

The Confessional, the Couch, and the Community:  
Analyzing the Sacrament of Penance in Theological, Psychological, and Cultural Perspectives

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To Francis Eloise.

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## INTRODUCTION

Nearly overnight, towards the end of the 60s, North American Catholics stopped going to confession at the extraordinary rate to which, for the span of a century, they had been accustomed. But interest in confession, now called the sacrament of reconciliation or penance, is alive, sometimes vigorously in some contexts. Converts to Catholicism are interested in how it works and how to use it. Self-identifying traditionalist Catholics retain confession in pride of place next to the Mass as a frequent practice foundational to Catholic identity. At times, almost by accident, Catholics and non-Catholics will wander into a confessional at some parish and find a priest waiting to hear whatever they have to say. Sometimes this goes poorly, but sometimes it seems to really work for people.

My interest in confession is both personal and professional. In my youth, I was torn between two very different visions of sin, as reflected in the dissimilar religious backgrounds of my parents: one liberal Protestant, and the other ruggedly Biblical fundamentalist. My mother's family, situated firmly in the white middle class, is United Methodist. Her youngest sister, who took classes with Rosemary Radford Ruether and was among the first waves of women to be ordained in the United Methodist Church, presided over my baptism. As a child I was formally initiated into a Christian praxis in which the admission of personal sin and human fallenness were less visible than concerns voiced about social responsibility and justice.

On the other hand, for my father's family, poor white southerners who had migrated north a generation or so ago, the battle for individual holiness was a way of participating in the cosmic struggle between the angelic powers of God and the evil designs of the devil. Sin, understood as the struggle against one's personal badness and the temptations of Satan, was the

central problem around which religion revolved. Faith healings, speaking in tongues, and above all personal devotion to the Christian Scriptures were all aspects of waging the fight against the temptation to sin and unbelief.

Was sin the issue around which my religious life should revolve? Or was it a somewhat outdated notion, a reflection of a usually harmful moralism insensitive to wider social issues? Unable to resolve this problem, I moved from church to church, a God-haunted, guilt-obsessed sinner in search of forgiveness. Eventually, I became a Catholic and aspired to be a traditionalist, a priest, a monk. With the help of the sacraments, I wanted to vanquish once and for all what I perceived to be an inner conflictedness that alienated me from God. And, out of all the resources of a vast religious tradition, the opportunity to confess my sins to a priest promised the best opportunity for healing.

Healing I did receive, but from a rather different sacrament. I frequented confession but its peace never lasted. At the right time, an attentive vocation director with a background in clinical psychology suggested that I might find in marriage and family life what I would never find in monastic solitude. He was right. I went on to continue my studies at Vanderbilt University. I got married. I had two children. And I rarely go to confession.

But I work for a Catholic parish in Nashville, Tennessee, and I encounter a surprising number of people who want to know how to go to confession. Some of them ask me whether they should go to therapy or talk to a priest. Some of them have been in therapy and aspire to something closer to religion. And some of them are God-haunted, guilt obsessed sinners in search of forgiveness. How do I suggest to such seekers that they may not find what they are looking for in the confessional? What do I tell adults learning how to be Catholic about "confession," a ritual depicted throughout film and literature that few use and even fewer

understand? How do I respond to priests and laymen (they are almost always men) who argue that "going to confession" ought to be the center of our spiritual lives and disciplines? Is it indeed a crisis -- the term of judgment used by many theologians, spiritual writers, and clergy over the last 50 years -- that few American Catholics use individual confession to a priest to receive absolution? Are there other approaches to how we encounter and ritualize God's forgiveness of sins, approaches that are more adequate to the cultural and psychological contexts of contemporary lay Roman Catholics? Are there other fertile possibilities for penitential practice in parishes, opportunities that might stir our theological imaginations and summon us to critical reflection and action?

### **I. The Problem of Penance**

The sacrament of reconciliation, known also as penance and confession, plays a central role in Roman Catholic pastoral care, both as a practically significant ritual for a small percentage of American Roman Catholics and as a powerful symbol within American Roman Catholic culture even among the majority who do not make use of it. As a well-known symbol, confession represents for Catholics a collision of the personal with liturgical and the theological. Without even using it, Catholics are shaped by the history of the sacrament, by its cultural effects on previous generations' acts of worship and piety, and by its role in shaping Catholic attitudes toward sexuality and the gendered body. This practice has undergone significant shifts since its inception at the beginnings of Christianity in response to the vicissitudes of history, as the ministers and practitioners of the sacrament have adapted to theological, psychological, and cultural changes.

The most recent shift occurred in response to the Second Vatican Council's directive that the sacrament be revised so as to "more clearly express both the nature and effect of the

sacrament."<sup>1</sup> This revision took the form of the creation of three distinct rituals within the entire Rite of Penance. The first, the Rite for Reconciliation of Individual Penitents, served as a revision of the standard practice of the sacrament since the Council of Trent. The second, the Rite for the Reconciliation of Several Penitents with Individual Confession and Absolution, responded to the Council's more general liturgical move to "emphasize the relation of the sacrament to the community" by placing "individual confession and absolution in the context of a celebration of the word of God."<sup>2</sup> Finally, the Rite for Reconciliation of Several Penitents with General Confession and Absolution was implemented to address special occasions in which individual confessions were not pastorally feasible.

As has been documented by numerous liturgical scholars, the years following the council saw the implementation of severe restrictions on the third rite by the Catholic hierarchy, making it effectively impossible to celebrate under normal circumstances.<sup>3</sup> Parishes adopted the first and second rites, but by the 1990s communal celebrations of the sacrament of penance were rare outside of annual penance services during Lent and Advent, and the number of Roman Catholics practicing the sacrament of reconciliation in any form continued to diminish. Thus, the most common way of experiencing the sacrament of reconciliation among Catholics in the United

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<sup>1</sup> *Sacrosanctum concilium*, the Constitution on the Sacred Liturgy, no. 72, in *Vatican Council II: Volume I, The Conciliar and Post Conciliar Documents*, rev. ed. ed. Austin Flannery, O.P. (Northport, NY: Costello, 1996), 21.

<sup>2</sup> Rite of Penance, Decree of the Sacred Congregation for Divine Worship, in *Rites of the Catholic Church: Volume One* (Collegeville, MN: Liturgical, 1990), 523.

<sup>3</sup> See, for instance, James Dallen, *The Reconciling Community: The Rite of Penance* (New York: Pueblo Pub. Co., 1986); Catherine Dooley, "The 1983 Synod of Bishops and the "crisis of confession,"" in *The Fate of Confession*, eds. Mary Collins, David Noel Power, and Marcus Lefébure, (Edinburgh, Scotland: T. & T. Clark, 1987); David Coffey, *The Sacrament of Reconciliation* (Collegeville, Minn.: Liturgical Press, 2001).

States today is the mode most similar to pre-Vatican II practice: individual confession of sins to a priest, normally taking place in a confessional space "equipped with a fixed screen between the penitent and confessor"; but this is practiced by an extremely small minority of Roman Catholics.<sup>4</sup>

Scholarly discussions of the sacrament of reconciliation since Vatican II have focused chiefly on the theological and ecclesial-political ramifications of the state of sacramental reconciliation, broadly understood, and not on the character of its existing variations from the perspective of its practitioners. This state of affairs coextends with a more widespread tendency of academic theologians to overlook concrete practice in the everyday life of the faithful in favor of more abstract liturgical, dogmatic, and moral developments. Furthermore, while popular literature on "going to confession" abounds for both priesthood and laity, there have been few recent scholarly attempts to organize and evaluate different pastoral approaches to the sacrament.<sup>5</sup>

This does not mean, however, that Catholics have stopped dealing with problems of sin. What is missing is a link between personal experiences of being at fault and the ritual and its liturgical enactment of God's forgiveness of sins. Rituals of penance provide parish communities

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<sup>4</sup> Rite of Penance, 12.

<sup>5</sup> Two texts, Annemarie Kidder's *Making Confession, Hearing Confession* and Julia Upton's *A Time for Embracing*, published within the last twenty years, do make some practical suggestions for celebrating the sacrament of penance in parish contexts, but neither grounds these suggestions in psychological or cultural analysis. Such analysis is the purpose of this practical and pastoral theological exploration of penance. Likewise, Kurt Stasiak's *A Confessor's Handbook* offers some advice for priests who hear confessions privately, but Stasiak's approach is based solely on his experience as a confessor. See Annemarie S. Kidder, *Making Confession, Hearing Confession: A History of the Cure of Souls* (Collegetown, Minn.: Liturgical Press, 2010); Kurt Stasiak, *A Confessor's Handbook* (New York: Paulist Press, 1999); Julia Upton, *A Time for Embracing: Reclaiming Reconciliation* (Collegetown, Minn.: The Liturgical Press, 1999).

with common ways of talking about the relationship between God and human responsibility and encountering connections between worship and ethical practice. If rituals of individual confession to a priest can no longer provide to the majority of Catholics a context in which ethics, liturgy, and pastoral care intersect, how are they to learn about sin and forgiveness?

## **II. Argument and Overview**

My argument is that monolithic or simplistic explanations of sacramental reconciliation fail to attend to the plurality of ways that penance might be practiced and understood in contemporary Roman Catholic parishes, leading to a neglect of its potential pastoral impact in the everyday lives of the faithful. Against arguments supported by official Church teaching that individual confession to a priest constitutes the only normal way for Catholics to experience the forgiveness of sins, I argue that we can identify three necessary and interdependent approaches to penance in contemporary American Catholic parish life, each of which is organized around different experiences of fault and offers a particular vision of divine reconciliation. This makes historical sense, because as I will explain in Chapter One, the Church's penitential practices have always been multiple and many dimensional, though the Council of Trent paid little attention to this fact. As I will argue in Chapter Two, each approach deserves more careful exploration and analysis at three distinct levels: psychological, cultural, and theological. While many theologians who have written on Catholic confession recognize the need for insights from the social sciences, few have made serious use of them. But when we understand some of the psychological and cultural issues at play in rituals of penance, we can begin to explore other ways in Catholic parishes in which the penitential tradition of recognizing and ritualizing the divine forgiveness of sins might be lived out.

What I name the "juridical approach" describes practices of ritual confession between a penitent and a priest that perform divine forgiveness in terms of clerical power. As I will explore in greater detail in Chapter Three, whether sins are understood as debts forgiven or impure stains removed, the juridical approach to penance emphasizes the priest's authority over sins. Penitents or those who receive forgiveness participate in this approach by demonstrating their obedient commitment to this authority, and through it, to God. In the United States, where Catholicism began in local, culturally bound communities organized as parishes around a local church, obedience to the official Church had moral, spiritual, and social value.<sup>6</sup> It provided immigrant Catholics with a link across the world to their former home. Trying to be a "good Catholic" was a matter of respecting one's family and neighborhood as well as the Church and God. And if one failed to be a good Catholic, all one needed was a brief visit with the priest, a short demonstration of sorrow and obedience. Confession was private, but it was at home within the cultural demands of American Catholic communities from the mid-19<sup>th</sup> century until the 1960s.

However, these communities changed, and this is the focus of Chapter Four. Catholic parish culture became more diffuse and less central to everyday life. Throughout the social upheaval of World War II and the brief economic boom that followed, American Catholics emerged into middle-class United States cultures. Churches in inner city neighborhoods shrank

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<sup>6</sup> Here and throughout this dissertation, when I am speaking about the Catholic Church's official leadership and its teachings, proclamations, and sacramental and liturgical practices, or about its presence to Catholics as a unified symbolic reality, I will capitalize the term "Church." When I am referring to the broader network of Christians throughout the centuries without reference to Roman jurisdiction, or to local parishes and congregations, I will use the term "church." The use of uppercase and lowercase letters is not meant to indicate ecclesiological or theological judgments about the interrelationships of these entities. Rather, because this dissertation is concerned with psychological and cultural representation, naming the Catholic Church as an active agent helps to underscore that it continues to play a powerful role in the lives of Catholics.

and new churches in the suburbs took their place. The bonds of community organized around obedience to the clergy slackened. The voice of the Church came into competition with other convincing cultural voices, and it began to speak with less certainty. Or, perhaps more accurately, in what the faithful had long perceived as a single voice could now be heard a plurality of voices growing in dissonance. The Church's authority over matters sexual was contested and finally dismissed. Confession was abandoned. Notions of sin and guilt learned in childhood were no longer adequate for more complicated kinds of failure and compromise. The clergy, preaching from week to week, were sometimes inspiring but rarely sources of moral insight. American Catholics learned to muddle on with a vague and largely unarticulated sense of personal and social moral fault through engaging in informal conversations, sharing in groups gathered around religious or social efforts, or turning to counseling and therapy available to the wider public. I term these more ambiguous opportunities for exploring experiences of fault "therapeutic" or "relational" approaches to penance, approaches born with the rise of psychological therapies designed to help individuals with their individual problems and the language of the self that emerged with them. "Catholic guilt," with its vocabulary of sins and its lure of obedience, gave way to a vague and unarticulated sense of fault, a feeling of not being enough, and a collection of hidden shames.

In light of this narrative, Chapter Five addresses three possibilities for approaching opportunities for penance in Catholic parish life. The juridical approach is used only by a minority of Catholics, but these Catholics share a reverence for Church authority and a desire for the obedience that marks them as good Catholics. Opportunities for therapeutic and relational penance exist inside and outside the parish, but these are fragmented and often lack theological insights that would link them explicitly to the mission of the Church in the world as explored, for



instance, in Vatican II's *Lumen gentium*. These links are solidified by a third, “communal” approach. In this approach, regular celebrations of penance and reconciliation are incorporated into the liturgical life of the parish, offering opportunities for individuals and groups to symbolically and theologically express their disparate experiences of fault as one public body. The communal approach to penance frames a narrative of conversion as found in the Gospels, as enacted in the church's official and juridical acts, and as anticipated in all of the spaces that teach us how to confront our own faults and failures. This approach reflects my own theological commitment to the theological primacy of liturgical praxis, as reflected in the ancient Christian axiom *lex orandi, lex credendi*: what we pray is the source of what we believe.

### **III. The Relevance of This Project**

In his classic text *Method in Theology*, Bernard Lonergan argues that theology is an ongoing, collaborative, and dynamic process that "mediates between a cultural matrix and the significance and role of a religion in that matrix."<sup>7</sup> This dissertation represents my attempt to examine the significance and role of the sacrament of penance in the cultural and psychological matrices of American Catholic life before and after the Second Vatican Council. The sacrament of penance privileges the meeting of the personal, the social, and the theological in a way that no other sacramental practice does. Confessing one's sins means translating what are possibly the most perplexing experiences into a discourse that is simultaneously moral and theological, within the bounds of a social, ecclesial space understood to mediate the healing activity of God. As a scholar in religion, psychology, and culture, I am interested in exploring penitential practice from

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<sup>7</sup> Bernard Lonergan, *Method in Theology* (Toronto: University of Toronto Press, 2007), *xi*.

the margins of these disciplinary spaces, attentive to the slippage between theological pronouncements about sin, guilt, and forgiveness and their realization in everyday life.

In exploring penance, systematic theologians have been preoccupied with how the agencies of God, Church, and individual theoretically fit together in the practice of penance. They want to untangle the different vectors of healing that take place through each of these parties' contributions to the practice in order to speculate on what it means that God forgives sins through the mediation of the Church. From such speculations they derive insights into how and why Catholics might practice this sacrament. Discussing the sacrament of penance thus offers the opportunity to explore more general theological conflicts about the relationship of persons, Church, and God.

This dissertation does not adopt such an approach. Instead, locating myself in the fields of pastoral and practical theology, I attempt to begin from an understanding of people's experiences of penance, specifically the experiences of the American Catholic laity before and after the Second Vatican Council, grasped through the lenses of psychological and cultural theorists. If the sacrament of penance is a sacrament of healing, the healing that it provides ought to be verifiable in experiences that are open to modes of inquiry other than the theological, as understood in a strict and systematic sense.

Moral theologians have come closer to investigating such experiences. Early modern controversies about the proper disposition needed for forgiveness to take place touched on the significance of what the penitent was doing in the sacrament. However, bereft of a properly psychological lens through which to view human agency, these speculations only skimmed the surface, so to speak, of what it means to reflect on, name, and take responsibility for sin in one's personal and social life.

Moreover, the spaces in which practices of penance take place are culturally constituted in and through pastoral power. But pastoral power is complicated. Its history reflects overt and implicit attempts to dominate and control as intertwined with desires to heal and to help. Inattentive to the role and significance of such cultural dimensions, traditional Catholic theological discussions of penance have been more concerned with what penance ought to be than with how Christians have actually embodied penance, and the implications of this embodiment for the life and aims of the Church as a lived, practicing body.

Approaches to Roman Catholic sacramental reconciliation thus serve as a sort of focal "praxis" for an extended look at how morality, liturgy, and theology are being lived out in American Catholic parish life as embodied practice. These approaches are linked to broader political concerns about individualism, suffering, and clerical power, demonstrating how a diverse group of individuals (American Roman Catholics) has used a particular practice (sacramental reconciliation) to negotiate its relationship with God and others. A theological investigation of the sacrament of reconciliation that is concerned with human healing and conversion must not only learn from secular (that is, non-ecclesial) sources such as psychodynamic theory and practice and critical cultural theory; it must find a home within a renewed tradition of spiritual care, in which confession is one, but only one, aspect of a wider cultural framework of spiritual and psychological growth.

Thus, as a dissertation located in the area of Religion, Psychology, and Culture, this project uses psychodynamic, cultural, *and* theological perspectives to analyze sacramental practice, a hitherto neglected field of study. The practice of confession is ideally suited because it is uniquely Roman Catholic in a way that many other sacraments are not, and as a practice it has secular counterparts in psychodynamic therapeutic practice. Furthermore, current struggles to

adapt sacramental confession to contemporary cultural context have important parallels in the history of the 20th century discipline of pastoral theology among Protestant (and to a lesser and later extent, Catholic) theologians in correlating ecclesial and pastoral practice with insights from the psychological and social sciences. I am thinking particularly of pastoral theologian Don Browning's formulation of a fundamental practical theological method that uses the social sciences to arrive at a "thick description" of practices, rendering them suitable subjects for ethical reflection.<sup>8</sup> However, I am sensitive to feminist pastoral theologian Elaine Graham's critique of Browning's method as assuming too readily that ethical reflection is a matter of applying abstract rational norms, particularly because Catholic moral pedagogy in parish contexts has been dominated by this kind of thinking.<sup>9</sup> Rather than articulating moral failure and sin in light of abstract principles, I will explore the possibility of an embodied knowing involved in the practice of sacramental confession: a knowing that does not reflect on abstract rules of right and wrong but responds to the rough and ready feeling of having sinned, of feeling guilty, and of suffering. Moral and pastoral development takes place in the midst of such feelings, not above them.

Furthermore, German theologian Johannes Baptist Metz points out that the crisis of Christianity is not a crisis of content but of practice. The faith that is failing is not a content-faith, but a practical faith: a "practical knowledge of discipleship."<sup>10</sup> This coheres with the turn to

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<sup>8</sup> Don S Browning, *A Fundamental Practical Theology: Descriptive and Strategic Proposals* (Minneapolis: Fortress Press, 1991).

<sup>9</sup> Elaine L Graham, *Transforming Practice: Pastoral Theology in an Age of Uncertainty* (London; New York: Mowbray, 1996), 83-96.

