more a preemptive celebration of Christmas. With the faithful no longer encouraged to embrace voluntary penances like fast and abstinence, and to avoid early and perhaps immoral Christmas parties, the penitential prayers of Advent liturgy served as one brief, weekly message of penance to Catholics immersed earlier and earlier each year in Christmas joy, especially given the ever-increasing American focus on gift giving.

The section of the NCCB letter entitled “Vigils and Ember Days” required only one paragraph to reaffirm that Vigils and Ember Days no longer required fast and abstinence. Once again, however, the bishops suggested that the liturgical renewal would bring deeper appreciation of the joy of holy days during the year and therefore inspire self-imposed fasting before a feast. Thus, like Advent, there was an emphasis on the liturgy and confidence in the liturgy that made past obligatory rules seem unnecessary. As regards vigils, the bishops thought

530 NCCB, “Pastoral Statement,” ¶8.
531 Ibid., ¶9.
that some of the devout would “freely bind themselves, for their own motives and in their own spirit of piety, to prepare for each Church festival by a day of particular self-denial, penitential prayer and fasting.”\textsuperscript{532} This demonstrated the bishops’ confidence in the faithful’s penitential ability and commitment to penitential preparation for great feasts. Unfortunately, these expectations were not realized significantly in the long-term by continued social practices of vigil fasts. There is no evidence that the laity embraced self-imposed fasting before a feast when the obligation to fast ceased. It may be more the case that they failed to recognize and appreciate major feast days on the horizon when lacking the instructions to prepare by fasting, especially since the social and cultural context in suburban America did not clearly demarcate these holy days as particularly festive.\textsuperscript{533}

The bishops’ words on self-imposed fasting on the occasion of vigils to major feasts also pointed to an underlying theological claim, namely, that penance freely chosen is of greater merit and meaning than penance which is imposed. This theme was expressed again and perhaps most explicitly in the section of their letter entitled “Christ Died for Our Salvation on Friday.” Unlike Advent or Lent, Fridays were not linked to a particular liturgical season but rather a specific day, and hence the meaning of Fridays would not be easily reinvigorated through liturgical renewal. Rather the premises of this section expressed in the first few paragraphs indicated that Friday had long been a day of Christian penance and that changing circumstances made it seem that meat abstinence is “not always and for everyone the most effective means of practicing penance.”\textsuperscript{534}

\textsuperscript{532} Ibid., ¶17.
\textsuperscript{533} It would be interesting to have some data as regards how many Catholics actually practiced vigil fasts prior to 1966, especially given the American context wherein certain holy days were often celebrated only by Catholics.
\textsuperscript{534} Ibid., ¶19.
The NCCB noted that meat had ceased being an exceptional form of food and was now commonplace. Though perhaps counterintuitive, this statement seems to imply a celebratory or special-occasion association with the eating of meat that no longer held true. Since it was commonplace, rather than indulgent or celebratory, abstinence from meat was no longer as effective as a penance. The bishops hence suggested other sacrifices, with the intention of giving the spirit of penance “greater vitality, especially on Fridays.” Though they continued to recommend meat abstinence, they also mentioned the potential penitential witness in regard to sacrifices of alcohol and “stimulants,” as they call them – likely a reference to caffeine and nicotine. Additionally, the bishops echoed the pope’s suggestion of replacing fast and abstinence with prayer and works of charity. Giving a concrete example of the works of charity that Paul VI suggested in his letter, the bishops recommended volunteering in hospitals on Fridays in lieu of abstaining from meat.

The bishops’ conviction in favor of individually freely chosen penance over communal obligatory, socially practiced penance is particularly interesting when one considers the words of The Baltimore Catechism, which expressed the popular theological understanding of the faithful prior to Vatican II. The Baltimore Catechism insisted that the fasting with the greatest merit was not that which was voluntarily chosen but rather that “imposed by the church on certain days of the year, and particularly during Lent.” Granted that this is more a reference to the appropriate days and seasons of penance than form of penance, there is nonetheless an assumption contained therein that it is better to do the obligatory than the supererogatory. Obligatory penance is at once traditional, communal, and ecclesial; required participation

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535 Ibid., ¶ 21.
536 Paul VI, Paenitemini, Ch. III.
537 NCCB, “Pastoral Statement on Penance and Abstinence,” 27.
538 Connell, Baltimore Catechism, Q. 806.
assures that penance is social inasmuch as it is something the Church does together at the same time.