<sup>10</sup> Johann Baptist Metz, *Faith in History and Society: Toward a Practical Fundamental Theology* (New York: Seabury Press, 1980), 149.

practice in practice theory, practical theology, and religious studies that sees faith residing as much in bodied practices as cognitive belief claims.<sup>11</sup> Thus, my investigation of sacramental confession would seek both to unveil the ways in which practices have overlooked suffering and prevented voices from being heard and to discover new ways that the practice might transform the lives of those whose guilt causes them to suffer. This is in keeping with Bonnie Miller-McLemore's contention that a pastoral and practical approach to the study of religion begins at the intersection of suffering and the religious response to it.<sup>12</sup>

Finally, this project seeks to respond to calls by pastoral theologians for a more adequate theology of sin, one that focuses on the communal, social, and political context of care and addresses the obstacles to human flourishing in contemporary individual and institutional terms.<sup>13</sup> This dissertation will contribute to ongoing theological discussions of sin and guilt, as well as to liturgical and sacramental theological discussions about the place and function of the sacrament of penance with respect to the politics of parish life.

#### **IV. Methodology**

I agree with systematic theologian David Tracy's methodological argument that theology involves reformulating "both the meanings manifested by our common human experience and

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<sup>11</sup> E.g., Graham, *Transforming Practice*; Bonnie J Miller-McLemore, *Christian Theology in Practice: Discovering a Discipline* (Grand Rapids, Mich.: W.B. Eerdmans Pub. Co., 2012).

<sup>12</sup> Bonnie J Miller-McLemore, *Christian Theology in Practice*, 145.

<sup>13</sup> Most recently, for instance, see Barbara J McClure, *Moving beyond Individualism in Pastoral Care and Counseling: Reflections on Theory, Theology, and Practice* (Eugene, OR: Cascade Books, 2010).

the meanings manifested by an interpretation of the central motifs of the Christian tradition."<sup>14</sup>

As a practical and pastoral theological project, this dissertation reflects Tracy's commitment to experience as a site of privileged knowledge alongside the resources of the Christian theological tradition. Tracy makes use of a phenomenological approach to decipher relevant human experience before placing it in critical conversation with theological symbols and narratives. I will make use of a critical psychoanalytic approach, investigating particular human experiences as they are constituted both psychologically and culturally. Because the experiences involved in penance are enmeshed with the world of thought, desire, aggression, and fear – what Sigmund Freud called the world of the unconscious – understanding them requires an investigation of both conscious and unconscious way of participating in particular human cultures.

As a ritual with one foot in the cultural and psychological world of penitents and the other in the liturgical and theological tradition of the Roman Catholic Church, a fruitful theological discussion of penance requires a conversation with the explorations of a critical psychoanalytic analysis.<sup>15</sup> Such conversations have been rare. Critical psychoanalysis pairs psychologists' explorations of conscious and unconscious structures and dynamics of human subjectivity with an appreciation for how these structures and dynamics vary across different societies and groups. With respect to theology, cultural psychology means that we must pay

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<sup>14</sup> David Tracy, *Blessed Rage for Order, the New Pluralism in Theology* (New York: Seabury Press, 1975), 34.

<sup>15</sup> What I am terming a critical psychoanalytic analysis shares much in common with what Jacob Belzen's description of cultural psychology. For an overview of cultural psychology as a discipline, see J. A. van Belzen, *Towards Cultural Psychology of Religion Principles, Approaches, Applications* (Dordrecht; New York: Springer, 2010). It also reflects Jeremy Carrette's depiction of critical psychology as reflective on its own limitations, as argued in *Religion and Critical Psychology: Religious Experience in the Knowledge Economy* (London; New York: Routledge, 2007). As David Tracy points out in *Blessed Rage for Order*, theological methods must be similarly critical.

attention to how living human bodies appropriate, learn from, and make use of theological ideas and symbols within the psychological and cultural patterns of their lives. I use this approach to gain insight into the way we appropriate theological discourse and practices for personal, often unconscious purposes, using it to frame our lives around unquestioned assumptions about our relationships to others: our family, our society, our politically interconnected world. In helping us to question these assumptions, and in tracing their psychological, cultural, and political implications for our lives, theological reflection informed by critical psychoanalysis becomes ethically self-conscious and practical: living in God's pursuit of a more just world.

Describing a similar approach, cultural psychologist Jacob Belzen points out:

Accepting that culture is a major shaping force in self-definition, conduct, and experience, requires a different kind of research than is usual in mainstream psychology of religion...it becomes necessary to study not the isolated individual, but also the beliefs, values and rules that are prevalent in a particular situation, together with the patterns of social relatedness and interaction that characterize that situation.<sup>16</sup>

Antoine Vergote, a Belgian psychoanalyst and philosopher who taught psychology and educational science at the Catholic University of Leuven, embodies this attentiveness to the psychological dynamics of social relatedness. His work represents a commitment to the integral connections between psychology and culture, a commitment that also shapes my own work specifically and the discipline of Religion, Psychology, and Culture more generally. In a return to Freud that both learned from and challenged psychoanalyst Jacques Lacan's own return, Vergote develops Freud's theories in light of the contributions of European phenomenological scholars like Martin Heidegger, Claude Levi-Strauss, and Maurice Merleau-Ponty. Vergote's

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<sup>16</sup> Jacob A. Belzen, "The future is the return: Back to cultural psychology of religion," Religion and Psychology Mapping the Terrain: Contemporary Dialogues, Future Prospects, eds. Diane E Jonte-Pace and William Barclay Parsons, (London; New York: Routledge, 2001), 48.

method thus supplements philosophy with a culturally informed psychology, avoiding reductionist ways of thinking about the relationship between religion, culture, and psychodynamic phenomena.

Vergote's interdisciplinary appreciation for the insights of cultural anthropology, sociology, psychoanalysis, and philosophy provides me with a methodological approach that can "yield insight into the psychic processes that are involved in and determined by [a] culturally given religion."<sup>17</sup> Against making quick and casual judgments, Vergote writes that we can correctly interpret "religious attitudes and behaviors psychologically only when we understand them as a conflict-solving process."<sup>18</sup> Such a process necessarily brings the subject's "desires, disillusionments, revolves, anxieties, identification with models, evolving experiences, and so on" in dialogue with the opportunities presented or prohibited by religious forms.<sup>19</sup> This dialogue constitutes how "the subjects produce their own religious representations and belief dispositions."<sup>20</sup> Thus, psychologists interested in religious development should examine "how the development of mind, of body experience, and of a growing sense of identity and autonomy introduce within religious belief conflictual processes that the subjects solve in various ways under the influence of their desires and anxieties."<sup>21</sup>

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<sup>17</sup> Ibid., 53.

<sup>18</sup> Antoine Vergote, "What the Psychology of Religion Is and What It Is Not," *International Journal for the Psychology of Religion* 3, no. 2 (January 1, 1993), 83.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.



Vergote shows that as an "essentially ethical body of thought," psychoanalytic thinking illuminates the potential contributions of sacramental penance to a creative interplay between truth and freedom in view of the Other.<sup>22</sup> In addition to Vergote, then, I draw on the moral implications of the theories of psychoanalysts Heinz Kohut and D.W. Winnicott, whose contributions to the development of conscience and reconciliatory action inform my understanding of guilt. Like psychoanalysis, penance points to an ethically-informed way of thinking and acting, and so we must think about penance within the cultural and psychological horizons of Catholic moral life. The power of religious discourses and practices to heal and to harm arises from their ability to express the conflicts that are written on our bodies as we enter into the world mediated by language and meaning: the world of our parents, families, immediate cultural surround, wider political context, and so on. Inattentiveness to the conflicts that give religious signifiers their emotional force does no service to religion, nor to psychic health -- though persons and institutions may cultivate such inattentiveness in order to protect their own insular concerns and comforts from the dangers of human desire. The psychoanalytic thinking of Kohut and Winnicott helps us to see that pastoral practices of healing or harm can only occur by means of particular culturally-situated opportunities as they structure our interactions -- socially, economically, politically.

But all cultural orders are not created equal. Some may be more amenable than others to what Jessica Benjamin has described as relationships of mutual recognition.<sup>23</sup> Critical feminist thinking has repeatedly drawn attention to the reproduction of positions of dominance and

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<sup>22</sup> Antoine Vergote, Jozef Corveleyn, and Dirk Hutsebaut, *Psychoanalysis, Phenomenological Anthropology, and Religion* (Leuven: Leuven University Press, 1998), 71.

<sup>23</sup> Jessica Benjamin, *The Bonds of Love: Psychoanalysis, Feminism, and the Problem of Domination* (New York: Pantheon Books, 1988).

submission within society along gendered, racial, and other problematic lines. As an activity in which human persons designate themselves as being at fault, the sacrament of penance is never neutral with respect to cultural order or the various psychologies within it. Rather, it has functioned in a variety of ways in Catholic culture, supporting religious attitudes of reverence, obedience, and fear. In exploring how such attitudes are enacted, I attempt to listen to the voices of those who have suffered at its hands, mindful of how often within the church such voices are dismissed and alienated. This project thus has particular relevance in the discipline of pastoral theology because it demonstrates the value of studying practices and the importance of focusing not only on individual care but also on the broader communal, political, and institutional contexts of care.

As a pastoral and practical theologian, my goal in this project is to situate penance within an ethical and liturgical vision of the communal and personal life to which we are all called by God. In their liturgical practices, Catholics can recognize themselves as a common people called by God. This recognition is constituted on cultural and psychological grounds as felt obligation to the community. For a long time, the laity felt this obligation as the pressure to make an attempt not to break Church laws, and to go to confession when they did. Now the majority of Catholics feel no such pressure.

What moral and ethical obligations to the community do Catholics now feel in the wake of waning juridical pressure? I am unsure. But I want Catholics in my parish to feel an obligation to the community, extending from the lives of those within the community to the lives of all affected by the community. I believe such an obligation frees us from individualistic and inauthentic commitments, empowering us to pursue justice through critical reflection and practice. Embodying and appropriating a healthy and life-giving obligation to the liturgical

community entails reshaping our assumptions about sin, guilt, and the experience of God's forgiveness. The theological and practical history of penance is a key resource in this reshaping, together with a critical cultural and psychological analysis of our present situation.

## CHAPTER 1

### THE EVOLUTION OF PENANCE

For Roman Catholics, the liturgy, a diverse lifetime and more of collective ritual practices of worship, is the primary way in which the mystery of Christ is expressed.<sup>24</sup> Roman Catholic ritual practices are a complex blend of diverse elements, including theological tradition, ritual prescription, and local custom. While local practices take place in dialogue with surrounding culture, they remain informed by a deeply felt traditional memory that can pass almost unnoticed by ordinary lifelong Catholics.<sup>25</sup> Variations across communities and cultures inevitably occur, but always with continuous reference to what David Tracy, building on the work of Hans-Georg Gadamer, calls "religious classics," those texts, events, and persons that proclaim and manifest a form of being-in-the-world suffused with "an undeniable power not one's own and articulated not in the language of certainty and clarity but of scandal and mystery."<sup>26</sup> For Roman Catholics, these classics include prayers, especially those found in the Mass, stories of saints, the feasts and seasons of the liturgical year, and meaningful rites of initiation like first communion, confirmation, and marriage. The impact of a single one of these

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<sup>24</sup> "For the liturgy, 'through which the work of our redemption is accomplished,' most of all in the divine sacrifice of the Eucharist, is the outstanding means whereby the faithful may express in their lives, and manifest to others, the mystery of Christ and the real nature of the true Church." *Sacrosanctum concilium* 2.

<sup>25</sup> Bruce T. Morrill refers to this traditional memory as the "thus has it always been" sense of rituals.

<sup>26</sup> David. Tracy, *The Analogical Imagination: Christian Theology and the Culture of Pluralism* (New York: Crossroad, 1981), p.173ff.

is impossible to gauge, but through them together Catholics participate in the ongoing construction of an imaginative world impregnated with the paschal mystery of sin and redemption.<sup>27</sup>

As a significant factor in this ongoing and co-creative process, Roman Catholic rituals have undergone significant shifts since their inception at the beginnings of Christianity in response to the vicissitudes of history, as their ministers and practitioners have adapted to theological, psychological, and cultural changes. A mixture of divine institution and human innovation, liturgical rituals mediate God's unceasing and unchanging care for God's people through the vicissitudes of culture and practice. As such, they can accrete and solidify, preventing more than enabling their participants from encountering the Spirit who animates them.

Because this dissertation examines the shifting significance of the sacrament of penance in American Catholic life, it is important to begin with an overview of just what this ritual entails in terms of its historical development. My historical overview is thus meant to set up this dissertation's challenge to the normative status of individual confession to a priest as the ordinary means by which Catholics experience forgiveness for their sins. I will begin by providing a description of the most recent official version of a practice of confession that, while now largely abandoned, was so recently a foundation of parish culture. I will then place these changes in a much broader historical context, arguing that contrary to some popular conceptions, Catholics

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<sup>27</sup> By *imaginative*, I do not mean fictive or untrue. Rather, following theologians like David Tracy and psychoanalysts like D.W. Winnicott and Ana-Marie Rizzuto, the human imagination responsible for the stories we tell ourselves about the world is no barrier to reality but rather its very condition. See especially D. W Winnicott, *Playing and Reality* (New York: Basic Books, 1971) and Ana-Maria Rizzuto, *The Birth of the Living God: A Psychoanalytic Study* (Chicago: University of Chicago Press, 1979).

have always made use of varieties of penitential rituals and practices to respond to their senses of their own failures, shortcomings, and sins.

### **I. The Current Rites of Penance: An Overview**

Convened under the auspices of pastoral care for the church and for the world, the Second Vatican Council thus mandated liturgical reform as a singular means by which Catholic tradition and the experience of modern Catholics might be brought into more relative harmony. Following the Council itself and in accordance with its directives, committees of theological, historical, and pastoral scholars and experts studied the church's various rituals, the cultural contexts in which they were celebrated, and the existing tradition. The goal of this effort was to formulate rituals and their texts that "express more clearly the holy things which they signify" so that their participants might "be enabled to understand them with ease and to take part in them fully, actively and as befits a community."<sup>28</sup> Liturgical reform was thus one of Vatican II's primary means for accomplishing John XXIII's pastoral renewal of the church.<sup>29</sup>

Church councils are a tricky business. Invariably called in the context of crises which threaten to undermine the relational bonds that constitute ecclesial unity, they demand prudence, flexibility, space for open dialogue. To borrow from systematic theologian Paul Tillich, church councils are called in response to questions that as yet have no answers, problems posed by the

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<sup>28</sup> *Sacrosanctum concilium*, the Constitution on the Sacred Liturgy, no. 72, in *Vatican Council II: Volume I, The Conciliar and Post Conciliar Documents*, rev. ed. ed. Austin Flannery, O.P. (Northport, NY: Costello, 1996), 21.

<sup>29</sup> cf. Dallen, *The Reconciling Community*, 208ff.

meeting of Word and world within the transitional reality that holds them temporally together: the Church.<sup>30</sup>

Ideally, councils do not simply solve conflicts, as a judge pronounces in favor of one contestant over another. Rather, the purpose of a council is to create space for fruitful conflicts, to strengthen the bonds of ecclesial love among members whose disagreements threaten to tear them apart. The early Christian councils of late antiquity perhaps can be interpreted in this light. Concerned with the way in which language about the relationship of Jesus Christ to the God he called Father, the bishops elaborated a space in which, for the most part, each theological disputant might have a say. The creeds which are the results of these councils are sophisticated attempts to create a hospitable resting point within language, a place where God might dwell without being driven out by logical excess on one side or sentimental relativism on the other. To paraphrase one recent theologian, we must speak of God, but when we do so we do not really know what we are talking about.<sup>31</sup>

Councils can fail to be hospitable. In place of listening, they can pronounce; in place of allowing space for questioning, they can threaten. The First Vatican Council, for instance, in its deep concern for the radical changes taking place across the western world, erected a fortress of anathemas and pronouncements whose defensive effectiveness was so successful that even Vatican II, the Council called to "open the windows" has yet, in the view of more than a few contemporary theologians, to be fully implemented.

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<sup>30</sup> See Paul Tillich, *Systematic Theology, Volume 1* (Chicago: University of Chicago Press, 1967).

<sup>31</sup> Herbert McCabe and Brian Davies, *Faith within Reason* (London: Continuum, 2007), 96.

Indeed, without calling into question the doctrinal veracity of the pronouncements made at the Councils of Trent and Vatican I, Pope John XXIII expressed a rather different hope when he decided to convene the Second Vatican Council. The problems posed by a troubled world to a troubled church in the middle of the 20<sup>th</sup> century were not questions about the fundamentals of Catholic teaching but anxieties about the quality and feasibility of the life of faith itself. "What is needed at the present time," declared John XXIII, "is a new enthusiasm, a new joy and serenity of mind" born of an intentional meeting between the contemporary world and the living tradition of Christian teaching and practice.<sup>32</sup> "We must work out ways and means of expounding these truths in a manner more consistent with a predominantly pastoral view of the Church's teaching office."<sup>33</sup>

#### A. The Reform of the Rite of Penance

With the exception of the Mass, no ritual was more familiar to the 20<sup>th</sup> century Catholic faithful than the sacrament of penance, most popularly known as "confession." Like the Mass, the practice of confession was celebrated according to the Roman Ritual (the official book of Roman Catholic liturgical rites) promulgated for 300 years after the Council of Trent in 1614 with no significant revisions. But while the ritual had not changed, the people making use of it had, making the sacrament of confession an important target for the Second Vatican Council's reforms.

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<sup>32</sup> Catholic Church et al., *The Encyclicals and Other Messages of John XXIII* (Washington, D.C.: TPS Press, 1964), 382.

<sup>33</sup> *Ibid.*



Thus, with respect to Vatican II's mandate for revision of penance so as to "more clearly express both the nature and effect of the sacrament," the reformed ritual of penance replaced the single rite finalized at the Council of Trent with three distinct rites that together made up the new Rite of Penance. Each of the rites was designed to highlight certain aspects of the theology of penance underlying it as well as to respond to distinct pastoral situations.

The first, the Rite for Reconciliation of Individual Penitents, served as a revision of the standard practice of the sacrament since the Council of Trent. The second, the Rite for the Reconciliation of Several Penitents, responded to the Council's more general liturgical move to "emphasize the relation of the sacrament to the community" by placing "individual confession and absolution in the context of a celebration of the word of God."<sup>34</sup> Finally, the Rite for Reconciliation of Several Penitents with General Confession and Absolution was implemented to address special occasions in which individual confessions were not pastorally feasible.

#### B. Ideal and Actual Rites

The reformed ritual texts were developed to reform the practice that preexisted Vatican II, a ritual of confession that had become problematic for the vast majority of Catholics. Sacramental theologian James Dallen argues that the reformed rites are capable of successfully replacing the practice of individual confession that dominated American Catholic practice before the Second Vatican Council, even if they have yet to be actually implemented in parish contexts. As he points out, "the outlook of the Rite of Penance extends beyond sacramental reconciliation to include -- by intention, though not in fact -- all the ways a penitent Church ritualizes

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<sup>34</sup> Rite of Penance, Decree of the Sacred Congregation for Divine Worship, in *Rites of the Catholic Church: Volume One* (Collegeville, MN: Liturgical, 1990), 523.

conversion and reconciliation."<sup>35</sup> In other words, the text of the Rite of Penance is meant to provide parishes with the liturgical and theological resources they need in order to help their members encounter their faults in the light of God's mercy. For Roman Catholics, ritualizing this encounter solidifies the bonds of community and makes the sometimes difficult process of encountering divine forgiveness easier. The ritual text of the reformed Rite of Penance thus provides parishes with a practical theology of penance for a community in conversion.

There is a difference between ritual as text and ritual as practice. Codified regulations governing the correct performance of rituals can provide a level of continuity and unity to the rituals as actually performed, especially when these texts possess a high degree of authority, but at best they designate an ideal ritual around which actual practice diverges. Some ritual texts spell out in some detail the circumstances in which divergence is appropriate, while others leave it to the collective practical wisdom of the ritual body.<sup>36</sup> In either case, the ritual texts provide a baseline, as it were, for the potential implementation of the ritual. As many theologians and liturgical scholars have argued, the widespread failure across Roman Catholic parishes in the United States to successfully celebrate the rituals according to the ideal presented by the

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<sup>35</sup> Dallen, *The Reconciling Community*, 227.