There is nothing wrong with fasting on a random Wednesday in the middle of summer, but given the choice between that fast and the required fast of Ash Wednesday, the latter is of greater merit according to this understanding precisely because it is imposed, and it is imposed by the Church with good reason, as it is the beginning of the Lenten season. Hence the person who observes the Ash Wednesday fast accomplishes two objectives: 1. To do penance, and 2. To adhere to Church law prescribed for this day. It is both an act of penance and of obedience. The random Wednesday fast during summer, meanwhile, only fulfills the first objective and hence is not worth as much as a penance. The NCCB letter, however, did not employ the language of merit, but rather appealed to “effectiveness,” implying that freely choosing one’s penance is more effective than doing a specific penance obliged by canon law. While this would not be identical to selecting one’s personal days of penance, there is, nonetheless, an affinity in the privileging of choice over obligation, hence the bishops’ frequent use of the word “freely” when discussing penance.

On the other hand, it is possible to interpret in their statement a response to the criticism that the faithful are more concerned with following Church rules than cultivating the virtue of penance and acting upon their contrition. The bishops’ explanation as to their hopes that Catholics would continue to abstain from meat is paradigmatic as regards this theological position: “We [give first place to abstinence from flesh meat] in the hope that the Catholic community will ordinarily continue to abstain from meat by free choice as formerly we did in obedience to Church law.”\textsuperscript{539} This expectation was based on two considerations, one of tradition and one of witness. First, meat abstinence would “freely and out of love for Christ Crucified”

\textsuperscript{539} NCCB, “Pastoral Statement on Penance and Abstinence,” ¶24.
show solidarity with past generations of believers, for whom it was evidence of fidelity to Christ and the Church. Secondly, it would show a difference from the spirit of the world and hence witness to penance: “Our deliberate, personal abstinence from meat, more especially because no longer required by law, will be an outward sign of the inward spiritual values that we cherish.”

While the pope had suggested that “new expressions” of penance might be preferable, he had not explicitly advised leaving the choice of the penitential practice to the preference of the individual, nor had he prioritized choice over specifically imposed obligations practiced socially. The bishops’ implementation of Paenitemini was an attempt to revitalize sluggish, routine penance in the spirit of renewal after Vatican II. They felt called upon to make some kind of change to penitential practice and perhaps they suspected that people would not respond well to replacing the communal meat abstinence with a communal Friday alcohol abstinence or communal coffee abstinence. It was not clear what penitential practice would have national appeal and significance; the former regional variations in penitential practices were to some extent an expression of the benefit in making such regulations local. In places such as New Orleans, for example, a more penitential sacrifice might be to abstain from seafood on Fridays, rather than meat.

Rather than reestablish penance that was dictated by the local ordinary, however, the bishops looked to individually dictated Friday sacrifice. This indicated trust in the Catholic commitment to Friday penance and would involve advising Catholics to discern a sacrifice that would be meaningful for them as individuals. In this sense, it was the counterpart to the liturgical renewal’s answer to the routinization of the liturgy. Just as speaking the prayers in one’s own language would allow for fuller, more meaningful participation, so also performing a

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540 Ibid., ¶24, a., b.
freely chosen penance would allow for fuller participation and hence more meaningful penance. Moreover, this penance would seem to be more effective precisely because it was elective, and penance would therefore be associated with the maturity to know one’s sins and embrace the responsibility to repent rather than simply following the crowd and sticking with a long-ingrained habit.