<sup>36</sup> At least for the past 300 years, Roman Catholic ritual practice has emphasized the correct implementation of the ritual text using a combination of legal restriction and theological language of sin to ensure faithful practice among the clergy and, to a somewhat lesser extent, among the laity. Recalling that Catholic theology recognizes its rituals as a combination of divine institution and human innovation, divergences from the ritual text tend to be distinguished with respect to their sacramental validity and liceity. Divergences from theologically essential elements of the ritual -- for instance, omitting the use of water in the rite of baptism -- results in an invalid ritual, a ritual that ultimately fails to act as a mediator of God's friendship to humanity in Christ because it fails as a sign of this relationship. But divergences from the human enculturation of these theologically essential elements of the ritual result only in an illicit and theoretically diminished ritual. A great deal of theological and legal effort goes into clarifying these differences and identifying where and to what degree abuses occur.

reformed ritual text has prevented the rituals from fully performing their pastoral function: to enable the faithful to "express in their lives, and manifest to others, the mystery of Christ and the real nature of the true Church."<sup>37</sup>

In what follows, I will first discuss the ideal form of each rite within the Rite of Penance according to the prescriptions and rationale of the text itself. I will then briefly describe the state of the rite in concrete pastoral practice. While these descriptions are based largely on the reports of liturgical and theological scholars over the past forty years, they are also derived in no small part from my own experience as a member of the Roman Catholic laity who has been active in a number of parish contexts.

Moreover, as someone trained in the disciplinary area of Religion, Psychology, and Culture, I have learned from scholars who are acutely attentive to the tensions and differences between what people proclaim to be true and what their actual practices convey. For instance, writing in the context of the beliefs and practices surrounding women in ministry, pastoral theologian Bonnie Miller-McLemore traces the relationship between Christian sacrificial rhetoric and actual practices, helpful and harmful, of self-sacrifice in the daily lives of women.<sup>38</sup> She concludes that like all theological symbols, terms like "sacrifice" and "cross" have never "had a singular meaning but rather a whole host of meanings, all of which have some bearing on the

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<sup>37</sup> *Sacrosanctum concilium* 2. Sacramental theologian James Dallen and systematic theologian David Coffey have each argued that the Catholic Church has yet to see the fruits of a full implementation of the ritual texts. See David Coffey, *The Sacrament of Reconciliation* (Collegeville, Minn.: Liturgical Press, 2001), 172-179; James Dallen, *The Reconciling Community: The Rite of Penance* (New York: Pueblo Pub. Co., 1986), 298-328.

<sup>38</sup> Bonnie Miller-McLemore, "Practicing What We Preach: The Case of Women in Ministry," *Practical Theology* 2, no. 1 (2009): 45-62.

celebration of the Eucharist.”<sup>39</sup> Some meanings, generated in specific historical contexts, have lost their ability to point to human flourishing. Miller-McLemore cites theories of Christ’s substitutionary atonement as an example of a sacrificial theology whose harm to women far exceeds its benefits. Other meanings that point to possibilities of abundant life and just relationships need to be recovered and employed. We must therefore examine and use such terms with tremendous care, aware of their power and their danger.

I follow the same reasoning with respect to the discourse, ritual, and practice surrounding the Catholic penitential tradition. Rituals of penance impact on the lives of the faithful goes beyond whether this or that individual goes to confession, for a host of terms and ideas and practices surround the image of the confessional that may not appear in the ritual text. Thus, this overview of the three rites within the Rite of Penance is meant to introduce us to the tensions, explored in greater detail in the chapters that follow, that exist between what the Church ideally wishes to practice, according to its texts, and what the situation actually allows.

### C. Rite for the Reconciliation of Individual Penitents

The first rite presented in the Rite of Penance is the Rite for the Reconciliation of Individual Penitents, or "Rite A" for short.<sup>40</sup> This rite envisions the meeting of a confessor and a single penitent in a confessional with an optional fixed screen for penitents who wish to remain anonymous; celebration of this rite outside the confessional only may take place for "a legitimate reason," with no further elaboration.<sup>41</sup> The rite begins with the confessor's words of welcome,

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<sup>39</sup> Ibid., 56.

<sup>40</sup> Rite of Penance 15-21; 41-47.

<sup>41</sup> Rite of Penance 12.

and the penitent follows with the sign of the cross and invocation of the Trinity: "In the name of the Father, the Son, and the Holy Spirit. Amen." After hearing some words of encouragement from the confessor, the penitent can provide any relevant information that might "help the confessor in the exercise of his ministry"; the text suggests the penitent's state in life and time of last confession.<sup>42</sup> This preliminary exchange may conclude with a Scripture reading by either confessor or penitent.

The penitent's verbal confession of sins follows; the Rite of Penance has little to say about its content, but it does urge the confessor to aid the penitent in making an "integral" confession and to inspire sorrow and hope in the penitent. The confessor may offer words of advice and instruction adapted to the penitent's circumstances before proposing an act of penance that "may suitably take the form of prayer, self-denial, and especially service to neighbor and work of mercy" in order to emphasize the social aspect of sin and forgiveness.<sup>43</sup>

The penitent offers a prayer expressing her sorrow for her sins and her desire to begin again. The confessor then extends his hands over her head<sup>44</sup> and pronounces the formula of absolution, making the sign of the cross as he says its final phrase.<sup>45</sup> Finally, the penitent and

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<sup>42</sup> Rite of Penance 16.

<sup>43</sup> Rite of Penance 18.

<sup>44</sup> David Coffey, *The Sacrament of Reconciliation*, 108ff. Coffey argues that this directive only makes sense in the context of face-to-face confession; a screen between confessor and penitent prevents any extension of hands *over* the penitent. The ritual text is thus somewhat confusing in requiring this action and mandating the presence of a screen.

<sup>45</sup> Rite of Penance 19.

confessor share a brief exchange that expresses praise and thanksgiving for the mercy of God, and the rite concludes with the confessor's dismissal of the penitent: "Go in peace."<sup>46</sup>

Rite A is by far the most familiar and culturally iconic of the three rites of penance in Roman Catholic parish settings, and in most cases it only diverges slightly from the ideal form presented by the text. Parishes that offer regular opportunities for celebrating the Rite of Penance offer it in this form, usually setting aside one to three hours on Saturday before the first of the weekend Sunday liturgies. Most churches have a space designated for "reconciliation" or "confession." Though confession in popular culture is often depicted within the confessional, an enclosed wooden "box," in many cases it takes place a room divided by a kneeler and a large screen. Behind the screen sits the confessor, but a chair in his view is normally provided, giving the penitent the opportunity to kneel behind the screen or to sit opposite the confessor and converse with him face to face. This option, however, is unused by the majority of people who participate in the sacrament. When there are many penitents, they typically form a line near the ritual space; but it should be noted that in most parishes a line would be quite unusual.

Celebration of Rite A begins with the confessor's greeting and, depending on the penitent's preferences and religious training in childhood, some formal words of address.<sup>47</sup> The reading of the Scriptures suggested by the ritual text never takes place in North American Roman Catholic practice.<sup>48</sup> If the penitent does not immediately begin speaking, the confessor will

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<sup>46</sup> Rite of Penance 20.

<sup>47</sup> E.g., "Bless me Father, for I have sinned. It's been X days since my last confession." Those who attended Catholic school are more likely to use such formulae, as are Catholics who grew up before the Second Vatican Council.

<sup>48</sup> See Coffey, *The Sacrament of Reconciliation*, 128.

typically ask guiding questions. After the penitent discloses her or his reasons for seeking sacramental reconciliation, the confessor might provide some words of advice before suggesting a penance, which is usually a prayer or number of prayers familiar to the penitent. The confessor then invites the penitent to say an act of contrition; while the wording of this prayer is completely at the discretion of the penitent, a standard prayer from the Rite of Penance is often provided in written form.<sup>49</sup> After the penitent prays, the confessor extends his hands and pronounces the prayer of absolution before dismissing the penitent. The words of this dismissal may vary but commonly approximate "Go in peace." In my experience, a more formal and complete thanksgiving and dismissal is almost never celebrated by the confessor and penitent.

The interaction between confessor and penitent is highly variable, depending on a number of factors, the most proximate including the penitent's choice of position (kneeling behind the screen or face-to-face), the content and manner of her confession, and the confessor's own theological and practical understanding of the sacrament. The practice of Rite A is fairly faithful to the ideal form provided by the written text, though the universal omission of a reading from the Scriptures performed by either confessor or penitent is significant in a context in which time is rarely an issue.<sup>50</sup> The time devoted to the celebration of rite A with each penitent varies from parish to parish. In some cases, the ritual is accomplished in 2-4 minutes; in others, it can

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<sup>49</sup> The most widely used prayer of contrition appears to be "My God, I am sorry for my sins with all my heart. In choosing to do wrong and failing to do good, I have sinned against you whom I should love above all things. I firmly intend, with your help, to do penance, to sin no more, and to avoid whatever leads me to sin. Our Savior Jesus Christ suffered and died for us. In his name, my God, have mercy." See Rite of Penance 45.

<sup>50</sup> Coffey, *The Sacrament of Reconciliation*, 129.

take up to 20 or even 30 minutes. Chapter 5 of this dissertation will investigate the reasons and conditions for varieties in the celebration of this form of the rite of penance.

#### D. Rite for Reconciliation of Several Penitents with Individual Confession and Absolution

As its name indicates, the Rite for Reconciliation of Several Penitents with Individual Confession and Absolution envisions a gathering of more than one penitent together with at least one, but possibly several priests, one of whom serves as the chief celebrant of the rite. The second rite follows the general structure of the Sunday Eucharistic celebration, but it takes place separately from the celebration of the Mass. A gathering hymn precedes the celebrant's greeting, introduction, and opening prayer. A liturgy of the Word follows in which one or more readings pertaining to conversion, reconciliation through the death and resurrection of Christ, and God's judgment of good and evil are proclaimed together with a psalm, song, or silence.<sup>51</sup> These readings are followed by a homily designed to "lead the penitents to examine their conscience and to turn away from sin and toward God" and to remind the assembly of sin's theological, social, and individual consequences.<sup>52</sup> This part of the rite concludes with an examination of conscience undertaken either individually or corporately. This is meant to prepare the penitents for their imminent verbal confessions of sins.<sup>53</sup>

The second movement of the rite begins with a prayer, said by all present, of general confession, followed by the recitation of the Lord's Prayer. This can be accompanied by a song

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<sup>51</sup> Rite of Penance 24.

<sup>52</sup> Rite of Penance 25.

<sup>53</sup> Rite of Penance 26.



expressing sorrow for sins.<sup>54</sup> The confessors present then all go to designated places throughout the church, and penitents are free to approach them individually during the time allotted. The exchange between the confessor and individual penitents follows exactly the form of Rite A.<sup>55</sup>

Once all the penitents individually have made their confessions, everyone returns to their places and join together in an expression of thanksgiving, recited or sung. The celebrant concludes the service with a prayer praising God's love and dismisses the assembly with a blessing.<sup>56</sup>

In many dioceses in the United States, Rite B is celebrated twice a year, once during the season of Advent and once during the season of Lent.<sup>57</sup> Parishes in a diocese will often cooperate together in a single celebration, as this allows several priests to be present to hear individual confessions. Attendance at these celebrations is, again, highly variable, depending on the parish's culture and life. Some parishes dedicate a great deal of energy to these biannual opportunities for communal celebration, and others merely respond at the last-minute to a diocesan-wide mandate to offer Rite B.

The first part of this form of the rite, the liturgy of the Word, usually takes place according to the ritual text, though it is sometimes abbreviated to a gathering hymn, a single reading from the gospels, and a short homily, or even to a brief greeting and exhortation. A spirit

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<sup>54</sup> Rite of Penance 27.

<sup>55</sup> Rite of Penance 28.

<sup>56</sup> Rite of Penance 29-30.

<sup>57</sup> If the Catholic diocese of Nashville may serve as a representative, penance services were advertised in numerous parish bulletins during Advent and Lent. I was unable to find services advertised for any other time. My own parish, Christ the King Catholic Church, hosts two penance services a year.

of minimalism in the celebration of Rite B is not uncommon in many parishes, and the examination of conscience is often presumed to be the penitents' own responsibility.

After the praying the corporate prayers directed in the ritual text, penitents are then dismissed for individual confession. Where there are many priests present, penitents usually form a line in front of their preferred confessor, taking turns to make their confession and receive absolution individually before returning to their pew for their penance.

However, because of the time it takes for a number of penitents to meet individually with a confessor, the celebration of Rite B almost invariably suffers from divergences from the ideal form presented in the ritual text. In most cases, the final expression of thanksgiving through communal song and prayer is presented as either optional or completely neglected, as both confessors and penitents assume that remaining in the church for the duration of the individual confessions is neither pleasant nor pastorally advisable. As systematic theologian David Coffey remarks in his careful overview of the ritual:

People will stay to make their confession and pray their penance, but then they leave. They cannot face the prospect of remaining in the church with nothing to do (but pray!) for an indeterminate period until all the confessions have been heard. No matter how much the pastor may implore them, they will not stay. The result is that by now the unequal struggle has largely been given up and victory ceded to the people.<sup>58</sup>

By the end of the ritual, then, it is common for only a handful of penitents, if any, to remain for a final blessing.

However, mindful of the significance of the final act of corporate thanksgiving, some celebrations of Rite B instead urge limitations on the time allotted to individual confession, pressuring both confessors and penitents to move as quickly as possible and curtailing the

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<sup>58</sup> Coffey, *The Sacrament of Reconciliation*, 149.

opportunities for personal interaction. In some cases, penitents are instructed to confess only one sin; in others, confessors to limit their advice, assign a penance, and pronounce absolution as soon as the penitent has finished speaking. While this strategy does protect the time available for the final corporate act of thanksgiving, it does so by making a caricature of the time given individual confession and absolution.<sup>59</sup>

#### E. Rite for Reconciliation of Penitents with General Confession and Absolution

The third rite presented in the Rite of Penance is the Rite for Reconciliation of Penitents with General Confession and Absolution, or Rite C. Before describing the rite itself, the ritual text carefully delimits the circumstances under which the third rite may be used. Because I will be discussing this in greater detail below, it will suffice to point out that penitents who take part in this rite are required afterward to participate separately in Rite A, the rite for individual penitents, as soon as possible, and absolutely within one year barring "moral impossibility."<sup>60</sup>

Like Rite B, this rite envisions a gathering of more than one penitent together with at least one, but possibly several priests, and it follows the general structure of the Sunday Eucharistic celebration. Indeed, the structure of Rite C parallels that of Rite B from the beginning of the ritual through the examination of conscience.<sup>61</sup> However, this rite specifies that a distinction must be made between those participating in the rite who wish to receive general absolution and those who do not. To the penitents (those intending reception of absolution), the

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<sup>59</sup> Coffey, *The Sacrament of Reconciliation*, 150-151.

<sup>60</sup> Rite of Penance 33-34.

<sup>61</sup> Rite of Penance 35.

celebrant proposes an act of penance and reminds them that they must resolve "to confess in due time each one of the grave sins that they cannot confess at present."<sup>62</sup>

The celebrant or another minister then instructs the penitents to distinguish themselves from those not intending absolution by some visible sign, such as kneeling, bowing their heads, or standing. Together they pray a form of general confession and the Lord's Prayer, as in Rite B.<sup>63</sup> The celebrant then pronounces a prayer of general absolution over all of the penitents.<sup>64</sup> The Rite of Penance provides two options: the first and longer prayer of absolution invokes each of the persons of the Trinity with reference to divine mercy, healing, and forgiveness, and the second is the same prayer used in Rites A and B.<sup>65</sup> After all join together in a recited or sung expression of thanksgiving, the celebrant blesses the assembly and dismisses them.<sup>66</sup>

While Rite C enjoyed a decade of practice in the United States beginning from its implementation in 1977, it is now never celebrated in U.S. parishes, or in Catholic parish life anywhere else for that matter. While the short history of the success and subsequent suppression of this form of the rite of penance will be explored in greater depth later, it can be noted that when Rite C was celebrated in Roman Catholic parishes and dioceses throughout the late 1970s and early 1980s, it was typically faithful to the letter of the ritual text and enjoyed widespread popularity, issuing in an expectation among many liturgical theologians and writers of Roman

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<sup>62</sup> Rite of Penance 35a.

<sup>63</sup> Rite of Penance 35b.

<sup>64</sup> Rite of Penance 35c.

<sup>65</sup> Rite of Penance 62.

<sup>66</sup> Rite of Penance 35d.

Catholic spiritual literature that it would become the dominant form of the sacrament of penance for the foreseeable future. Sacramental theologians like Monica Hellwig and James Dallen have documented the truly huge turnouts that occurred wherever the rite was celebrated. Indeed, commenting on the newly written Rite of Penance, Francis Sottocornola, a member of the committee responsible for drafting it, expressed his anticipation that the promulgation of the Rite of Penance would issue in an "era of reconciliation" marked by the regular practice of Rite C in parish life.<sup>67</sup> And in an example whose success led to prompt disciplinary action on the part of the Magisterium, Bishop Dozier's celebration of rite C in Memphis, TN in 1976, preceded by weeks of preparation and advertisement, garnered approximately 12,000 penitents who took part in the rite and received absolution.<sup>68</sup>

As we saw above, Rite C stipulates that any penitents who take part in it must intend to make an integral confession through rite A as soon as possible. Anxiety about the potential failure of penitents to follow through on this intention prompted the Holy See to restrict severely in the promulgation of the 1983 Code of Canon Law the conditions of "grave necessity" under which Rite C may be celebrated so as to make it virtually impossible to celebrate in a parish context.<sup>69</sup>

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<sup>67</sup> Franco Sottocornola, "Les nouveaux rites de la penitence," *Questions liturgiques* 55 (1974) 89-136), quoted in Coffey, *The Sacrament of Reconciliation*, 168.

<sup>68</sup> James M. O'Toole, *Habits of Devotion: Catholic Religious Practice in Twentieth-Century America* (Ithaca: Cornell University Press, 2004), 185.

<sup>69</sup> *The Code of Canon Law: Latin-English Edition* (Washington, DC: Canon Law Society of America, 1983), cc. 960-964.

## F. Theological Considerations: Contrition, Confession, Absolution, and Penance

Rituals of penance symbolically express healing, specifically the healing of the damage done by sin. Like baptism, they manifest a movement from the beginnings of repentance to the fullness of reconciliation. Unlike baptism, rituals of penance envision a much more active role for penitent in the sacramental expression of the human and divine drama of conversion.<sup>70</sup> For the most part, the Rite of Penance's understanding of the movement of penitent, God, and Church expressed by the ritual is drawn from the theology of penance developed in the high Middle Ages and made normative at the Council of Trent. This theology identifies four distinct but inseparable moments at work in the process of penance: contrition, confession, penance, and absolution. Because of the emphasis afforded to them within the Rite of Penance and their historical and theological significance, I will briefly describe each of these dynamics. Later, I will use these four moments to identify points of continuity and change across the history of Catholic penance.

### *Contrition*

According to the ritual text, an essential aspect of the sacramental process is the penitent's own contrition, described in terms borrowed from the Council of Trent as "heartfelt sorrow and aversion for the sin committed along with the intention of sinning no more."<sup>71</sup> Not only is contrition necessary for a valid celebration of the sacrament, it is the penitent's most significant

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<sup>70</sup> Thomas Aquinas, following Augustine, identifies penance as a second plank after baptism. Baptism establishes a new and unique bond between the Christian and God through an act of God's initiative. While nothing can erase the bond given in baptism, sin can destroy its justifying effects, and these effects can only be regained through the active participation of the penitent. See Thomas Aquinas, *Summa Theologiae* III, q. 84, a.1. For a comprehensive treatment of Aquinas's theology of penance, see Eric Luijten, *Sacramental Forgiveness as a Gift of God: Thomas Aquinas on the Sacrament of Penance* (Leuven: Peeters, 2003).

<sup>71</sup> Rite of Penance 6a.

contribution to the ritual, to a greater degree than her verbal confession. In the scholastic language of Trent, contrition constitutes the *matter* of the sacrament, completed by the *form* of the confessor's absolution. With the exception of Rite C, it is the function of the confessor to determine whether or not contrition is present.

The Rite of Penance assumes that penitents' contrition embodies an internal and progressive conversion to Christ as the penitent "begins to consider, judge, and arrange [his or her] life according to the holiness and love of God."<sup>72</sup> Contrition thus is an eminently psychologically laden aspect of the sacrament of penance, describing the penitents' subjective participation in the rite as well as their experience of conversion. If the penitents are not sorry for what they have confessed, the ritual fails to express the movement of repentance and thus cannot symbolically enact their reconciliation with God and church.<sup>73</sup>

### *Confession*

The most visible and well-known aspect of the sacrament of penance is the penitent's verbalization of her sins. The Rite of Penance points out that this verbalization expresses both the penitents' contrition and their "true knowledge of self before God."<sup>74</sup> In other words, according to the Rite of Penance, the verbal confession of sins manifests the penitents' sorrow for their

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<sup>72</sup> Rite of Penance 6a.

<sup>73</sup> An example might make this clearer. If I willingly do something that causes you, my friend, to suffer, and then I come to you seeking a restoration of our friendship out of sheerly pragmatic reasons, neither empathetically conscious nor expressive of my role in your suffering, a return to friendship is impossible. Only through recognition of the harm I have done to you can the conditions of friendship -- namely, my love for your well-being -- be restored. Only by articulating my acknowledgement and understanding that I have harmed you, and then convincing you in word and in act that I regret my previous actions, do I stand a chance at regaining your friendship.

<sup>74</sup> Rite of Penance 6b.

actions as well as the degree to which their participation in the sacrament reflects their own sober and informed self-judgment. As Coffey indicates, confession is pastorally "the most contentious of the four parts of the sacrament and the most challenging for both penitents and Church authorities."<sup>75</sup> In Chapter 2, a more complex investigation of the relationship between contrition, self-judgment, and verbal confession in light of cultural, psychological, and theological principles will reveal many of the difficulties surrounding this aspect of the sacrament.

### *Absolution*

According to the Rite of Penance, through the confessor's words and raising of hands toward the penitent, "God uses visible signs to give salvation and to renew the broken covenant" manifested by the penitent's contrite confession."<sup>76</sup> While different words of absolution can be used for Rite C than for Rites A and B, both forms of absolution convey verbally, and to some extent visually, God's acceptance of the penitent with reference to the death and resurrection of Jesus Christ and the coming of the Holy Spirit. Moreover, in the most commonly used form, these words combine a descriptive statement about God's actions, a subjunctive expression of God's blessing, and the confessor's performative act of absolution:

God, the Father of mercies,  
through the death and resurrection of his Son  
has reconciled the world to himself  
and sent the Holy Spirit among us  
for the forgiveness of sins;  
through the ministry of the Church  
may God give you pardon and peace,  
and I absolve you from your sins  
in the name of the Father, and of the Son,

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<sup>75</sup> Coffey, *The Sacrament of Reconciliation*, 93.

<sup>76</sup> Rite of Penance 6d.



and of the Holy Spirit.<sup>77</sup>

This admixture of allusions to God's own acts with the priest's "I absolve" reflects a significant difference between a declaration of the general effects of the reconciling work of Christ and the power to apply this reconciling work to specific situations. In Catholic theology and practice, the juridical (i.e. legal) power to remit serious sins belongs uniquely to priests.

### *Penance / Satisfaction*

The theological element from which the Rite of Penance gets its name, penance designates the penitent's own active participation in repairing, in some fashion, the damage she or he has done through her or his sins. Termed also as "satisfaction" by the Rite of Penance, these actions are determined by the confessor and given to penitents as the means by which they "may restore the order which they disturbed and through the corresponding remedy be cured of the sickness from which they suffered."<sup>78</sup> The Rite of Penance specifies that the means of satisfaction be tailored to the penitent's own condition and circumstances. Paradoxically, the penitent's actions after leaving the ritual space are necessary for the fulfillment of the ritual just completed. In other words, while the priest's absolution marks the terminating point of the sacrament of confession, the theological commentary surrounding the Rite of Penance insists that the penitent's works of satisfaction are an essential part of the movement of penance.<sup>79</sup> As we will see, this difficulty is heir to a shift in the practice of penance that occurred during the scholastic middle ages and remains a source of confusion in contemporary practice.

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<sup>77</sup> Rite of Penance 46.

<sup>78</sup> Rite of Penance 6.

<sup>79</sup> Rite of Penance 6c.

### G. The complementarity of the rites

These three rites are intended to make the complex relationship between God, individual, and community at work in the process of Christian conversion known as penance adaptable to the various and fluctuating needs of Roman Catholic parish life. As the Rite of Penance itself declares, "The people of God accomplish and perfect this continual repentance in many different ways."<sup>80</sup> The ideal presentation of the rites in the ritual text demonstrates their versatility. Rite A offers priest and penitent an intimate space in which ample time is given for mutual reflection on God's mercy through the Scriptures, the penitent's heartfelt disclosure, born through careful discernment, of her or his personal refusal to live in faith and love, followed by words of advice and assurance offered by the priest in response, and ending with prayers of contrition and absolution that together perform the drama of the loss of innocence and its redemption in Christ. Rite C most fully encapsulates the social nature of reconciliation by offering the community an opportunity to receive God's redeeming word, to respond in solidarity with contrite repentance and to receive together in one movement the Church's mediation of divine forgiveness. Rite B constructs a layered space of public liturgy and individual counsel, bringing them together in a final act of communal *exomologesis*, the Church's confession of the work of the redeeming God.

However, for reasons that will be discussed in greater detail below, the implementation of these rites in contemporary Roman Catholic parishes throughout the United States has not reflected an attempt of Church leaders to adapt them flexibly to the multifaceted needs of parish life. Instead, under pressure from the Roman Catholic hierarchy and driven, at least in part, by the momentum of traditional practice, a truncated version of rite A, individual confession and

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<sup>80</sup> Rite of Penance 4.

absolution between penitent and priest, prevails from country parish church to cathedral. Rite C is forbidden for general use. Where Rite B occurs, it generally takes the form of a brief service of scripture and prayer juxtaposed against a time of waiting in line to go to individual confession.

Rite A continues to occupy a significant place in the imaginative lives of Roman Catholics, even among those who do not participate in it; and, indeed, we would be hard pressed to find a more potent symbol for Roman Catholicism in the wider public than the image of someone kneeling before a screen in a confessional. To understand why Rite A continues to be the only of the three rites to be consistently and regularly supported in Roman Catholic parish context, within the context of continuously receding use of the sacrament of penance by the Catholic faithful, we need to place the rite in its historical trajectory.

## **II. A Historical Sketch of Penance from Early Church to Vatican II**

The reforms mandated at the Second Vatican Council preserved in Rite A with only a few significant modifications the form of penance established at the Council of Trent. Rites B and C, however, reflected theological insights gained from historical considerations of the penitential practices and traditions that preceded late medieval Catholicism. But because, as I indicated above, Rite A remains the form of penance most familiar to contemporary Catholics, its monopoly on the Catholic imagination represents a popular history that extends only to the Council of Trent, and not beyond. In other words, in keeping with disciplinary and pastoral restrictions on the use of the other rites, the predominance of individual confession in Catholic culture and imagination maintains, in Dallen's words, "a thin veneer of Vatican II and a barely modified Counter-Reformation outlook" in Catholic penitential practice.<sup>81</sup>

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<sup>81</sup> Dallen, *The Reconciling Community*, 224.

Because the cultural memory of Catholics in the United States largely begins with the Council of Trent, I will begin my historical overview of penance by examining the ritual promulgated at Trent and the subsequent context of its practice in Catholic parish life in the United States. I will then examine how Trent itself responded to the pluralistic penitential practices that it inherited from centuries of continental and insular European adaptation. Finally, because the Second Vatican Council itself was responding to the theological and historical recovery of sources from the ancient Christian churches, I will survey practices of penance in the Western churches of late antiquity, demonstrating a tension between the plurality of penitential tradition and the hierarchy's monolithic penitential vision. History is created through practice as well as through narrative, and the Catholic history of penance is far richer than its current practice suggests.

#### A. Going to Confession in America

Historian James O'Toole writes, "To understand American Catholic in the nineteenth and twentieth centuries, we must understand the important role confession played -- and then ceased to play."<sup>82</sup> Indeed, as O'Toole has noted, the shift from frequent practice of the sacrament of confession to its almost complete neglect by the Catholic faithful in the United States occurred with startling rapidity in the late 1960s, and it occurred *before* the promulgation of the new Rite of Penance.<sup>83</sup> This trend has not abated. Recent survey data show that only one in eight America

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<sup>82</sup> O'Toole, *Habits of Devotion*, 131.

<sup>83</sup> One example will suffice to demonstrate this startling event. In 1965, Our Lady Queen of Peace, a Roman Catholic parish numbering 4,175 parishioners in the archdiocese of Milwaukee, WI, recorded an average of 1200 confessions a month. By 1969, despite a slight increase in membership, the average number of confessions per month had dropped to 300. See O'Toole, cited above, for a comprehensive survey of parish records during this period.

Catholics participate in the sacrament of reconciliation at least once a year, and three-quarters of Catholic report never or almost never participating in it.<sup>84</sup>

The "crisis of confession," as it is ubiquitously known in the literature from 1968 to the present, is designated as such with respect to a history of frequent confession in America. From the time of the American Civil War through the first half of the 20<sup>th</sup> century, Roman Catholic parish priests were accustomed to spending from four to five hours hearing confessions on a Saturday afternoon, in addition to designated times throughout the week.<sup>85</sup> On average, parishioners went to confession around four times a year,<sup>86</sup> with women outnumbering men at a rate approaching two-to-one<sup>87</sup> and with no obvious differences in social class.<sup>88</sup>

While Chapter 3 will explore in greater detail the specific psychological, social, and theological dimensions of the way the sacrament was practiced during this time, it should be noted that the time allotted to individual confessions was brief. After entering the confessional, penitents would tell the priest how long it had been since their last confession, promptly list their sins by type and number, and demonstrate their sorrow by reciting the act of contrition. The priest's prayer of absolution in Latin concluded the ritual. Even with a few words of advice, comfort, or rebuke from the priest (none were uncommon), the entire process could easily take

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<sup>84</sup> Mark M. Gray and Paul M. Perl, *Sacraments Today: Belief and Practice among U.S. Catholics* (Georgetown University, Washington, D.C.: Center for Applied Research in the Apostolate, 2008), 57, <http://cara.georgetown.edu/reconciliation.pdf>.

<sup>85</sup> O'Toole, *Habits of Devotion*, 134

<sup>86</sup> *Ibid.*, 135.

<sup>87</sup> *Ibid.*, 138.

<sup>88</sup> *Ibid.*, 144.

place in under three minutes. The Roman Catholic faithful were taught to do this as young children and, as the evidence demonstrates, continued to do it until their deaths.<sup>89</sup>

### B. The Council of Trent

Roman Catholic immigrants to the United States brought with them a penitential practice determined by the Council of Trent and promulgated through the publication of the 1614 *Rituale Romanum*. Convened in three meetings between 1545 and 1563, this gathering of church authorities and theologians constructed a decisive ecclesial response to the theological claims of various strands of the Protestant Reformation and provided a comprehensive reform of Roman Catholic discipline and practice.

With respect to the sacrament of penance, against the claims of the reformers to the contrary, the fathers of the Council of Trent affirmed that priests and bishops alone have the power to absolve individuals of mortal sins, and that individual auricular confession and absolution is the means by which God effectively forgives sins. As James Dallen notes, the ritual of individual confession to a priest fit well into Trent's program of reform, a harmoniously integrated system of worship and sacraments that "had come to be seen as things done by the priest for the people."<sup>90</sup>

This attitude flowed out of a carefully designed theological system, based on the thought of St. Thomas Aquinas, in which the penitents' sorrow for their sins provided the matter for the sacrament and the priest's absolution gave form to this matter, together effecting divine forgiveness and a return to baptismal innocence. However, as we shall see in Chapter 2,

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<sup>89</sup> Ibid., 132.

<sup>90</sup> Dallen, *The Reconciling Community*, 179.

influences from other theological currents, particularly that of Duns Scotus, led to an emphasis on the power of the priest's absolution and a relative diminishment of the significance of the penitent's sorrow. Hence, by the mid-19th century, it was enough to present oneself to the priest, name one's sins and number and kind, and express in words one's regret at having sinned to receive absolution and be assured of God's forgiveness.

Three aspects of Tridentine penitential practice deserve our attention: the distinction between mortal and venial sins, confession's relationship to holy communion, and the predominance of the image of confession as a tribunal. As we shall see in Chapter 3, these aspects significantly informed the cultural of American Catholicism before the Second Vatican Council. Moreover, the intersecting themes of sin, communion purity, and law served to constitute ritual confession as the primary means by which Catholics could regain the sense of purity needed to receive communion. Thus, by identifying and confessing serious transgressions of God's law, Catholics demonstrated the obedience to the Church that justified their access to God through communion.

#### *Mortal Sin / Venial Sin*

Medieval Catholic theology understood the normal relationship between God and the Christian to be one of subsisting and ordered charity. Through faith in Jesus Christ and through baptism, the Christian's relationship with God is constituted by a participation in God's own living love. The notion of "order" is highly significant here: a Christian's relationship with God implies an ordering of all other relationships, to things, to desires, and to peoples, to God as their final goal and purpose. The medieval theologians held that it is possible to turn away from this participation through willing something contrary to the web of relationships put in order by the

living love of God; such a turning away was termed a mortal sin.<sup>91</sup> When Christians sin mortally, they voluntarily reject the abiding grace of God, given freely in baptism, so that they might enjoy some other good.

According to this theological line of thinking, all sins are not mortal. It is possible, according to St. Thomas, to make a disordered choice that nonetheless maintains God as its ultimate purpose and goal.<sup>92</sup> Such choices, termed "venial sins," are easily repaired by virtue of the relationship the Christian maintains with God. Put simply, venial sins are bad choices that Christians make out of ignorance or weakness, whereas mortal sins are bad choices that Christians make out of deliberation and malice. In committing a mortal sin, Christians reject the conditions that make it possible for God's grace to dwell in them; these conditions are precisely their unwillingness to love God above all things. Venial sins may be a concrete instance of failing to love God above all things, but they do not involve a Christian's full, conscious, and informed decision.

To return to the Tridentine sacrament of confession, the Council fathers at the Council of Trent adopted St. Thomas's distinction between mortal and venial sins, along with his demonstration that while venial sins can be repaired through any number of satisfactory acts on the part of the Christian (prayer, going to church, giving alms, fasting), the damage done by mortal sin must be repaired through the hierarchical ministry of the Church. The logic was clear: God's subsisting friendship was given freely in baptism, not through any merit or work of the one

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<sup>91</sup> For a basic treatment of the distinction between mortal and venial sin in the context of penance, see Coffey, *The Sacrament of Reconciliation*, 9-14. For a more extended historical treatment, see John Mahoney, *The Making of Moral Theology: A Study of the Roman Catholic Tradition* (New York: Clarendon Press, 1987).

<sup>92</sup> St. Thomas Aquinas, *Summa Theologiae*, II-I, q.88, a1.



baptized. When this friendship is rejected through mortal sin, the sinning Christian has no means by which to restore it other than by returning to its sacramental source. While the Church could not perform another baptism, it was (according to the Council fathers) given the power to forgive sins by Christ through the sacrament of penance. Thus, the principle purpose of confession, according to Tridentine theology, is to restore the justifying grace lost through mortal sin.

My treatment here is cursory and skips over several important caveats and distinctions. What I am trying to highlight, however, is that the theology of penance promulgated at the Council of Trent firmly held that, for all intents and purposes, and contrary to the arguments of Martin Luther, sacramental confession was the only means by which a Christian who had sinned mortally could be reunited to God. Trent insisted that sacramental confession is only valid if the penitent confess *all* mortal sins of which she or he is conscious; this was termed "integral confession."<sup>93</sup> The theological complexity of the distinction between mortal and venial sin, however valid it might be in its own right, made it difficult for lay persons to be completely certain which sins were venial and which sins were mortal, so they were under pressure to confess them all. All the foregoing did much to support a climate of moral suspicion and scrupulosity throughout Roman Catholic parish life in Europe and, by extension, in the United States. Catholics had to work tremendously hard to avoid committing a mortal sin, but when they inevitably did, recourse to the sacrament of confession was readily available.

### *Confession and Communion*

A second aspect of Tridentine penance that deserves comment includes the connection between confessing sins and receiving communion. Because of a singular focus on the damaging

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<sup>93</sup> Coffey, *The Sacrament of Reconciliation*, 101-107.

power of mortal sin, this relationship was dominated by notions of the purity needed to be in the presence of God, or, in the case of communion, to receive God substantially into oneself. The pressure to confess did not merely stem from a desire for an abstract purity; rather, purity was embodied through physical reception of sacramental communion. The sacrament of confession promulgated at Trent was intimately linked to the Church's Eucharistic worship, such that no member of the Catholic laity would think of receiving communion without going to confession first. As discussed above, frequent confession was the most readily cited means for remaining free of mortal sin, a necessary condition for full participation in the Church's worship. Put simply, a person conscious of having committed a mortal sin could not receive communion; to do so was to commit the additional and mortal sin of sacrilege.

For the most part, it was uncommon for the laity to receive communion regularly after the Council of Trent. The Council itself required communion only once a year, with confession mandated for those conscious of mortal sin. Only the particularly devout availed themselves of frequent communion, which of course entailed frequent confession. However, as historian Joseph Dougherty has documented in his aptly titled *From Altar-Throne to Table: The Campaign for Frequent Holy Communion in the Catholic Church*, a significant change with respect to the reception of communion occurred in the American context during the turn of the 20<sup>th</sup> century.<sup>94</sup> Following a decree of Pope Leo XII that urged the Catholic faithful to commune frequently, a campaign of Church leaders, associations, and education in the United States established weekly communion as the norm for the laity, a trend that has continued to the present.

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<sup>94</sup> Joseph Dougherty, *From Altar-Throne to Table: The Campaign for Frequent Holy Communion in the Catholic Church* (Lanham, Md.: American Theological Library Association, 2010).

However, the conditions for receiving communion did not change; Catholics still had to be free of mortal sin to communicate. Rather, the campaign for frequent communion implicitly included a parallel campaign for frequent confession. For most typical Catholics, it was difficult to avoid falling into mortal sin. Frequent confession was the most widely cited means for avoiding even the temptation to sin mortally, and so Catholics availed themselves of confession in unprecedented numbers. What shifted during the 1960s, then, was not the established pattern of frequent reception of communion but the laity's understandings of mortal sin and the conditions needed for full participation in the Eucharist.

#### *Juridical Penance: Confession as Tribunal*

One final aspect, the prevalence of legal imagery and terminology to describe Catholic penance, linked the practice of ritual confession to the tradition of careful moral theological thinking that emerged after the Council of Trent. Because of the focus on purity highlighted above, the twin influences of legal power and the need to be cleansed of sin charged the practice of confession with significant meaning. The Council of Trent adopted and promulgated a four-part penitential procedure that had been in use for several centuries. The four essential parts of penance—contrition, confession, absolution, and satisfaction—together constituted the means by which God in Christ, effective in the actions of both penitent and priest, brought the penitent back into spiritual wholeness. As we saw above, the new Rite of Penance promulgated after Vatican II preserved these four movements without substantial modification.