This view was in keeping with trends exhibited in theologians such as Häring, and it was in contrast to the likes of Ford and Kelly. As mentioned in Chapter 3, Ford and Kelly believed that adherence to obligations was meant to facilitate freedom. Ford and Kelly recognized that Catholic morality was often lived out minimalistically, but the solution to this was not to abolish the law or external adherence to it, nor was it to diminish the specificity of that law or leave it to the preference of the individual. Had the bishops taken this perspective of obligations as facilitating freedom, they would not have addressed the renewal of penance through granting fewer obligations and more choices in regard to penance. Rather, the bishops might have emphasized catechesis, formation and the interior dispositions of the faithful, striving for the faithful’s intentions to match their actions. This position would have regarded external action as a baseline, and the significance of these actions could be improved by a rectifying of intention in respect to the imposed obligation. The communal practice of specific penitential actions could even aid in the meaning of these actions, while also providing support for those who were trying to perform their penance well, both interiorly and exteriorly. Ford and Kelly never took up the cause of penance, however, and the bishops did not base their implementation of Paenitemini on the understanding of obedience to obligations facilitating freedom. But even if the Jesuits’ position on obedience and obligation had been assumed by the bishops, it would have been insufficient to address the issues of the time. Ford and Kelly lacked the language to express the important context of virtue and the conviction that social structures could facilitate the exercise
and growth of the virtue of penance to advance the faithful to their telos of supernatural beatitude. Their account of obligation and obedience would not have been compelling removed as it was from the framework of virtue and the necessity of social structures to facilitate the exercise of virtue.

That the bishops did not presume this relationship between obligation and freedom as described by Ford and Kelly is an indication of the turn taken in theology by this time. The bishops’ response to the perceived legalism and minimalism of Catholic morality bore similarity to Häring’s assessment of the situation discussed in Chapter 3. The bishops seemed to agree that Catholics were more concerned with merely fulfilling the law in the easiest way possible than they were with seeking holiness. The obsession with following Church rules detracted from a genuine Christian love, which ought to be the motivation for all Christian action. Moreover, Häring thought that this legalism did not adequately serve the individual, catering rather to routine and social conformity. One can observe similar concerns in the bishops’ statement, as though they realized that for many Catholics, Friday meat abstinence and Lenten fasting were perfunctory rather than motivated by love. They recognized the need for a more personal and profound penance, both for the benefit of Catholics and for the power of Catholic witness in a changing world and country.

Like Häring, the bishops wanted to call the faithful beyond the bare minimum of simply doing what they had to do. They were looking for and counting on the responsibility of the laity. Instead of making decisions for the laity, they wanted the laity to utilize their freedom, motivated by love, and be responsible for choosing their own penance as opposed to participating in herd mentality. In Häring’s estimation, this would involve the ability to respond to God’s call for penance and an interior motivation for practicing penance, rather than a motivation imposed by an external authoritarian structure that regulated the how of penance.
The renewal of the Church in the modern world seemed to call for this kind of “maturity” of the faithful. The notion of the universal call to holiness indicated a kind of responsibility placed on the shoulders of the laity; they were called to be holy and hence they must respond to God’s call lovingly, rising to the penitential obligation through acts of their own choice. They could use their freedom to commit to a penance that would be meaningful for them, knowing that their interior sentiment would match the exterior act of penance.

This interpretation of the bishops’ decision was expressed in *America* magazine by a Jesuit priest, who wrote the following:

“Paenitemini” and the Bishops intended to reaffirm the primacy of the religious and supernatural values of penance as opposed to the pharisaic formalistic reification of a penitential practice. According to this new spirit, the matter is no longer the primary determinant of the obligatory observance, but rather the sincere and serious will to observe….laws. Hence the new spirit stresses not the exteriority of the matter of the law, but the interiority of personal responsibility before the obligation incumbent upon all to do penance in common with the Church at certain hallowed times specified by the law.541

In case someone might misunderstand the bishops’ intention, the writer continued to note that the reduction in the specified number of days of obligatory penance was not because less penance was needed, but rather because more penance was needed, that is, true spiritual penance and not merely the form or external appearance of penance. The emphasis was on effective and genuine penance rather than a multiplicity of penitential acts that were not really penitential. Hence, “personal responsibility is made the norm of following the obligation of law.”542 It seemed that personal responsibility would make for better penance.

And perhaps the bishops’ optimism likewise led them to believe that Catholic enthusiasm for penance would be greater if the faithful had the opportunity to choose their own reparation for their sins. What they failed to anticipate, however, was the demographic

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542 Ibid.
change underway and how that would influence the reception of the changes to penitential practices. Chapter 2 cited Peter Steinfels's observation that the context in which Vatican II occurred was different from the context in which it was received. So also, the assumed context from which the U.S. bishops implemented Paenitemini was much different from the context in which it was received and subsequently lived out.

The bishops had every reason to be confident in American Catholics when it came to embracing the opportunity to choose their own Friday sacrifice because they knew that Friday meat abstinence was such an ingrained habit; it was one thing that most Catholics seemed to do and do consistently. Being Catholic meant not eating meat on Friday, as one author in America magazine wrote, “in this country at least, meatless Fridays had seemed the shibboleth of Catholicism. Everyone has heard of people, with little other attachment to religious practice, who steadfastly resisted any temptation to eat meat on Friday. This, they seemed to feel, was some kind of ultimate and easy passport to heaven.” The bishops believed that Catholics would understand that Friday penance had not been dropped, but rather modified, and the faithful would jump at the chance to choose their own Friday penance, rather than continue in the rut of routine meat abstinence.

For many of the laity, however, this change in Catholic practice was not so understandable. Just one week before November 27, 1966, eating meat on a Friday was commonly understood to be a mortal sin. Suddenly, eating meat on Friday was not any kind of sin, much less a mortal sin. For years, Catholics had been haunted by the phrase “binding under pain of mortal sin.” Now even that phrase became a source of controversy when the NCCB letter went into effect. America magazine explained to its readers that meat abstinence even during Fridays of Lent was no longer binding under pain of mortal sin: “The Bishops state, however,

543 “...Friday Laws Modified...,” in the section entitled, “Current Comment,” America 115, no. 23 (3 December 1966): 727.
that Catholics will not lightly excuse themselves from the custom of abstinence on Fridays in Lent. Thus, unless the Bishops direct otherwise before Lent, we are clearly exhorted—but not strictly obliged—to observe meatless Fridays during that penitential season. In the next issue of America, an adamant letter to the editor contested this interpretation of the NCCB letter. The protesting author noted that the bishops’ legislation on the matter of Friday abstinence during Lent was not original, but rather applying universal penitential law to their jurisdiction: “Hence to the extent that the traditional abstinence is maintained, its obligation must be judged in the light of the universal legislation, which states that ‘their substantial observance binds gravely.’”

If even the clergy were confused about the new changes, it is unsurprising that the laity were also perplexed. Despite the NCCB’s insistence in their statement that “every Catholic Christian understands that the fast and abstinence regulations admit of change,” this was not evident as the changes to fast and abstinence played out among American Catholics. An article in America magazine from November of 1966 quoted an Irish waitress in Chicago as saying, “I don’t care what the Holy Father says, I wouldn’t eat meat on Friday.” This waitress had not only a misunderstanding of what the pope said and did say, but also a strong conviction that Friday abstinence was an unalterable part of the Catholic faith. Having lived Friday abstinence for her whole life, she would not consider abandoning this penance that was so ingrained in her.

The author of the article was certain that the waitress would be in the minority of Catholics who would react in such a way to a change in penitential practices. He noted in an

546 NCCB, Paenitemini, 25.
approving tone that, “in keeping with the post-Vatican II Church’s desire for greater freedom, doing penance will be left more and more to the discretion of individuals,” Moreover, such changes to penitential practices had already been made in Italy, Canada, and France.548 Another article in America made it clear that the Church had not abolished penance, but rather thrown light on the truth that being a Christian “demands charity, dedication, social responsibility and other much more important matters than merely giving up meat on Fridays.”549 But while Catholics clearly got the message that they were no longer bound to Friday meat abstinence, they did not internalize the message that they were supposed to continue practicing penance on Fridays. That this custom did not endure in long-term practice may be the result of poor catechesis in the implementation of these penitential changes.

What happened, rather, was that the freely-chosen individual Friday sacrifice waned until it was no longer noticeable as a Catholic identity marker, motivating Catholic sociologist Andrew Greeley, writing in 2004, to suggest that among the implementations of Vatican II in the U.S., it “may have been the most unnecessary and the most devastating.”550 Catholics were already losing much of their distinctive identity, as they assimilated to the national culture and found themselves immersed in religious pluralism. Greeley’s quotation highlights how the diminishment of penitential practices, especially the Friday meat abstinence, furthered this loss of Catholic identity and hence was devastating to Catholicism as a whole. It is not clear how the changes to penance were communicated to the faithful; perhaps more consistent catechesis would have prevented the decline of penance. But also, in the context of the dissolution of the Catholic subculture, it is not surprising that Catholics, given the opportunity to choose their own penance, chose, like most other Americans, not to do penance at all. Catholics in past years may