In my discussion of the current Rite of Penance above, I identified the distinction between the rite as it exists formally and textually and its actual implementation in practice. Historian Bernard Poschmann's seminal treatment of penance, *Penance and the Anointing of the Sick*, is noteworthy because it begins to address the same tension in Trent's historical theological

explanations of penance. Poschmann provides a crucial insight into the connection between these four movements and the legal language used to situate them. The practice of sacramental confession promulgated at Trent retained an unsolved practical-theological dilemma: the nature of the relationship "between the subjective and personal factor to the objective and ecclesiastical one on the production of the forgiveness of sins."<sup>95</sup> In other words, the penitent's sorrow and the actions that embody it are, according to Tridentine penitential practice, essential to the sacrament, as is the authoritative response of the priest; but it remains unclear exactly how the two cooperate together to effect real and lasting conversion. This lack of clarity is due in large part to the absence of a practical theological perspective situated on the margins of the formal and ritual norms of the Church and the concrete experience of participants in these rituals. I will discuss this at greater length in this chapter's conclusion, but it is important here to point out that Catholic theologians have tended to understand the sacrament of penance from the viewpoint of the confessor, whose ministerial task it was to respond quickly and justly to the matters put before him by penitents formed in a pedagogical tradition influenced by a preoccupation with law, sin, and purity. Such a one-sided view provided few insights from those experiencing, or not experiencing, forgiveness at the hands of the Church's ministers.

Thus, the simple and lasting approach to this problem was to treat the sacrament as a tribunal, in which the penitent acts as defendant and the priest as judge. Indeed, the Council of Trent itself referred to penance as a judicial act, and if it was not exactly specific as to the meaning of this judgment, subsequent preaching and teaching elevated the metaphor to a

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<sup>95</sup> Bernhard Poschmann, *Penance and the Anointing of the Sick*. (New York: Herder and Herder, 1964), 202.

theological truth.<sup>96</sup> In some pedagogical strategies, the penitent was also encouraged to view herself as both defendant *and* prosecuting attorney. The priest's absolution acted as a legal pronouncement of pardon over the penitent's crimes. As we shall see in the forthcoming chapters, the image of the tribunal has had a lasting impact on the Catholic imagination for the past 400 years. With the new Rite of Penance has come a variety of fresh and sometimes ancient competing images, but I argue that the juridical aspects of the sacrament remain strong -- especially in the imaginations of the majority of Catholics who do not make use of it.

### *The Assumptions of Trent*

One of the most significant consequences of Trent's decrees on penance was that it officially situated the verbal confession of sins as the locus of the Church's ministry of forgiveness. It did so with the assumption that the form of penance it had inherited had been retained without significant change since the times of the New Testament. In other words, when the Council decreed private confession had been practiced in the Church "from the beginning and always," this was often and readily exaggerated to mean that private confession as practiced by Catholics in 1545 was itself divinely mandated by Christ.<sup>97</sup> Together with its defensiveness in the context of the Reformation, a profound, albeit unavoidable, ignorance of the historical development of Christian sacramental practice characterized Trent's discussion of penance. While the Council's canons remain as binding teaching for Roman Catholics, taking into account the historical elements that were hidden to it allows us to interpret these canons in a wider sense.

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<sup>96</sup> See Dallen, *The Reconciling Community*, 170.

<sup>97</sup> This is a narrow reading of the decrees. For a wider and, to my mind, more intelligible reading, see Dionisio Borobio, "The Tridentine Model of Confession in Its Historical Context," in *The Fate of Confession*, eds. Mary Collins, David Noel Power, and Marcus Lefébure, (Edinburgh, Scotland: T. & T. Clark, 1987), 21-37.

In other words, while Catholics are not able to simply reject authoritative pronouncements, Catholics can recognize the contextual factors that conditioned these authoritative judgments. Only by situating these contextual factors against their own situation can theologians interpret the meanings and clarify the potential limitations of previous magisterial pronouncements.

For instance, Trent's teaching that individual confession to a priest constitutes the only way that Christians receive forgiveness for their mortal sins must be understood with respect to the wider defensiveness of the Church toward the Reformers' rejection of this ritual. Attitudes of defensiveness grant the text an emphasis that might be lessened in different contexts. In addition to this, this specific mandate is set forth within other teachings (recall that the Council sessions took place over a forty-year span), each with their own force and intention. Taken in context of these teachings as a whole, it is clear that the juridical overtones of confession as presented within the Council by no means constitute the only interpretative context for penance, just the one most helpful for the Council fathers. Put more simply, *if* we understand penance juridically, the teachings of the Council of Trent are straightforward. But if we understand penance differently (perhaps therapeutically, or perhaps in terms of ecclesial and social relationships), these teachings must be carefully reinterpreted.<sup>98</sup>

### C. Penance in Late Antiquity

As mentioned above, the Council fathers at Trent were working with a theological system that had been in play for several hundred years, and they assumed that the practices that this

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<sup>98</sup> This is a difficult but crucial theological problem, and I cannot fully explore it here. My interpretation relies on theologian Bernard Lonergan's distinction between classicist and historically-minded cultures. See Bernard Lonergan, "Transition from a Classicist World-view to Historical Mindedness," in *A Second Collection: Papers by Bernard Lonergan*, eds. William F.J. Ryan and Bernard J. Tyrrell (Toronto: University of Toronto, 1996), 1-10.

theological system justified had been passed on relatively seamlessly from the time of the New Testament. Indeed, St. Thomas Aquinas's intricate and unfinished sacramental theology accepted without question the sacramental practices that he had inherited from the Church, and this is nowhere more clear than in his early struggle to make sense of the relationship of the four parts of the sacrament of penance—contrition, confession, absolution, and satisfaction. Neither Aquinas nor the theologians and Church officials who would make use of his theology in official Church teaching were aware, however, that the practice of penance they had inherited was the final product of the messy, pragmatic, rough-and-ready approach to penance throughout western Europe for nearly half a millennium.<sup>99</sup> Had they been aware of the history I survey here, perhaps the strong responses of the Council fathers to the criticisms of the Reformers might have been tempered.

#### *Penance in the New Testament*

While the New Testament has provided the theological vocabulary and principles that guided the subsequent development of Christian penance, it does not provide a complete picture of how Christians in the early churches dealt with sins in concrete and practical ways. Nevertheless, these writings are populated with numerous discussions of sin, forgiveness, and repentance, themes that were central to the mission and preaching of Jesus. The New Testament presents sin as a problem cosmological in scope; until it is overcome, complete human flourishing is impossible. The Christian response to the problem of sin appears in the New Testament's call to "repentance," a change in one's orientation to the world. Its corollaries are forgiveness, the recognition and acceptance that the answer to the problem of sin originates in

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<sup>99</sup> Poschmann, *Penance and Anointing*, 208.

God's own initiative in Christ, and reconciliation, repair made to a conflicted relationship as an imitation of God's own forgiving actions: "Forgive us our sins as we forgive those who sin against us."<sup>100</sup>

Turning away from sin in the New Testament largely involves prayer, understood both personally (Matthew 5:5-15) and corporately (James 5:13-16), and compassionate actions done for the sake of others (1 Peter 4:8-11). Confessing one's sins is mentioned, but no evidence is provided with respect to any kind of ritual verbal confession of specific sins to a designated person or persons. Confession of sins in early Christian churches might have involved a general confession of sinfulness or confession of certain kinds of sins. It might have involved confession to the community or to a designated person. It is likely that confessional practices, if they were indeed present at all, varied from place to place. However, what is clear throughout the writings of the New Testament is that leaders in the churches are instructed to confront those who are guilty of serious sins, insisting on repentance as a condition for remaining in the community. When this did not take place, such as the account in the first of Paul's letters to the Corinthians, the same leaders were directed to take exclusionary measures.<sup>101</sup>

However, this exclusion or excommunication (the latter word drawing on the *koinonia* or communion that ought to exist among members of the body of Christ) does not have the character of a permanent and binding guilty verdict in the New Testament. Rather, the exclusion

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<sup>100</sup> c.f. Luke 11:4.

<sup>101</sup> When Paul discovers that one of the members of the Corinthian church had been involved sexually with his mother-in-law, he issues a double admonishment: first to the sinner himself for turning away from the way set before him, and second to the community for allowing such a one to remain within the fold. He directs the Corinthian Christians to hand the sinner over to Satan. See 1 Corinthians 5.



of members from association with the community served as a disciplinary measure intended to provoke repentance. When the excommunicated person demonstrates contrition for her or his actions and provides evidence that the behavior in question has been rejected, the community is obliged to welcome her or him back into the community, as happens in the second chapter of Paul's second letter to the Corinthians.<sup>102</sup>

From these accounts, it is clear that forgiveness, reconciliation, and repentance occur through the practice of the early Christian churches, those communities responsible for baptism, for the Eucharist, and for the care of the poor in the community. It is, however, an open question in the New Testament writings whether the churches reconciliatory practices grant forgiveness directly on behalf of God or do so mediately. In other words, when the disciples in the gospels are given the power to forgive and retain sins and restore people back to the community, do they do so directly on behalf of God? Or do they restore people back into a community which then corporately receives divine pardon? Does the Church reconcile a person back to God, or is a person reconciled to God through being reconciled to the Church? These questions are left unanswered in the New Testament account, but later treatments of Christian penance took them up and offered various answers.

#### *Penance in the Early Churches*

Treatments of penance in the sources available in the period immediately following the writings of the New Testament, roughly up to the second half of the second century, mainly serve to confirm and clarify the information provided in the New Testament itself. According to

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<sup>102</sup> While scholars are divided on whether the apostle is referring to the conflict mentioned in the first letter or to a new one, the results are the same.

Poschmann's extensive account, no uniformity in penitential practice can be found.<sup>103</sup> Bishops of individual churches determine the form of penance, and while these forms may have had some regional flavor, each reflected various ways of finding a middle ground between the severity of penance provided to excluded members of the community and that community's openness to forgiveness and reconciliation.

By the third century, the writings of Tertullian provide some indications of the development and consolidation of early Christian penitential practice. Tertullian provides a fairly graphic portrait of how penitential practice in the third century was conducted, at least in North Africa. It involved a probationary process constituted by interior conversion and *exomologesis*, a term that gains significant import in subsequent practice. Tertullian called *exomologesis* a "mode of life that calls down mercy," and he argued that an outward performance of penitence is necessary for Christians not because God is ignorant of sins but because by *exomologesis* "satisfaction is settled, of confession repentance is born; by repentance God is appeased."<sup>104</sup> Penitents took part in *exomologesis* in response to serious sins -- generally, blasphemy, adultery, and murder -- and it was permitted only once in a lifetime.

The process of *exomologesis* involved the penitents in a variety of external and voluntary acts of public humiliation, including fasting, wearing sackcloth and ashes, and verbal confessions of God's responsive mercy. This was a liturgical event that involved the whole community under the leadership of the bishop, whose prayerful intercession on behalf of the penitents was as

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<sup>103</sup> Poschmann, *Penance and Healing*, 21.

<sup>104</sup> Tertullian, "On Repentance", in Alexander Roberts et al., *The Ante-Nicene Fathers: Translations of the Writings of the Fathers down to A.D. 325: Volume III: Latin Christianity: Its Founder, Tertullian* (New York, N.Y.: Charles Scribner's Sons, 1896), 664.

important to the process of forgiveness as the penitent's own actions.<sup>105</sup> Moreover, while the term exomolgesis subsequently would be translated as "confession" in various developments of Tertullian's penitential theology, it is imperative to note that what was being confessed by penitent and community was God's forgiveness in Christ; confession of sinfulness or of specific sins was a secondary matter.

### *Canonical Penance*

By the fifth century, the penitential process of exomolgesis described by Tertullian had become relatively standardized through Church councils, papal decretals, and numerous episcopal counsels and directives into an institution known as *canonical penance*. These regulations provide an idealized picture of this process. A potential penitent presented herself to the bishop or to a priest acting in his name and made known her reasons for desiring canonical penance.<sup>106</sup> Because canonical penance was intended specifically for serious, or what Catholics would come to call mortal, sins, the penitent's "confession" likely involved references to concrete acts, but it took place prior to the penitent's admission to the sacramental process.<sup>107</sup> If her

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<sup>105</sup> Poschmann, *Penance and Healing*, 48. As the first source documenting this theological move, Tertullian makes the prayer of the Church an agency in its own right, because if the intercession of the Church is the intercession of Christ, and if Christ's intercession is always effective, the Church's intercession is likewise always effective on behalf of its sinners. Linking this reasoning to Matthew 16:18f. as a Scriptural warrant, Tertullian claims for the Christian churches (and in practice, the bishops of these churches) the power of binding and loosing.

<sup>106</sup> Canonical penance in late antiquity occurred under the direct jurisdiction of the bishop, and only priests specifically deputed to represent the bishop were involved in the canonical process. The council of Trent, on the other hand, had to work hard to show that the faculties to hear confession belonged to the episcopal order as well as to priests. See Poschmann, *Penance and Healing*, 198ff.

<sup>107</sup> Public confession of sins to the assembly apparently was common enough that Leo I strictly forbade the practice. See Poschmann, *Penance and Healing*, 93.

reasons were sufficiently grave, the bishop admitted her to the order of penitents during the liturgy by a ritual imposition of his hands. The publicity of this ritual was proportional to the publicity of the penitent: in cases of scandal, admission to the order of penitents was highly public, often accompanied with an episcopal rebuke, while for sins of lower profile, ritual admission to penance happened without liturgical comment.<sup>108</sup> In all cases, admission to canonical penance was available only once in a lifetime to the baptized.

Now legally and liturgically part of a special church body, the penitent assembled with other penitents for all liturgies in a designated space. In some places, the penitent donned the *cilium*, a coarse clothing made from goatskin, and had her hair cut off.<sup>109</sup> At a specific point in the liturgies, the penitents approached the bishop; as the assembly prayed for the penitents, the bishop would impose his hands on them in blessing. According to Augustine, this public performance was not meant to humiliate the penitent but to encourage the prayers and participation of the whole church on her behalf.<sup>110</sup>

The bishop determined the duration of canonical penance, taking into consideration the gravity of the penitent's sins, the degree of scandal involved, and the extent of her or his sorrow. Light offenses might involve only a 40-day Lenten penance, while for sins of extreme malice and publicity the bishop could forbid Eucharistic communion until the penitent's deathbed. Canonical penance ended with a ritual similar in form to its ritual inception: the bishop reconciled the

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<sup>108</sup> *Ibid.*, 92-93.

<sup>109</sup> *Ibid.*, p. 89.

<sup>110</sup> *Ibid.*, p. 87.

penitent to the church through the imposition of his hands, again public in proportion to the penitent's profile in the community.

Along with their liturgical participation, penitents adopted a variety of penitential practices, including fasts, special prayers, abstinence from sexual activity, and almsgiving.<sup>111</sup> Moreover, in many places, the legal status of penitents permanently and officially barred them from clerical ordination (if they were men), public office, military service, and sexual activity. Breaking these conditions was widely understood, at least in the west, to be a relapse into grave sin itself, and because canonical penance was available only once, the churches could offer no official recourse for lapsed penitents or for reconciled penitents who fell again into sin.<sup>112</sup> For this reason, and because of a penitential lifestyle that virtually paralleled monastic asceticism, many church officials recommended the postponement of canonical penance for as long as possible.<sup>113</sup>

Sacramental theologians have argued from this idealized portrait that the harshness and limited availability of canonical penance led to its gradual decay, creating a penitential vacuum that necessitated a relatively less harsh, more flexible, and repeatable system. With no exceptions, all of the theological treatments of the sacrament of penance over the last fifty years reproduce some version of this grand narrative.<sup>114</sup> This leads to a somewhat misleading understanding of penance as a monolithic practice that governs a certain historical epoch.

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<sup>111</sup> Ibid., p. 89.

<sup>112</sup> Ibid., 105-106.

<sup>113</sup> Ibid., 107.

<sup>114</sup> See, for example, Monica Hellwig, *Sign of Reconciliation and Conversion*, 41-46; James Dallen, *The Reconciling Community*, 100-102; and Kidder, *Making Confession, Hearing*

Recent historical scholarship, however, has challenged this model, suggesting instead that canonical penance in late antiquity was a singularly public element at play in a fluid system of penitential practices that involved ordinary Christians, clerics, public officials, and monastics.<sup>115</sup> Instead of a single ritual, penance in late antiquity was a complex aggregate of overlapping and somewhat conflicting practices that continually escape ecclesiastical systematization. Drawing attention to how the historical portrayal of penance by early medieval bishops and their supporters served to bolster episcopal power, Dutch historian Rob Meens puts the matter succinctly, arguing that it “is now time to modify the traditional views propounded by Poschmann, Jungmann and Vogel,” scholars too inattentive to the political interests involved in writing history.<sup>116</sup> Mayke de Jong’s chapter “Transformations of Penance” raises questions about supposed distinctions between those in monastic vows and the penitential of everyday Christians, arguing instead for a blend of practices and rituals.<sup>117</sup> And challenging overly harsh portraits of canonical penance written to explain its decline, historian Kevin Uhalde reports that Augustine provides a telling homiletic complaint about “penitential bottleneck, where people lingered in the

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*Confession*, 24-25.

<sup>115</sup> For historical treatments that challenge the sometimes helpful but arbitrary historical divisions between historical periods of penance, see Abigail Firey, *A New History of Penance* (Leiden: Brill, 2009); and Frans Theuws and Janet L. Nelson, *Rituals of Power: From Late Antiquity to the Early Middle Ages* (Leiden; Boston: Brill, 2000). For an important argument about revising the way historians have understood rituals like penance that are constituted by subjective experience, see Barbara H. Rosenwein, *Emotional Communities in the Early Middle Ages* (Ithaca, NY: Cornell University Press, 2006).

<sup>116</sup> Rob Meens, "The frequency and nature of early medieval penance," in *Handling Sin: Confession in the Middle Ages*, eds. Peter Biller and A. J. Minnis (Woodbridge, Suffolk; Rochester, NY: York Medieval Press, 1998), 35.

<sup>117</sup> de Jong, Mayke. "Transformations of penance." *Rituals of Power from Late Antiquity to the Early Middle Ages*, eds. Frans Theuws and Janet L. Nelson (Boston: Brill, 2000), 185-224.

condition of penitent willfully, in no hurry truly to emend their behavior.”<sup>118</sup> Each of these examples challenges the ways that idealized versions of specific practices affect how the history of these practices is written.

Public penance in late antiquity centered on the pastoral and juridical authority of the bishop as the visible symbol of the church. Canonical penance from its most rigorous forms to its mildest versions certainly took place, but more importantly this penitential liturgical drama occupied an important narrative space in the world performatively constructed by bishops, monks, and laypersons in their respective spheres of activity. Reflecting on the dramatic significance of public penance, Uhalde explains, "Late antique bishops cast penance in a vista so broad that its challenges and pitfalls, while foreboding, became wholly natural contours in a vaster landscape of sin and redemption."<sup>119</sup> Despite the gradual but momentous changes that would take place throughout the western Christian world in the subsequent centuries, this landscape of sin and redemption and the range of penitential practices that constructed it would remain a permanent resource for the Christian imagination.

#### D. Early Medieval Penance

The early medieval period encompassed the development of various “micro-Christendoms” throughout Europe, Asia, and Africa from roughly the fifth to the eleventh century.<sup>120</sup> Coined by historian Peter Brown, the term *micro-Christendoms* refers to the existence

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<sup>118</sup> See Kevin Uhalde, "Juridical Administration in the Church and Pastoral Care in Late Antiquity," in *A New History of Penance*, ed. Abigail Firey (Leiden: Brill, 2009), 101.

<sup>119</sup> *Ibid.*, 120.