548 Ibid.
549 “…Friday Laws Modified…,” 728.
not have done penance as well as they could have; perhaps only a small percentage engaged in penance out of genuine contrition and a desire to amend for sins. But at least they made some effort and knew that the meat abstinence was supposed to be a sacrifice, part of the penitential dimension of the Christian life. The social structures were present to facilitate the exercise of the virtue of penance, even if these structures were poorly used in terms of interior commitment to penance. Without communal support and sense of Catholic solidarity in these penitential practices, penance became more difficult to do and seemed a quaint practice of an over-controlled religious past. The individually chosen Lenten sacrifice, though not as easily lost as the Friday sacrifice, nonetheless became more dependent upon individual will-power than on a shared communal sacrifice. 551

Nor was Greeley the only person to note the adverse consequences of these changes to penitential practices. One author asked the question, “Has the Church Gone Permissive?” in titling his 1973 article in Homiletic and Pastoral Review. The article suggested that the Church’s permissiveness had taken a toll on the Church, unintentionally giving an image of approving a decrease in penitential observances: “I maintain that the former strict observance of laws concerning fast and abstinence... had a healthy effect on the lives of the Catholic people. It was an inspiration to fellow Christians.” 552 The author wondered what had become of penance: “What happened to Friday as a day of penance when the laws of abstinence were changed? Did the change in the laws result in greater union with God through better Friday observances? I hardly think so. The same could be said with regard to Lent. For the vast majority, Friday and

551 In some ways the family was the locus for the communal nature of Lenten fasting prior to 1966. This is indicated by the fact that the workingman’s indulgence extended to his family. Given that many Catholic immigrants lived in intergenerational homes and ate their meals together throughout Lent, the fast was something done by the family. In the case of diverse individually chosen sacrifices, however, the family can make adhering to those sacrifices more challenging.

Lent are no longer days of special penance.” His solution was for the faithful to re-embrace the Friday meat abstinence. By this time, however, it seemed there was no going back; the habit of Friday abstinence had disappeared among the laity, and it seemed unlikely that the majority would now take it up again by free choice.

**Conclusion: Meaningful Penance is Hard**

The U.S. bishops’ alteration of penitential practices for American Catholics was an instance of acknowledging problems in practices and seeking to reform them accordingly. Friday meat abstinence and Lenten fasting appeared to be perfunctory for many Catholics, who perhaps lacked a suitable interior penitential sentiment. The faithful seemed to be too focused on their legal obligation and too worried about avoiding sin. The penitential practices in place left little room for consideration of individual preferences with respect to the person’s freedom, and, at the same time, they did not illuminate adequately the social and relational nature of sin and penance as did almsgiving or the corporal or spiritual works of mercy. The sense was that Catholics followed these regulations because they had to do so, and that they often did these practices without much thought as to their being penitential. For years the emphasis in “doing penance” had been on the doing, rather than on the penance. Whereas one interpretation stresses the external action, the other highlights that these actions are the expression of a virtue that acknowledges the reality of sin and moves the person to penance.

Encouraged by the pope’s *Paenitemini*, the American bishops sought to make penance more meaningful to American Catholics. Each of the changes they made was meant to address the problems identified above. With the guidance of the prevailing theology of the time, the bishops believed that penance would be more meaningful if freely chosen. They hoped to call their faithful beyond the legalism and minimalistic morality of the past to a more mature

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553 Ibid., 62-63.
practice of the faith, motivated by love rather than law. There are echoes of Haring’s work in the bishops’ statement and a clear bias in favor of personal choice, contra the worth of specific imposed obligations like those valued by Ford and Kelly.

Here, however, the bishops may have failed to read the signs of the times. This change in penance was implemented in the midst of both a decline in the notion of sin and the dissolution of Catholic subculture. The close-knit urban Catholic communities where practices of penance had been sustained were no longer the primary location of American Catholics. Friday sacrifice soon faded away, and Lenten fasting was replaced with a hodge-podge of freely chosen sacrifices. The American Catholic culture into which these changes were received was different than the one where abstinence and fast – and the sacrament of penance, for that matter – had been practiced so faithfully.

One can imagine a counterfactual situation wherein passionate, educated Catholics continued to live in close-knit communities and to choose their own Friday penances in a context of strong support with the knowledge that the continued obligation of penance was meant to facilitate growth in the virtue of penance. Had this been the case, the bishops’ statement might not have hastened the diminishment of penance, but rather genuinely been a cause for a renewal of penance. Individually chosen penances, if universally adopted by Catholics, may have provided adequate social support to help increase the virtue of penance.

On the other hand, though perfect contrition for sins may not have always been foremost in the mind of those who abstained from meat on Friday in accordance with Church regulations, there were at least social structures in place that provided an opportunity to be reminded of their faith and the Catholic conviction in the penitential dimension of Christian life.

According to one account, Catholics celebrated the first Friday of Advent, 1966 by having steak dinners.
Even minimal effort at penance enabled an opportunity for exercise of the virtue of penance, whereas the complete omission of external penitential actions did not.

There may also be other explanations in regard to the rapid decline of penitential practices. For example, it may be that the bishops not only (or primarily) misread the signs of the times, but also that they, like Häring, realized the problematic nature of a morality driven by legalism; such a morality could easily tend toward minimalism and fail to foster an adequate interior attitude of penitence. In assessing the non-sacramental penitential practices of their faithful, they may have detected a routine element that fostered minimalism and legalism. To counter this, they turned to the concepts of freedom, responsibility, and maturity; they wanted the laity to do penance on their own, from their own volition and not a sense of obligation.

But selecting and remaining committed to a person’s own unique penance without adequate social support can be hard. The move to make penance depend upon the choice of the individual diminished the context of community solidarity and social support, hence relying on a person’s intention and will-power to execute on the intention. Furthermore, the reduction of penitential days lessened the habitual nature of fast and abstinence. Moreover, many of those who no longer felt compelled by an obligation to perform penances delineated by the Church simply ceased to do penance in any kind of regular and consistent manner. Rather than going beyond the minimum prescriptions for penance, American Catholics began to do even less than that which had been standard. Ironically, the attempt to move beyond minimalism brought the level and quality of penance even below what had been the bare minimum. The law of love, when not borne out in any particular form of laws adhered to by a community, failed to take root as was hoped. Despite the problematic legalistic tendency of obligations, they had provided a social structure that reminded the faithful of the need to do penance.
Penance in the past had been criticized for consisting primarily of external actions, rather than interior sentiments in accord with the virtue of penance. The new maturity and autonomy of the laity supported the notion that penance should be freely chosen, a responsibility taken upon oneself rather than required by obedience to obligatory laws. These alterations to penitential regulations in the U.S., combined with a diminished notion of sin as a reality, unfortunately did not revitalize the practice of penance for the majority of Catholics. Instead, the percentage who observed regular penitential practices, especially abstinence from meat on Friday, greatly declined, coincident with a decline in the sacrament of penance. The result of these changes was not a renewal of penance like that had originally been sought by the council, the pope, the American bishops, or even by Bernard Häring.
TREASURE CHEST

**However, through the centuries the fasting rules were slowly relaxed.**

It has been decided that the strict fast weakens us too much and keeps us from our more important duties. From now on, we shall be allowed to eat a noon meal and a light meal in the evening.

**The faithful too were given new Lenten rules.**

Henceforward, you are allowed to break your fast in the morning. A cup of liquid and a piece of bread are permissible...

**In spite of the fact that today the Lenten rules are even more easy to follow, the spirit of Lent should remain. We should remember that...**

...the word "Lent" comes from a Teutonic word meaning "spring season" — the time the farmer prepares his fields. We too should work, preparing our souls for the Easter feast.

**And as well as the special Lenten services at our church.**

It is also a good idea to do something extra, privately.

Please, Lord, give me the strength to keep my resolution to do without candy during Lent and give the money to the Mission Fund.

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ADVENT ACTION

Deciding what to give your loved ones for Christmas? Don't forget Advent is the time to prepare something special for the Christ Child! At the Foster Home--

Are you two doing something positive for Advent, or have you found a way to be a Lay Apostle* as Father Shell suggested?

I'm making a visit every day after school, Cindy, but I'd like to do more.

*Member of the Faithful who works to spread the Kingdom of God on Earth.

I've been thinking about Father's sermon, too. If we could get more people to do something positive during Advent, that would be working as Lay Apostles. People often need a reminder to get ready spiritually for Christmas.

I heard Father say that, but I don't know how to go about reminding people.