<sup>120</sup> See Peter Brown, *The Rise of Western Christendom: Triumph and Diversity, A.D. 200-1000* (Malden, MA: Blackwell Publishers, 2003).

in western Europe of multiple regional Christian communities that existed in relative independence from one another. While the economic and military might of Rome dwindled in relationship to its rivals in the east, the various Germanic tribes of western Europe slowly christianized, organizing politically around the twin powers of local lords and local bishops. With the exception of periodic councils called to encourage a modicum of moral and liturgical regularity, communities were largely on their own with respect to the rituals and disciplines that made up the Christian life, as historian Sarah Hamilton's demonstrates in her careful treatment of local practices of penance in early medieval Christian communities.<sup>121</sup> Hamilton challenges the imposition of modern dichotomies between private and public concerns on rituals of penance, arguing that we can make no such distinctions with respect to the experience of penitents in medieval Europe religious culture.<sup>122</sup> As was the case in late antiquity, medieval Christian penitential practice in general was a fluid interplay of elements from monastic asceticism in the form of tariff penance, episcopal oversight, and liturgical penitential rites claiming lineage to early church practice.

#### *Tariff Penance and Asceticism*

The practice of tariff or private penance is widely thought to have developed in Ireland's Christian monastic context before it was integrated into existing practice without comment or

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<sup>121</sup> Sarah Hamilton, *The Practice of Penance, 900-1050* (Woodbridge, Suffolk; Rochester, NY: Royal Historical Society: Boydell Press, 2001).

<sup>122</sup> Ibid. "Previous research has attempted to distinguish between the concerns of individual conscience and those of the community. In doing so, modern historians have read back from the codification embarked on by theologians and canonists in the twelfth century to the earlier period... However, even in the case of public penance, there were no hard and fast rules. Individuals appeared as sinners, shamed before the whole community, and were exiled for a time from it, but they were also prayed for by, and remained a part of, that community."



dispute throughout western Europe at the hands of the missionary-monk Columbanus and his followers in the vacuum created by the waning of the early churches' harsh systems of canonical penance.<sup>123</sup> The classic text on tariff penance remains John T McNeill and Helena M Gamer's *Medieval Handbooks of Penance; a Translation of the Principal Libri Poenitentiales and Selections from Related Documents*. However, a detailed study of these handbooks is unnecessary in the cursory overview I provide here, and so I continue to rely on Poschmann's historical account, especially in light of its contextual awareness of Catholic theological concerns.

We can construct an idealized image of how the system of private penance worked from existing penitential manuals, systematized lists of sins with suggested penances that were used by confessors throughout this period. A penitent conscious of sin and desirous of conversion approached someone with the requisite spiritual authority -- monk, nun, pious layperson, or priest -- and privately admitted her sins. The confessor would provide from the penitential manual available to him a means of satisfying for these sins that reflected their severity, a way of undoing what had been done and providing restitution when necessary. These penances were harsh and would last a long time, even a period of years. The penitent would then perform her penance while abstaining from communion before returning to the confessor, who would informally declare her reconciled to God and church.

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<sup>123</sup> John T McNeill and Helena M Gamer, *Medieval Handbooks of Penance; a Translation of the Principal Libri Poenitentiales and Selections from Related Documents*, (New York: Octagon Books, 1965). See McNeill's his more general historical treatment in John T McNeill, *A History of the Cure of Souls* (New York: Harper & Bros., 1951).

Fasting in various degrees of severity combined with fervent prayer seems to have been the most common penance assigned.<sup>124</sup> More serious sins warranted more serious penances like abstention from sex, renunciation of weapons (a serious challenge in a truly violent culture), and even exile.<sup>125</sup> This was a flexible and repeatable system: the penitent could substitute a short and intense penance for a longer penance, and it was widely assumed that almsgiving could substitute for a variety of penances, a practice known as "redemption" or "commutation."<sup>126</sup> The evidence suggests, according to Meens, that the practice of private penance was widespread, popular, and frequent throughout Ireland, Britain, and western Europe, ritualizing the relationship between the forgiveness of sins and a life of ongoing conversion characterized by ascetic renunciation.<sup>127</sup>

#### *Episcopal Oversight and Carolingian Reform*

In keeping with the recent scholarly attempts to complicate historical narratives of penance discussed above, de Jong's excellent survey of historical accounts of this period has challenged an idealized portrait through demonstrations of widespread and diverse practice and have challenged the "grand narrative" of penance that has characterized theological, historical, and pastoral literature over the past century.<sup>128</sup> As with late antiquity, instead of a narrative of

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<sup>124</sup> Poschmann, *Penance and Healing*, 126.

<sup>125</sup> *Ibid.*, 127.

<sup>126</sup> *Ibid.*, 129. According to Poschmann, while the modern audience might deplore the widespread practice "commutation" as prone to abuse, undergirding it is a strong belief in the reality of guilt and atonement that challenges a contemporary reluctance to too strongly associate the process of salvation with our cold hard cash.

<sup>127</sup> See Rob Meens, "The Frequency and Nature of Early Medieval Penance"

<sup>128</sup> Mayke de Jong, "Transformations of penance" in *Rituals of Power: From Late Antiquity to the Early Middle Ages*, eds. Frans Theuws and Janet L Nelson (Leiden; Boston: Brill, 2000),

monolithic development, in which a single best penitential practice (like tariff penance) dominates or replaces another, de Jong argues that early medieval penance involved a flexible and regularly shifting combination of liturgical, ascetical, and clerical elements.<sup>129</sup> While private confession relied on monastic asceticism for much of its inspiration and momentum, the penances themselves were also bound up in secular penal law, as concerned with restitution and punishment within the social order as they were reflective of religious concern. Because of this social emphasis, as private penance increased in popularity throughout western Europe, it fell increasingly under the purview of episcopal authorities concerned with maintaining both temporal and spiritual order.

As historians like Meens and de Jong show, attentiveness to the political contexts of the development of theologically laden penitential rituals enables us to better evaluate the significance of idealized portraits of penance in light of messier concrete practice. For instance, episcopal synods in the 9<sup>th</sup> century ordered the destruction of many penitential manuals, possibly because of harsh and problematic penances. These synods at the same time asserted the importance of regular confession and proclaimed the authority and suitability of the clergy as confessors.<sup>130</sup> According to Meens, the thrust of these maneuvers was not the permanent establishment of the laity's regular confession but rather an attempt "to control an extremely diverse existing practice of penance which seemed to elude" the grasp of clerical officials.<sup>131</sup>

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185-224.

<sup>129</sup> Ibid., 208.

<sup>130</sup> Poschmann, *Penance and Healing*, 136.

<sup>131</sup> Meens, "Early Medieval Penance," 36.

Episcopal oversight over the practice of private confession would gradually play a decisive role in the development of the penitential theology that led to the Council of Trent.

### *Public Penance*

In addition to the relatively new practice tariff penance, the practice of canonical penance, so-called because of its reliance on the penitential regulations set forth by the Council of Nicaea centuries earlier, had long provided the episcopacy with a means of responding to flagrant abuses of power and scandal.<sup>132</sup> Canonical penance continued the early church tradition of a public ritual in which Christians voluntarily submitted themselves to the church's discipline by enrolling in what was known as the "order of penitents." This ecclesial group dramatically enacted their excluded status through ritual dismissal from the church's liturgies as well as through penitential works of asceticism.

However, in contrast to the churches of late antiquity, participation in early medieval canonical penance was constituted along lines of power, both secular and ecclesial. As de Jong notes, "public penance was not intended to be universal but rather aimed at those of superior rank within the Carolingian world."<sup>133</sup> While some the historical overviews provided by sacramental theologians like Dallen and Hellwig have tended to focus on the theological superiority of tariff penance over its supposedly waning canonical counterpart, recent historians like de Jong, Meens, and Hamilton have shown decisively that early medieval bishops regularly used canonical penance as a means to reign in problematic secular authorities as well as to discipline aberrant clergy.

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<sup>132</sup> *Ibid.*, 55.

<sup>133</sup> de Jong, "Transformations of penance," 7.

In an attempt to put into order what appeared to be two very different penitential practices, the Carolingian bishops, so called because of their relationship to the growing political dynastic power of the Franks under the rulership of Charles Martel and his descendants, developed a simple formula: public penance for public sins, and private penance for private sins. However, this terminology is deceiving. In the context of the tightly knit, liturgically based communities of early medieval Europe, no practice can truly be said to be "private," as Hamilton argues.<sup>134</sup> Rather, private penance refers to that extremely diverse set of penitential practices that are assuredly *not* public penance, "in the sense of a highly ritualized form of penance imposed by the bishop," according to Meens.<sup>135</sup> These highly ritualized forms were reserved largely for high profile ecclesial and secular powers, leaving the bulk of the Christian faithful with a divergent and flexible combination of semi-private confession with communal liturgies of exclusion and reconciliation.

Ubiquitous throughout these pluralistic practices, however, was the assumption that the forgiveness of sins was mediated to penitents *through their own actions*, not explicitly through the power of the minister. Despite significant variations in content, penitential practice in late antiquity and the early medieval centuries thus generally followed the same formal pattern of contrition, confession, followed by the work of satisfaction, and finally absolution. Indeed, the theological and practical significance assigned to the penitent's labors is evident in its singular association with the term *penance*, derived from the Latin word for punishment itself. The importance of the penitent's active role in satisfaction was unquestioned; her or his own labors

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<sup>134</sup> Hamilton, *The Practice of Penance*, 7-9.

<sup>135</sup> Meens, "Early Medieval Penance," 52.

manifested the authenticity of her or his contrition and served as a confession in the widest sense of the word. Absolution, the definitive proclamation of the penitent's effective contrition and satisfaction, was for public penance (in its ancient and medieval forms) and private penance an authoritative completion of the drama of repentance, but until the first millennium, theologians were content to leave the complementary relationship between the roles of penitent and church fairly ambiguous.<sup>136</sup> Theological reflection on the relationship between the penitents' works of satisfaction and their absolution reflected the gap in time between her reception of designated penitential works and the absolution that performed their reconciliation with God and church.<sup>137</sup>

For what appear to be primarily practical reasons, the duration between the confessor's assignment of penance and the penitent's absolution gradually narrowed, reflecting the short penitential seasons before each of the church's great feasts. By the 11<sup>th</sup> century, the interval between the assignment of penance and absolution had disappeared. Now, within a single ritual, the penitent confessed herself to be a sinner in need of reconciliation, and the confessor assigned her the requisite penance and pronounced absolution.<sup>138</sup>

The impact of this abridged time frame on subsequent theological analysis of sacrament penance cannot be overstated. So long as satisfaction and absolution remained separate, penitents' works of satisfied demonstrated the twin movements of God's forgiving presence and their own willing repentance. Once penitents' confessions have been joined to their reconciliation within the same ritual, their works of satisfaction cease to be an effective demonstration of God's

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<sup>136</sup> Poschmann, *Penance and Healing*, 200-2001.

<sup>137</sup> In canonical penance, this was clearly a reconciliation to God through the church; in private penance, the ecclesial element was perhaps implied but certainly not explicit.

<sup>138</sup> Hamilton, *The Practice of Penance*, 18ff.

forgiveness. Theological emphasis thus shifted in late medieval scholastic thought to the penitent's contrition and the confessor's absolution as effective mediators of God's grace, paving the way for Trent's dogmatic assertion that grave sins are forgiven only through integral confession joined to juridical absolution.<sup>139</sup>

### E. Summary

The idealized portraits provided by theologians and historians of various penitential practices tell a story in which relatively stable penitential institutions characterized periods of church history. The early churches made use of canonical penance, a public, liturgical, and non-repeatable process of ritual and renunciation that gained a penitent reconciliation with the church and thus with God through a lifestyle that cries out for mercy together with the intercession of the community under the leadership of the bishop. Because this overly rigorous practice was unsuitable for the milder post-Constantinian churches, it fell into disuse. Tariff penance, a repeatable, private, non-liturgical ritual, filled the vacuum left by canonical penance. The penitent gained forgiveness of sins through performance of ascetical works and remunerative practices, a sometimes harsh but effective medieval form of therapy. As tariff penance gained in popularity, the church adapted it for clerical use alongside a liturgical and public form of penance which gradually fell into disuse just as its late antique predecessor. Once in clerical hands, tariff

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<sup>139</sup> Unwilling to release satisfaction from all effective causality, the scholastics were forced by necessity to discover a separate justification for the penitent's works of satisfaction. A newly created distinction between eternal and temporal punishment provided a handy means of locating satisfaction's effectiveness: absolution freed the penitent from punishment in eternity (the fires of hell), while the penitent's acts of satisfaction worked to free her from temporal punishment, the consequences of her sins pertaining to this life. This rationale was bound up as well in a growing emphasis on the doctrine of purgatory and its connection to masses said for the dead. See Poschmann, *Penance and Healing*, 158ff.

penance was gradually transformed into the milder and even more easily repeated sacramental ritual with which Catholics are familiar today.

As I showed above, recent historical work over the last twenty years has challenged this idealized portrait with examples and evidence of a much more complex and muddy constellation of practices. The Christian world from late antiquity to the late middle ages was indeed a penitential world, in which all classes of Christians participated in the drama of sin and redemption. In most cases, the manner of their participation in penance depended on their station, or, in a word, on the degree of political and ecclesiastic power involved. Public forms of penance appear to have been consistently pressured on clerics in high office, political authorities, and publicly known individuals by the late antique bishops and by the medieval Roman episcopate. Ordinary Christians made use of a fluid variety of penitential practices incorporating liturgical, ascetically, and pastoral elements, and local pastors made plentiful use of innovation in helping members of their community find a balance between discipline and mercy. Periodic councils sought to reign in practices that bishops deemed excessive, both in terms of mildness and severity, but again, the main targets of these regulations appeared to have been wielders of church and state power.

Thus, for ordinary Christians a great degree of plurality characterized the western Christian penitential practice. Church canons and penitential manuals provided idealized pictures around which actual practices diverged. Elements of contrition, confession, satisfaction, and reconciliation were present to some degree in these forms, and penitential rituals were an admixture of private counsel and public liturgy. Only for the elite were the episcopate's regulations rigorously applied.



It was not until the Protestant reformation, with the imminent dangers it posed to Roman Catholic ecclesiastical discipline and authority and Luther's overt challenges to abuses of the medieval penitential system, that this pluralized web of practices were reigned in and regularized, not just in theory but in actual practice. In addition to reforms meant to heal the abuses rightly identified by Luther (but without crediting him), the Council of Trent made twenty-five definitive and contextually warranted declarations about the authority of the Catholic priesthood with respect to the sacrament of penance, the necessity of the sacrament, and the necessary conditions under which it took place.<sup>140</sup> Moreover, the Council firmly rejected principles of penance that underlay many of the possible innovations on official practice, making individual confession of all grave sins to a priest with faculties to absolve the sole and de facto means of getting right with God for the Roman Catholic faithful.<sup>141</sup>

This is a vast history encompassing nearly two thousand years of church practice, and it would be absurd to pretend to present it as anything more than a sketch. But as sketches allow us to trace significant points of overlap, interplay, and conflict, I argue that this history of penance provides us with a four key insights.

First, understanding the practice of penance promulgated at the Council of Trent and the role it played in late-19<sup>th</sup> and early-20<sup>th</sup> century Roman Catholic life in the United States is

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<sup>140</sup> Council of Trent and James Waterworth, eds. *The Canons and Decrees of the Sacred and Œcumenical Council of Trent, Celebrated under the Sovereign Pontiffs, Paul III, Julius III and Pius IV* (Chicago, Ill.: The Christian Symbolic Publication Soc., 1917).

<sup>141</sup> Poschmann makes the point that Trent's canons do not restrict certain innovations on individual auricular confession is made obvious through Vatican II's subsequent reforms (Poschmann, *Penance and Healing*, 208ff). The limits of additional possibilities are theoretically up for theological debate, but the Catholic hierarchy for the past thirty years has done its best to discourage such speculation.

essential to understanding why individual confession to a priest retains its hold on the Catholic imagination today. Second, the flexibility and adaptive penitential practices of Western Christians during the five centuries preceding the Council of Trent offer a helpful model for the diversity of contemporary penitential practices. Third, the canonical penance practiced in the Christian churches of late antiquity responded to sin as a communal and not an individualistic affair, and this soteriological model significantly influenced the theology developed out of Vatican II. Fourth, and most importantly, even this cursory sketch of the history of penance demonstrates that the "crisis" in Catholic parishes today is a crisis in the true sense of the word: an opportunity for judgment in response to the observation that a particular form has failed to meet the needs of the faithful. I now turn to the more recent history of the Rite of Penance developed after the Second Vatican Council, showing how attempts to incorporate insights from the history narrated above failed, in light of hierarchical control, to complicate the monolithic practice codified by the Council of Trent.

### **III. Vatican II and the Present Practice of Penance**

As we saw above, the Council of Trent established a sacramental ritual of penance that dominated the Roman Catholic landscape for four centuries. This ritual was brief, repeatable, and centered on notions of priestly power to forgive sins. But even before the Second Vatican Council mandated a reform of the Rite of Penance, historical scholarship during the 19<sup>th</sup> and 20<sup>th</sup> centuries had provided liturgical theologians with enough new data from late antique Christian sources to warrant the exploration of new theological models of penance as well as the creation of numerous experimental forms of penance in monastic and parish contexts. One of the most significant and influential discoveries involved a newfound appreciation for the role of the Church in the reconciliation of sinners to God. The Tridentine model involved the mediation of

the Church only implicitly, treating the rite of penance as primarily reestablishing the relationship between the individual and God.<sup>142</sup> But investigation into late antique forms of Christian penance demonstrated that for early Christian communities reconciliation with God was intimately connected to reconciliation with the church body. The importance of the mediation of the Church invited prospects of communal forms of penance.

#### A. The Committee on Penance

When the initial committee responsible for designing the new Rite of Penance began to meet in 1968, they brought to the table fresh theological and practical possibilities for practice drawn from considerations of earlier models of penance.<sup>143</sup> At the same time, the official declarations and dogmatic constitutions of the Council itself had little to say about the sacrament of penance, referring more generally instead to the role of Christian penance in evangelism<sup>144</sup> and its importance within the context of the Lenten season<sup>145</sup>, and referring extensively to the effects of sin on individual, social, and theological levels.

While numerous sources provide insight into the internal workings of the groups that created the reformed Rite of Penance, Dallen's analysis of this process combines a careful

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<sup>142</sup> Ibid.

<sup>143</sup> Dallen, *The Reconciling Community*, 212ff.

<sup>144</sup> *Sacrosanctum concilium* 9

<sup>145</sup> Ibid, 109-110. "As regards instruction it is important to impress on the minds of the faithful not only a social consequences of sin but also that essence of the virtue of penance which leads to the detestation of sin as an offence against God; the role of the Church in penitential practices is not to be passed over, and the people must be exhorted to pray for sinners...During Lent penance should not be only internal and individual, but also external and social. The practice of penance should be fostered in ways that are possible in our own times and in different regions, and according to the circumstances of the faithful."

reading of original committee materials with pastoral sensitivity and an awareness of the political climate around the council. According him, the committee, drawing from the council's reflections on the need for liturgical reform and its pastoral consideration of adaptation to cultural context, emphasized in its preliminary considerations the role of the Church itself in penance: with respect to penitents, the Church was not only an agent of reconciliation and intercession but also an offended party and the body to whom the penitent was reconciled.<sup>146</sup> In other words, the Church's role in penance paralleled, in a subordinate manner, God's own role. In accordance with the council's mandate, the new Rite of Penance needed to make this ecclesial communal role, largely invisible in the Tridentine rite but clearly present in the penitential practices of the early churches, liturgically clear and accessible to the Catholic faithful.<sup>147</sup> The committee's ensuing deliberations ranged from the renewal of the current rite of penance, to variations on the prayer of absolution drawn from earlier traditions, to the creation of a communal rite that more fully incorporated the word of God and the participation of all the faithful, and to considering possibilities for general absolution.<sup>148</sup>

Conflicts between the committee and the *concilium*, the committee's overseeing body of theologians and Church officials, prevented easy progress on the new Rite of Penance. These conflicts mainly arose in a division between "those rigidly adhering to the Tridentine perspective and those pastorally more sensitive to the broader tradition."<sup>149</sup> Reflecting the latter perspective,

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<sup>146</sup> Dallen, *The Reconciling Community*, 211.

<sup>147</sup> *Ibid.*, 212.

<sup>148</sup> *Ibid.*, 210-211.

<sup>149</sup> *Ibid.*, 215.

the committee's culminating draft proposed, among other things, several optional prayers of absolution and support for relatively wide use of general absolution, issues which had met the concilium's critique and rejection throughout the process. A new body responsible for overseeing liturgical reform, the Congregation for Divine Worship (CDW), replaced the concilium in 1969 and made no response to the committee's draft. Instead, two years later, the CDW dissolved the initial committee responsible for the reform and created an entirely new committee. After two more years of proposal, conflict, and critique, a final draft of the new Rite of Penance was approved by Pope Paul VI and promulgated by the CDW. As we have already seen, this Rite of Penance included a revised version of the Tridentine rite of individual confession to a priest, a communal form that placed the individual rite within a larger liturgical gathering, and a communal form for general absolution.

#### B. The Fate of Penance After Vatican II

Francis Sottocornola, secretary for the second and final committee responsible for the reformed Rite of Penance, speculated in his commentary on the new Rite that the Rite C, the rite of general absolution, would quickly supersede Rite B and especially Rite A in its popularity and parish usage. Early indications in the United States during the years following the implementation of the Rite of Penance in 1977 showed that this might well have been the case. As numerous liturgical theologians, historians, and commentators on this period, such as Dallen, Hellwig, and Coffey, have reported, Rites B and C were both exceedingly popular in parishes across the United States, whereas Rite A continued to show steady decline.<sup>150</sup> However, the

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<sup>150</sup> For candid reports on the steady decline of individual confession, see the following: Dallen, *The Reconciling Community*; Hellwig, *Sign of Reconciliation and Conversion*; Coffey, *The Sacrament of Reconciliation*; Bruce T Morrill, "Sign of Reconciliation and Conversion?: Differing Views of Power— Ecclesial, Sacramental, Anthropological—among Hierarchy and

immediate popularity of Rites B and C throughout the world quickly drew criticism from elements in the Roman Catholic hierarchy, including the newly elected John Paul II, and the most successful instance of this rite in the United States quickly brought about its decisive suppression.

In 1976, Bishop Carroll Dozier undertook an ambitious implementation of Rite C in the diocese of Memphis, Tennessee.<sup>151</sup> An information and education campaign on local and parish levels over several months preceded two massively attended communal services.<sup>152</sup> Dozier celebrated the two Rites for Reconciliation of Penitents with General Confession and Absolution according to the letter, including provision for the Rite of Penance's mandate that those who receive general absolution must find the soonest possible opportunity for individual confession. 12,000 people attended the celebration in Memphis and 2000 people attended the celebration in Jackson. Reports from participants seemed to confirm the success of Dozier's goal to "appeal to Catholics who over the years had stopped attending church for reasons of apathy, cultural changes or changes in the church itself."<sup>153</sup>

While the Vatican did not officially censure Dozier, Church officials did communicate quickly their severe displeasure through a letter circulated to the United States bishops, prompting a short-lived outcry in Catholic publications in defense of Dozier and the success of

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Laity," *Theological Studies* 75, no. 3 (September 2014): 585–612.

<sup>151</sup> Associated Press. "Bishop Carroll Dozier Again Performs Reconciliation Rite Despite Criticism." *Times-News* (Hendersonville, N.C.), December 13, 1976. James O'Toole provides a detailed account of this event in *Habits of Devotion*.

<sup>152</sup> O'Toole, *Habits of Devotion*, 185.

<sup>153</sup> Associated Press. "Bishop Carroll Dozier."

general absolution.<sup>154</sup> However, the hierarchy's indirect methods worked, as no United States diocese since has openly celebrated Rite C. The motivation behind the censure appears to be a concern that widespread use of Rite C might imply to the faithful that they need not have a personal encounter with a cleric of the Church to receive forgiveness.<sup>155</sup> Anxious over the prominence of clerical power and bound to a Tridentine understanding of penance as an intrinsically legal affair, the hierarchy sought to reign in opportunities for forgiveness that were not funneled directly through the confessional. I will discuss the presence of these concerns in writings of Pope John Paul II in the next chapter.

The opportunities for widespread and regular celebration of Rites B and C came to a definitive close with the 1983 World Synod of Bishops on Reconciliation and Penance. Convened to discuss the crisis of confession throughout the Roman Catholic Church, the synod reflected a widespread diversity of interpretations of the 1974 Rite of Penance among the bishops present. Many of the delegates, especially from non-European and North American countries, pushed for fewer restrictions on the use of Rite C, and some argued for both a fuller implementation of all three rites and a separation of serious confession from its "devotional" counterpart. The distinction between devotional and serious confession has to do with the nature of the sins confessed: the confession of mortal sins for reconciliation with the Church constitutes a serious confession, while a devotional confession involves the verbal confession of venial and past sins for the sake of the grace given by the sacrament.<sup>156</sup> In addition, a not-insignificant

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<sup>154</sup> O'Toole, *Habits of Devotion*, 185.

<sup>155</sup> Dallen, *The Reconciling Community*, 231.

<sup>156</sup> Catherine Dooley, "The 1983 Synod of Bishops and the "crisis of confession,"" in *The Fate of Confession*, eds. Mary Collins, David Noel Power, and Marcus Lefébure, (Edinburgh, Scotland:

number of bishops from North America and Europe called for a virtual return to the Tridentine rite. The synod's deliberations focused on the relationship between social and individual sin, the sacrament's effectiveness in liberating persons from evil, and the notion of personal friendship with God as a significant penitential metaphor.<sup>157</sup>

The synod's final document, *Reconciliation and Penance*, prepared not by the bishops but by John Paul II alone, bore little similarity to the contents of the synod's deliberations.<sup>158</sup>

Drawing on Tridentine imagery, John Paul II reaffirmed the meaning of the sacrament of penance as a "tribunal of mercy" but explained that it was at the same time a "place of spiritual healing" between the individual and God.<sup>159</sup> Of the many movements involved in penance, John Paul II emphasized deliberately and candidly the utmost importance of individual confession and absolution, preparing for his declaration that the Rite for the Reconciliation of Individual Penitents constitutes "the only normal and ordinary way of celebrating the sacrament."<sup>160</sup> This statement is inclusive of Rite B as well, since it includes the essentials of Rite A, so long as there are enough priests to hear individual confessions. Use of Rite C is not up to the free choice of pastors, whose obligation is to individual confession, or to the faithful, but must be strictly regulated by each bishop "with a grave obligation on his own conscience" to take into account

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T. & T. Clark, 1987), 15.

<sup>157</sup> Ibid., 16.

<sup>158</sup> Dooley says that the Pope's Apostolic Exhortation, published more than a year after end of synod, "seems *as removed in tone as it is in time*" from the work of the synod (Ibid., 17).

<sup>159</sup> John Paul II, *Reconciliation and Penance*, Vatican Website. December 2, 1984, Accessed April 12, 2016, [http://w2.vatican.va/content/john-paul-ii/en/apost\\_exhortations/documents/hf\\_jp-ii\\_exh\\_02121984\\_reconciliatio-et-paenitentia.html](http://w2.vatican.va/content/john-paul-ii/en/apost_exhortations/documents/hf_jp-ii_exh_02121984_reconciliatio-et-paenitentia.html), 31.

<sup>160</sup> Ibid., 32.



the laws and guidelines of the Church.<sup>161</sup> As Dallen suggests, and despite historical data that support alternative and even complementary understandings of sin, penance, and forgiveness, the Church hierarchy felt itself bound to the Council of Trent's teachings that verbal confession of all known mortal sins and priestly absolution constituted the primary and intended means by which God forgives our sins in Christ.<sup>162</sup>

Commenting on this situation, liturgical theologian Catherine Dooley argues that the synod and its resultant text left the Church in precisely the same state at which it was before the synod:

The failure to achieve a clear focus can be traced, in part, to procedures that abort the process at the very point where clarity and direction could be reached. Thus, the process itself and the resulting documents reflected a diversity of points of reference. For some bishops, the Council of Trent furnished the theological basis, for others Vatican Council II served this function. Some emphasized dogmatic positions; others stressed the social and political situations. Many placed the confession of sin in a broad context of a process of conversion and reconciliation; others equated the confession of sins and the sacrament of penance.<sup>163</sup>

Despite the promise of a variety of sacramental rituals of penance evident in theological and ecclesial conversations leading up to, during, and immediately following the Second Vatican Council, and despite a temporary surge of celebrations of Rites B and C after the promulgation of the new Rite of Penance, Rite A, the individual confession to a priest, today remains the most common way of celebrating the rite, and only a minority of Roman Catholics take part in it. Historical awareness of the development and variety of forms of penance from the early churches through the middle ages did little to curtail the hierarchy's insistence on some form of the

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<sup>161</sup> Ibid.

<sup>162</sup> Dallen, *The Reconciling Community*, 231.

<sup>163</sup> Dooley, "1983 Synod of Bishops", 18-19.

Tridentine ritual, not only in addition to but rather excluding the possibility of other possible avenues for the Church's sacramental mediation of Christ's ministry of reconciliation. As we shall see in the next chapter, attempts to address the widespread failure of penance to capture the sacramental imagination of contemporary American Roman Catholics have met with little success.

### C. New Wine in Old Wineskins

A theology of the sacrament of penance can only be the product of a fruitful reflection on the ritual of penance itself. Because the ritual is constituted explicitly by the penitent's subjective participation, the object of the theologian's inquiry must include penitents themselves, together with their motivations, desires, and fears. And as sacramental theologian Louis-Marie Chauvet points out, the difficulty of adequately conceptualizing these subjective attributes has been the source of consternation for theologians: "The history of sacramental theology shows this: one has always been suspicious of taking into account the human within the very essence of the sacraments, so much so that the two sacraments whose 'quasi-matter' is the human person (penance and marriage) are those which have given theologians the most trouble."<sup>164</sup>

Sacramental theological analysis of ritual is safest when the ritualized elements are not alive: bread, wine, water, oil. These elements have meanings that remain relatively stable and predictable. But when the object of the ritual is the meaning that the human participant actively brings to the ritual, the theologian requires some means of grasping how this personal,

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<sup>164</sup> Louis Marie Chauvet, *Symbol and Sacrament: A Sacramental Reinterpretation of Christian Existence* (Collegeville, Minn.: Liturgical Press, 1995), 412.

subjective, and actively performed meaning is integrated within the symbolic possibilities of the rite.

Indeed, Poschmann concludes his comprehensive historical treatment of the development of Roman Catholic penance by arguing that "the problem which has dominated the entire history of the sacrament of penance...is the determination of the subjective and personal factor and the objective and ecclesiastical factor in penance."<sup>165</sup> In other words, changes in penitential practice are best understood as the constant adaptation of the content of individual experience, so to speak, to the institutional form of penance. Thus, the sacrament of penance historically has offered a particular and Christian way for individuals to negotiate their experiences of fault, what Poschmann calls "the subjective and personal factor," within a ritualized and symbolic performance that offers a means of a transformation interpreted by and mediated through Christian theological symbols. However, individual experience constantly slips and overflows ritual form as it does theological discourse, inviting ritual and theology to reframe itself or risk irrelevance.<sup>166</sup>

Scholars in practical and pastoral theology have attended carefully to such slippage between theory and practice; indeed, the relationship between the subjective and the objective, the formal and the concrete, the theoretical and the practical is central to these disciplines. However, as Catholic practical theologian Kathleen Cahalan points out, such scholarship is largely limited to Protestant contexts.<sup>167</sup> Protestant practical and pastoral theologian Bonnie

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<sup>165</sup> Poschmann, *Penance and Healing*, 209.

<sup>166</sup> For an extended practical theological treatment of the slippage of ritual and practice, see Elaine L. Graham, *Transforming Practice: Pastoral Theology in an Age of Uncertainty* (London; New York: Mowbray, 1996).

<sup>167</sup> Kathleen A. Cahalan, "Pastoral Theology or Practical Theology? Limits and Possibilities," in

Miller-McLemore, to name one prominent example, has sustained a long discussion with the history of Protestant pastoral care and its relationship to the theologies of church and academy.<sup>168</sup> She writes that the discipline of practical theology exists to understand and influence Christian practices, inquiring into how theology shapes everyday life and how life influences theology.<sup>169</sup> This area still bears the influences of what Miller-McLemore, following pastoral theologian Edward Farley, calls the “clerical paradigm,” a model of theology concerned chiefly with training ministers how to attend to the needs of congregations.<sup>170</sup> However, practical and pastoral theologians find the alternative “academic paradigm,” whose theological insights belonged to a group of experts insulated from the concerns of daily life, just as troublesome.<sup>171</sup> Thus, with like-minded practical theologians such as Elaine Graham, whose *Transforming Practice* seeks the “dominant frameworks of meaning and truth” within concrete practices themselves,<sup>172</sup> and Barbara McClure, whose *Moving Beyond Individualism in Pastoral Care and Counseling* articulates a broader, synergistic, and relational vision for practices of pastoral counseling,<sup>173</sup> Miller-McLemore outlines a practice whose position on the margins of church and academy

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*Keeping Faith in Practice: Aspects of Catholic Pastoral Theology*, eds. James Sweeney, Gemma Simmonds, and David Lonsdale (London, UK: SCM Press, 2010).

<sup>168</sup> See Miller-McLemore, *Christian Theology in Practice*.

<sup>169</sup> *Ibid.*, 103.

<sup>170</sup> *Ibid.*, 53.

<sup>171</sup> *Ibid.*, 54.

<sup>172</sup> Graham, *Transforming Practice*, 139.

<sup>173</sup> McClure, *Moving beyond Individualism*.

gives it privileged access to the “messiness of human suffering, the complications of religious and ministerial practices, and the ambiguities of faith claims and spiritual experiences.”<sup>174</sup>

Within Catholic circles, however, pastoral and practical theology has been slow to emerge from a clerical paradigm situated in seminaries dedicated to the formation of priests. Cahalan notes that the Second Vatican Council, especially with its promulgation of the document *Gaudium et Spes*, significantly broadened the use of the term “pastoral” to reflect not only the work of ordained ministers but the whole people of God.<sup>175</sup> Subsequently, opportunities for laypersons to earn theological and ministerial degrees in Catholic seminary and university contexts increased, and dioceses and local parishes began employing lay ministers in increasing numbers.<sup>176</sup> Nevertheless, despite the attempts of theologians like Karl Rahner<sup>177</sup> and Bernard Häring<sup>178</sup>, who both attempted to employ a practical theology that might address both seminary formation and daily lived practice, Catholics “lack a critical mass of theologians pursuing this approach to the study and research of the practice of ministry.”<sup>179</sup> As I will show in the next

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<sup>174</sup> Miller-McLemore, *Christian Theology in Practice*, 155.

<sup>175</sup> Kathleen Cahalan, “Roman Catholic Pastoral Theology,” in *Opening the Field of Practical Theology: An Introduction*, eds. Kathleen A Cahalan and Gordon S Mikoski (Lanham: Rowman & Littlefield, 2014), 220. See also Second Vatican Council, *Gaudium et Spes* [The Pastoral Constitution on the Church in the Modern World], *Vatican Council II: Volume 1, The Conciliar and Post Conciliar Documents*, edited by Austin Flannery, O.P. (Northport, NY: Costello, 1996).

<sup>176</sup> *Ibid.*, 221.

<sup>177</sup> e.g. Karl Rahner, *Foundations of Christian Faith: An Introduction to the Idea of Christianity* (New York: Seabury Press, 1978).

<sup>178</sup> e.g. Bernhard Häring, *The Law of Christ: Moral Theology for Priests and Laity* (Cork: Mercier Press, 1963).

<sup>179</sup> Cahalan, *Keeping the Faith*, 111.

chapter, this lack is evident in many contemporary attempts to understand Catholic penitential practice. A tradition of practice informed both by practical concerns about how to minister to penitents *and* centuries of careful moral theological theorizing, the sacrament and practice of penance is ripe for the insights to be gained from a practical theological position on the margins of church and academy.

Instead of attempting to mold the contemporary Roman Catholic faithful to a particular form of the Rite of Penance, it would be more helpful to examine what is working and to develop a practical theology in accordance with these findings. That Roman Catholic practice is grounded in history through the creative construction of tradition surprises no one. But the new wine is bursting the old wineskins. A wider appreciation of the many ways that Roman Catholics have appropriated their tradition encourages Roman Catholic pastoral leaders, clerical and lay, to learn from the past and consider new approaches.

## CHAPTER 2

### SIN, GUILT, AND CONTRITION:

#### A CRITICAL PSYCHOANALYTIC ANALYSIS OF RECENT THEOLOGICAL TREATMENTS OF PENANCE

Many theologians have written on the problem of confession in contemporary Catholic life. Most have done so with an eye to how much has changed and out of a desire to listen to the experience of the laity. In the next chapters, I will attempt to articulate the laity's experience in terms of a shift, cultural and psychological, in how Catholics respond to Church authority and how they tend to experience their faults. But before I do this, I want to argue that it is necessary to articulate the Catholic experience in cultural and psychological terms before making theological judgments on it. In other words, we must understand how Catholics experience things like sin, guilt, and contrition before we can understand and make practical suggestions about the liturgical and ritual life that centers around such experiences.

This strategy is largely informed by practical theologian Don Browning's argument for "descriptive theology" as a necessary starting point for making theologically informed practical judgments. In *A Fundamental Practical Theology*, Browning describes his project as "critical reflection on the church's dialogue with Christian sources and other communities of experience and interpretation with the aim of guiding its action toward social and individual transformation."<sup>180</sup> Because Christian practice is always already theory-laden, Browning argues

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<sup>180</sup> Don S Browning, *A Fundamental Practical Theology: Descriptive and Strategic Proposals* (Minneapolis: Fortress Press, 1991), 36.

that all theology is inherently practical in nature. He thus outlines a method that begins with descriptive theology, the construction of a thick description of a particular ecclesial practice that has encountered some difficulty, conflict, or issue significant enough to warrant the attention of the congregation. To arrive at this thick description, Browning enlists the help of the social sciences as well as theological reflection, using the five levels of analysis he developed earlier in his *Religious Ethics & Pastoral Care* and further refined in *Religion and the Modern Psychologies*.<sup>181</sup>

Like Browning, I assume that practices like penance have an implicitly ethical dimension available to scholarly analysis, but this dimension requires the insights both of theological tradition and social scientific research. Thus, in this chapter, I examine what certain Catholic theologians have thought and assumed about the psychological worlds of penitents. First, I will argue that while systematic and liturgical theologians tend to agree that insights from the social sciences are necessary for understanding the sacrament of penance, these insights remain mostly absent from the theological literature, showing the need for an interdisciplinary approach to the theology of penance. Next, using insights from the fields of cultural psychology and psychoanalysis, I will explore the psychological and cultural implications of how contemporary theologians have employed three theological terms: sin, guilt, and contrition. These terms are significant because they each serve as a point of contact between individual experience and ritual form. By examining how theologians think about and use these symbols, we can grasp and clarify their underlying assumptions about the penitent's own participation in rituals of penance.

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<sup>181</sup> Don S Browning, *Religious Ethics and Pastoral Care* (Philadelphia: Fortress Press, 1983); *Religious Thought and the Modern Psychologies: A Critical Conversation in the Theology of Culture* (Philadelphia, PA: Fortress Press, 1987).