Let's decide to do something -- like going to Mass on Saturday -- and then ask people to go with us!
That's a good idea — but everybody can't go to church on Saturday.

But almost all our friends could make a visit after school.

Wonderful! Let's call Helen and ask her to go with us.

My brother and his friends are in the basement. I'll ask them!

On the phone...

So we thought we'd all ask one person to make a visit with us.

COUNT ME IN! I'LL CALL PAT AND ASK HER.

...And that's our idea. What do you think?

I'll go along with you. Me, too.

In the basement...

The idea spreads...

How about it, Peter?

Count me in.

It's a wonderful plan. Thanks for asking me.

That's the idea. What do you think?

It's a good one.
MONDAY, AFTER SCHOOL...

BEFORE WE GO HOME TONIGHT, LET'S MAKE OUR VISIT.
FINE WITH ME!

COME OVER TO MY HOUSE TONIGHT AFTER SCHOOL, MARGE.

I'D LOVE TO, BUT LET'S GO TO CHURCH FIRST.

PHIL! COME ON OVER AND PLAY BASKETBALL WITH US.
SURE, SOON AS I MAKE MY VISIT. COME ON ALONG.

YOU MEAN AT CHURCH? ER... WELL... O.K. — WHAT'S TODAY?

NOTHING SPECIAL. LET'S GO.

IN CHURCH —

THE NEXT DAY AFTER SCHOOL —
Later that week...

I don't want to be a pessimist, but the season is young yet. Wait another week and see how many still make visits.

I really feel as though I'm preparing for Christmas this year.

Just think! The Jews prepared for the Messiah for thousands of years.

And a week later, quite a few are missing.

Two days till Christmas! I hope you can help wrap gifts tomorrow at the orphanage, Helen.

I think I can, Joan. I'll call you tonight.

Finally, school is out for the holidays.

Christmas Mass is the climax of the Advent season.

I didn't do much for you this Advent, dear Jesus, but I'll do better next year.

Infant Jesus, please accept my daily visits as your birthday present.

Baby Jesus, please take my visits and whatever merit I earned as your Christmas gift.

For some, Advent was a time of giving; for others it was a wasted opportunity.
TRUE-FALSE

1. Advent should be a time of preparation for Christ's birth.
2. Some people don't prepare spiritually for Christmas.
3. Asking another to accompany you to Church would be an act of a lay apostle.
4. Doing "something positive" for Advent would never require a sacrifice.
5. We gain merit every time we do something good for the honor of God.
6. To enter into the true spirit of Advent, a person should make some sacrifices.
7. It was not a sin for the children in the story to stop making visits to the Blessed Sacrament.
8. Those children in the story who stopped making visits missed a wonderful opportunity to gain merit in heaven.
9. The Foster family interfered with others' affairs when they asked them to make visits during Advent.
10. Only sisters, priests, and brothers have a duty to do good works.

YOUR CHOICE

1. Children (should, should not) try to do penance during Advent.
2. Those children who (did, did not) make visits during Advent gave Christ a special gift for His birthday.
3. People who make sacrifices for God (will someday, will never) be rewarded.

4. Our Lord (does, does not) want us to help others gain merit.
5. The Jews spent thousands of years before the coming of Our Lord in (celebration of, preparation for) His birth.
6. All Catholics (should, should not) try to be lay apostles.
7. Anyone in grade school (is, is not) too young to be a lay apostle.
8. Spiritual preparation for Christmas (is, is not) important.
9. Lay apostles (do, do not) work to spread the kingdom of God.
10. Doing penance during Advent is (forbidden, recommended) by the Church.

TALK IT OVER

1. Give examples of deeds boys and girls in school can do every day to be lay apostles.
2. To give from your heart is to be a good Catholic.
3. In the modern world, there is no need for penance or sacrifice.

ANSWERS

(Score five points for each correct answer)

True-False: 1-2-3-4-5 (Score: 25.0)
Your Choice: 6-7-8-9-10 (Score: 25.0)

TOTAL: 50 + 50 = 100

**Score:**

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CONCLUSION

Catholicism in the United States underwent many changes from 1955 to 1975, and among these was a notable decline in the practice of the sacrament of penance. This dissertation has suggested that the decline in the sacrament of penance can be helpfully understood in relation to the changing notion of sin and alterations to non-sacramental penitential practices. The exploration of this broadened context for considering the sacrament of penance was made possible through the use of Thomas Aquinas’s work in the *Summa Theologiae* on the topics of sin and penance. Thomas employs the Augustinian definition of sin as a thought, word, or deed contrary to eternal law, and he names it as matter to be destroyed by the sacrament of penance. In his discussion on the sacrament of penance, moreover, Thomas explains that penance is also a virtue, namely, the habit of amending for sin. This notion of penance as a virtue is helpful for expanding the conventional history of the decline of the sacrament of penance as it draws attention to non-sacramental penitential practices and a common source in the virtue of penance, which is exercised through social structures in response to the reality of sin.

Likewise, the historical account of sin and penance among American Catholics in the United States during this time period is helpful for examining the theology of sin and penance. Thomas’s work on sin and penance drew from Christian tradition and was taken up by the tradition that followed him; the penitential dimension of the Christian life is evident throughout Church history. And yet the Church is constantly challenged to find appropriate ways to
implement social practices that facilitate the exercise of the virtue of penance as a response to sin. The brief history of sin and penance in the first chapter indicated that sin has been described in different ways, and penance has been performed in a variety of forms.

This dissertation addressed the initial task of enriching the historical account surrounding the decline of the sacrament of penance following Vatican II by exploring in greater detail changes in the conception of sin at both a popular and academic level. Chapters 2 and 3 argued that sin had once been a clearly understood and important concept in American Catholic subculture; sin was seen as a reality, and Catholics were taught to identify and confess actual sin (the Augustinian-Thomistic definition for this was provided in the Baltimore Catechism). As Catholics in the United States became more demographically similar to their non-Catholic compatriots, however, this emphasis on sin and the long list of specific sins became less pronounced and the understanding of sin became more elusive. The third chapter observed a similar change in the notion of sin at the academic level, noting that the flaws of the manualist system, which tended toward legalism and minimalism, were met by a new approach to Catholic morality that emphasized freedom and responsibility rather than obedience and obligation.

This historical narrative concerning sin was beneficial for the examination of the sacrament of penance in Chapter 4 and the description of non-sacramental practices contained in Chapter 5. Here the practical difficulties in implementing social practices to facilitate the exercise of the virtue of penance became apparent. Whereas the sacrament of penance and non-sacramental penances such as the Friday meat abstinence were practiced regularly by Catholics, the extent to which they fostered the virtue of penance cannot be definitively known. Both sacramental and non-sacramental practices were criticized for being too routine, unreflective, and ineffective for addressing sin. The practical attempts to address these concerns
and renew penitential practice, however, did not lead to a revitalization of penance among American Catholics.

One of the lingering questions for this project which is surely a limitation of the research is the inability to assess the interior lives of the faithful of this time period. That Catholics memorized the definition of actual sin, that they regularly examined their consciences, that they frequented the sacrament of penance, that they abstained from meat on Fridays and fasted during Lent—this can all be known. The extent to which these actions were truly expressions of the virtue of penance is difficult to determine. It is possible that the majority of those partaking of these penitential practices were in no way embodying contrition or seeking to amend for sin that they regarded as an offense against God. So while this project proposed to examine the virtue of penance, it is precisely this that is most difficult to evaluate.

The rapid decline of sacramental and non-sacramental practices associated with penance would seem to indicate that these practices ultimately failed to develop the virtue of penance among the faithful who partook of them. Further research might question this hypothesis through generational studies, examining whether penitential practices were perhaps maintained to some extent by the pre-Vatican II generation and almost completely lost among the Vatican II and post-Vatican II generations as well as their children who likely were raised with little knowledge of such penances as Ember Days or Lenten fasting.

Another question to consider in light of the historical narrative contained in this project is how best to implement social practices that affirm the penitential dimension of the Christian life and facilitate the development of the virtue of penance for American Catholics at the present time. There is always a danger when examining history to romanticize past years. It would be too easy to say simply that penitential practices were at a zenith in the 1950s and early 1960s, especially given the ample evidence to indicate a multitude of problems in regard
to penitential practice and the moral theology that was almost exclusively based in confessional manuals. Had there been no perceived problems, there would have been no motivation for reform. Any move to reinstate traditional Catholic penitential practices will need to consider potential pitfalls in addition to possible benefits. It is my hope that this project can assist in furthering this discussion.
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