My argument is that while the Catholic Church's most authoritative theological teaching on penance recognizes that the penitent plays a crucial role in the sacrament of penance, this role is largely assumed in passive terms. In other words, in theological accounts of penance and any teaching based on it, the penitent participates in the sacrament primarily to *receive*, to be *acted upon*, to be *transformed*. Agency in the ritual is attributed either to the authoritative power of the priest or to the power of the ritual form. Because of this emphasis on penitential passivity, Church officials continue to teach that individual confession for a priest remains the only authoritative means of penance, and the laity continues to remain unaware of the myriad opportunities for articulating their faults in a spiritually healthy and communal way. I will discuss these opportunities in subsequent chapters, but in order to do so, I will conclude this chapter by arguing that a theological understanding of penance must integrate subjective awareness and articulation of fault with the form of the ritual itself. I center this understanding on a reconsideration of the concept of contrition as an experience of fault that needs far more analysis as it is ritualized and articulated within the community gathered around Christ's death and resurrection.

### **I. The Need for an Interdisciplinary Approach to Penance**

The reform of the Rite of Penance following the decrees of the Second Vatican Council generated a fruitful decade of practical and theoretical literature on the Rite's implementation. After the 1983 World Synod of Bishops on Reconciliation and Penance convened to discuss the promises and failures of the new rites, Pope John Paul II published the apostolic exhortation *Reconciliation and Penance*, his own interpretation of the synod's findings as the authoritative

word on the subject.<sup>182</sup> However, with this publication, which served to curb rather than invigorate ongoing reflection, scholarly and ecclesial reflection on penance slowed steadily to a trickle.<sup>183</sup>

More recently, discussion of contemporary Roman Catholic practice of sacramental penance over the last decade has been limited to a handful of monographs and articles. This state of affairs should not be interpreted to mean that the problems identified in the theological literature have been solved. On the contrary, it seems rather that there is a profound and prohibitive malaise regarding the whole subject. This malaise is undergirded in large part by the Vatican's resistance to any theological discussion of penitential practices that diverge from the vision articulated by Pope John Paul II, which gives the impression that any further conversation is quite pointless. The theology of sacramental penance, for now, seems to be at an impasse.<sup>184</sup>

#### A. Pope John Paul II Diagnoses the Crisis

Theological accounts over the last thirty years speak unanimously of a crisis facing the sacrament of penance, referring to the dramatic reversal of the popular frequency with which

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<sup>182</sup> John Paul II, *Reconciliation and Penance*. A Roman Catholic synod is an international meeting of bishops to discuss and clarify specific topics and challenges facing the Church. A preliminary study typically is written and disseminated to the bishops before the actual synod itself. After the synod, the pope normally publishes a letter addressed to all the faithful summarizing the conclusions of the bishops.

<sup>183</sup> For a careful and candid discussion of the significant differences between the synod's proceedings and the Holy Father's post-synod exhortation, see Dallen, *The Reconciling Community*, 224-226.

<sup>184</sup> For an important and trenchant critique of the Catholic magisterium's stance on the rite of Penance, see especially Bruce T. Morrill, "Sign of Reconciliation and Conversion? Differing Views of Power--Ecclesial, Sacramental, Anthropological--among Hierarchy and Laity." *Theological Studies* 75, no. 3 (September 1, 2014): 585-612.

Roman Catholics made use of the ritual. Theologians differ, however, in their diagnosis of this crisis. While most point in some fashion to cultural shifts with respect to conceptions of sin and personal responsibility, evaluations of these shifts range from positive celebration of humanity's newfound freedom to condemnations of the faithful's capitulation to the vain winds of cultural change. Some, like David Coffey and James Dallen, argue that the Church merely needs to celebrate the Rite of Penance as it is ideally presented in the ritual text; others, like John Paul II, suggest that the reform of penance was largely unnecessary. Either the Rite of Penance needs to be fully adapted to the different understandings of God, sin, and church that have emerged in cultural shifts over the last fifty years, or the faithful need to return to the theological vision promulgated at the Council of Trent and make use of the individual rite of penance once more. Missing in such starkly opposed judgments, however, from my perspective as a scholar in religion, psychology, and culture is a more nuanced consideration of the way that the theological and doctrinal understandings of God, sin, and church, as well as secular images, values, and practices drawn from contemporary culture, take shape within believers as flexible and practical resources with which to negotiate their place in the messiness of everyday existence.

Yet by clarifying key points of theological debate about the nature and practice of the sacrament of reconciliation, the literature on penance over the past three decades has offered fertile suggestions involving the insights of non-theological fields in ongoing study. Indeed, in nearly every text written on penance since the Second Vatican Council, liturgical and sacramental theologians have demonstrated the need for insights from other fields of study to clarify and critique open theological questions, mainly by explicitly requesting aid from scholars in fields like psychology, sociology, and anthropology, but also in their own attempts to draw on insights from these fields. John Paul's *Reconciliation and Penance* itself addresses the

complexity of conversion, reconciliation, and penance with a similar summons to interdisciplinary dialogue. Inquiry into the nature of modern humanity and its relationship to the world draws "the gaze of the historian and sociologist, philosopher and theologian, psychologist and humanist, poet and mystic", and above all, "the gaze, anxious yet full of hope, of the pastor."<sup>185</sup> A concrete implementation of the Church's pastoral and catechetical ministry of reconciliation in effect requires a synthesis of Biblical and theological principles with "elements of psychology, sociology and the other human sciences, which can serve to clarify situations, describe problems accurately and persuade listeners or readers to make concrete resolutions."<sup>186</sup> At the same time, while he affirms the need for interdisciplinary dialogue, John Paul warns against any contributions from the social sciences that "objectively changes or casts doubt upon the traditional concept of mortal sin" or contributes to "to a further weakening of the sense of sin in the modern world."<sup>187</sup> Insight into psychological and social dynamics serve to clarify, but not to interrogate, the Church's magisterial teaching.

#### B. Reading the Pope in Tandem

Published nearly simultaneously with John Paul's letter, theologian Monika Hellwig's *Sign of Reconciliation and Conversion* represents one of the most fruitful practical theological attempts to explore the relationship of the sacrament of penance to its contemporary context. Bridging the gap between the life of the Catholic faithful and the theological world of Catholic universities, and one of the only women permitted to attend the Second Vatican Council's private

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<sup>185</sup> Pope John Paul II. *Reconciliation and Penance.*, 1.

<sup>186</sup> *Ibid.*, 26.

<sup>187</sup> *Ibid.*, 17.

sessions, Hellwig was well situated to observe the early effects of the reform of penance in light of Catholic culture and theology.<sup>188</sup> In what sacramental theologian Bruce T. Morrill describes as achieving "a lucid and beautiful integration of pastoral, theological, and historical aspects" of the sacrament of reconciliation, Hellwig's careful survey of the history of sacramental penance allows her to demonstrate the creative, ever-changing, and reciprocal influence of penitential practice and penitential theology on one another in each historical stage of development.<sup>189</sup> From this survey, she pinpoints key theological dynamics at work in the ministry of penance in its ecclesial and everyday aspects, appealing especially to the emergence of a contemporary therapeutic culture as an important datum for consideration.<sup>190</sup> Most importantly, she emphasizes the methodological conviction that theologians "must understand the problem [of sacramental penance] from historical, psychological, and theological perspectives, with a sober but ruthlessly honest commitment to the Roman Catholic tradition."<sup>191</sup> Her appeal to the need for psychological perspective is particularly important, for Hellwig devotes a great deal of attention to the link between the personal significance of everyday experiences of reconciliation and the ritualization of such experiences in sacramental penance.

As Morrill notes, "reading [Hellwig's text] in tandem John Paul's 1984 postsynodal

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<sup>188</sup> Patricia Sullivan, "GU Theologian, Catholic Activist Monika Hellwig Dies," *Washington Post*, October 6, 2005.

<sup>189</sup> Morrill, "Sign of Reconciliation and Conversion," 587.

<sup>190</sup> Hellwig, *Sign of Reconciliation and Conversion*, 4. For discussions of therapeutic culture, with which Hellwig was undoubtedly familiar, see Philip Rieff, *The Triumph of the Therapeutic; Uses of Faith after Freud* (New York: Harper & Row, 1966); Christopher Lasch, *The Culture of Narcissism: American Life in an Age of Diminishing Expectations* (New York: Norton, 1978).

<sup>191</sup> *Ibid.*, 1.

letter...one is struck by how prominently the same categories of reconciliation, conversion, and repentance shape the composition and yet ultimately come together in a significantly different--and occasionally discordant--key from Hellwig's composition."<sup>192</sup> Indeed, where Hellwig takes for granted that the social sciences testify to an irreversible shift in culture and personality to which the practice of the sacrament of penance must adapt, John Paul pleads for clergy and laity to resist any changes that threaten traditional understandings of penitential practice. The discord between the two approaches marks a wider theological-political division in the Roman Catholic theological world, representative of the standoff that characterizes the current halt in theological discussion of penance. And yet John Paul, despite his reservations, agrees with Hellwig that further progress in understanding and evaluating the current status of Roman Catholic penitential practice requires the participation of other disciplinary methods of inquiry. This inquiry, in its fruition, would supply theology with an anthropological foundation on which to build, or, perhaps better yet, would reveal the hidden anthropological assumptions of theological discussions of penance.

Writing only two years after the publication of John Paul's letter, and apparently unaware of Hellwig's scholarship, liturgical theologian James Dallen describes the need for such inquiry when he notes, "Few scholars have tried to relate the development of its liturgy and discipline to sociocultural factors in the Church and society or to concurrent developments in the experience and understanding of the Church community, redemption, baptism, eucharist, sin, grace, and so on."<sup>193</sup> He goes on to ask, "how are we to theologize about penance without studying how

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<sup>192</sup> Morrill, "Sign of Reconciliation and Conversion," 587.

<sup>193</sup> Dallen, *The Reconciling Community*, 356.

believers have experienced and celebrated it?"<sup>194</sup> This is a crucial question. Dallen's text, a widely cited resource in sacramental theological discussion, provides a helpful historical and theological discussion of past practices. He cogently argues that without a "preliminary historical analysis, it is difficult to see how the theologian's conclusions can go far beyond either guesswork or the unfolding of presuppositions, neither of which is adequate foundation for the decisions of Church officials."<sup>195</sup> But like theological reflection, historical analysis alone is insufficient. As Hellwig and John Paul have noted, theologians must also make use of the insights of other social sciences into the relationship of the sacrament of penance to the more fundamental human process that it ritualizes. In neglecting to clarify basic assumptions about what it means to be human by means of critical cultural and psychological methods of inquiry, theological treatments of penance are unable to connect theological explanations of the sacrament to the subjective experience of the Catholics who might make use of it.

### C. A Problem of Disjunction

As I argued at the conclusion of the last chapter, theologians have tended to struggle with the subjective aspects of penance, and indeed all the sacraments. Sin, guilt, and contrition are subjective terms that play a significant and historically burdened role in the cultural and psychic worlds of Roman Catholics. They signify what penitents bring to and experience within the ritual. They are terms that theologians have long employed to explore what Hellwig and others

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<sup>194</sup> *Ibid.*, 357.

<sup>195</sup> *Ibid.*, 356–7. Criticizing past theological treatments of penance, Dallen writes, "Historians of dogma and systematic theologians, even those of the caliber of Rahner, Poschmann, and Vorgrimler, frequently fail to make adequate use of liturgical sources or to relate their analysis of past theologies to other factors." The same criticism may be leveled at Dallen himself for failure to take psychological and cultural analysis of "other factors" seriously enough.

describe as Christian conversion, the emergence and growth of God's love from within a state of meaninglessness, alienation, and frustration.<sup>196</sup> As work in sacramental and historical theology has decisively demonstrated, the current practice of the sacrament of penance is meant to echo Jesus' own ministry of proclaiming and effecting "the forgiveness of sins,"<sup>197</sup> a phrase that effectively ties together issues of sin, guilt, and contrition. Unsurprisingly, then, one of the greatest sources of confusion in contemporary theologies of penance revolves around the theological and psychic tangle of subjective experience and objective judgment involved when symbols of human fault like sin, guilt, and contrition are used.

By *symbol*, I mean communicative elements that draw together experiences of various human dimensions without clear rational distinction. As theologian Louis-Marie Chauvet points out, the Greek term *symballein*, usually translated into English as *symbolize*, literally means "to throw together."<sup>198</sup> Symbols join elements from our immediate social and cultural context with internal and psychological motivations to produce meanings that transcend the symbols' immediate effects, meanings that rely on other possibly unstated cultural and personal associations. When we take terms like sin, guilt, or forgiveness as symbols, we focus less on their abstract meanings than on what is spoken *through* the term by "the subject who through the

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<sup>196</sup> Hellwig, *Sign of Reconciliation*, 19. For a more systematic overview of the components of Christian conversion, see Bernard J. F Lonergan, *Method in Theology*, 131ff.

<sup>197</sup> For a comprehensive historical overview of the theological developments in understanding sin, see Piet JAM Schoonenberg, *Man and Sin: A Theological View* (University of Notre Dame Press, 1965). For a philosophical understanding of the relationship between sin and moral practice in Roman Catholic thought, see Josef Pieper, *The concept of sin* (South Bend, Ind.: St. Augustine's Press, 2001).

<sup>198</sup> Chauvet, *Symbol and Sacrament*, 112.



enunciation speaks itself to another subject.”<sup>199</sup> Symbols do not point to things existing apart from us in the world; rather, they are the means by which we recognize one another within experiences of a common world.<sup>200</sup>

Thus, a term like sin might be used by a theologian to solve a particular theoretical and theological problem. But as a symbol, sin operates in the everyday consciousness of the believer to draw together, without careful distinction, a whole host of elements drawn from religious surroundings and personal context. Without attending carefully to the difference between a theological term and a religious symbol, we can fall prey to the assumption that words like sin and guilt operate in the same way across ritual and everyday contexts.

To understand theological symbols like sin, guilt, and contrition that refer directly to experience, we must make use of insights drawn from disciplines that examine such experiences. Thus, as I indicated in the introduction to this dissertation, a fruitful theological discussion of penance benefits from conversation with a critical psychoanalytic approach to the experience of the penitent. Such partnerships have been rare, and so I hope to contribute to a relatively limited scholarship on penance and encourage its further growth.

In what follows, I will build on psychoanalyst and philosopher Antoine Vergote’s approach to culturally mediated psychodynamic phenomena in my considerations of the role that sin, guilt, and contrition have played in theological discussions of penance. My overall argument is that if consciousness of these phenomena involves a theological judgment about the human

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<sup>199</sup> Ibid., 117.

<sup>200</sup> Ibid., 116. “...symbol is thus *a mediation for mutual recognition between subjects and for their identification within their world*. Further, its intimate bond with the world of subjects is so strong that it ceases to function, *here and now* as a symbol the moment one steps back and adopts a critical attitude towards it.” Italics in the original.

freedom involved in culturally and psychologically constituted experiences, this freedom takes place within, and not somehow transcendent to, these experiences. Theological investigations of the sacrament of penance must attend to how the penitent's experiences shape their encounter with sin, guilt, and contrition, but official Church teaching still reflects a willful ignorance about the penitent's role in what the sacrament symbolizes and brings to life: God's forgiveness of sins.

## **II. Sin: Theological Discussion and Psychological Implications**

Sin is an ever present and constantly shifting signifier in Christian discourse. As I described in Chapter 1, the scholastic distinction between mortal and venial sins has dominated the Roman Catholic practice of sacramental penance since the Council of Trent. And yet the power of theological symbols like sin comes not simply from the respective power of authoritative pronouncements to enforce meaning but in the analogical potency of the symbol as a means for subjects to situate themselves and their experiences within the terrain of the theological and the everyday. The use of sin language in pastoral and sacramental contexts has an especially important relationship with the political and economic realities surrounding it.<sup>201</sup> By appealing to the institutions and experiences that inform the daily lives of the faithful, theological symbols like sin acquire subjective value, shifting from logical solutions to theoretical questions to concrete strategies of negotiating between personal desires and obligations in the context of structured belief.

Beyond its immediate practical and spiritual value for negotiating issues of meaning,

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<sup>201</sup> See Gary Anderson's recent *Sin: A History* (New Haven: Yale UP, 2009) for an insightful presentation of the relationship between theological language and surrounding practice, especially his exploration of how pastoral practices of the early church with regard to sin center around the economic relationships formed by debt and repayment, experiences clearly familiar to Christians living in the Roman empire.

failure, and love, by appealing to the dominant and influential structures of power for its deep metaphors, the language of sin and guilt can issue a prophetic judgment back to those powers and recommend a transformation of them through faithful practice. For instance, in a recent appeal to the pastoral need for a theological revision of such concepts, McClure challenges practices of pastoral counseling and care that rely on an overly individualistic moral vision.<sup>202</sup> Notions of sin that relate only to matters of individual flourishing fail to account for the way that institutions promote or negate opportunities for human healing. Without a wider social framework that places relationality at the heart of theological transformation, pastoral counselors have no grounds from which to name and challenge institutional sources of sin and harm.

But when theological terms like sin and guilt are insulated from wider systemic and social issues, or from conversations with insights from other disciplines, they lose their power to describe important aspects of everyday life in the context of Christian faith. As Miller-McLemore argues in her discussion of how monolithic views of the sinfulness of children affect parenting practices, a critical understanding of sin as a complicated and multifaceted reality, attentive to issues of psychological development, allows us to respect the moral and spiritual complexity of children and adults.<sup>203</sup> By contrast, simplistic notions of sin correspond to simplistic understandings of the human condition. Theological investigations of elements like sin, guilt, and contrition must attend to theological tradition and to concrete experience.

Sacramental theologians, trained largely in systematic and historical theology, have been

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<sup>202</sup> Barbara J McClure, *Moving beyond Individualism in Pastoral Care and Counseling: Reflections on Theory, Theology, and Practice* (Eugene, OR: Cascade Books, 2010).

<sup>203</sup> Bonnie J Miller-McLemore, *Let the Children Come: Reimagining Childhood from a Christian Perspective* (San Francisco, CA: Jossey-Bass, 2003), 57-81.

slow to recognize the difference between these two modes of theological discourse, leading to a difficulty in conceptualizing the link between the formal language of the confessional and the penitent's own subjective contributions. In this section, I will first explore how the meaning of the term *sin* itself has shifted. Second, I will show how, through the introduction of Karl Rahner's transcendental thought to discussions of penance through a theology of fundamental option, theologians have articulated a fruitful way of understanding the role of sin in sacramental penance, one that has nevertheless run afoul of Church teaching authority. I conclude that resolving this disagreement depends on a careful investigation of the relationship between theological symbolism and psychic structures.

#### A. The Meaning of Sin

Sacramental theologians recognize that the sacrament of penance requires Catholics to appropriate symbols of fault and restoration, like sin, guilt, and contrition, into their psychic reality if the ritual is to have any theologically charged subjective content. Writing about the difficulty of establishing the right conditions for sacramental penance, Hellwig argues that the authentic practice of the sacrament of penance requires a "spontaneous and practical sense of sinfulness and the need for reconciliation and conversion," or in other words, the ability to proclaim affirmatively and reflexively, "I have sinned."<sup>204</sup> This sense of sinfulness involves two factors: self-awareness, expressively performing the *I* that has sinned, and theological formation, giving meaningful content to having *sinned*. Thus, she provides a distinction between the objective theological notion of sin transmitted through structures of liturgical worship, pedagogy, and everyday discourse, and the penitent's perception of its lived reality on psychological

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<sup>204</sup> Hellwig, *Sign of Reconciliation and Conversion*, 2.

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Hellwig goes on to demonstrate that in the understanding of contemporary Catholics, the theological meaning of having sinned has shifted.<sup>205</sup> Comparing contemporary Roman Catholics to previous generations, she points out that an earlier "understanding of sin was necessarily one of transgressions against explicit commands (more usually against prohibitions) by particular actions. Sin in other words was simply breaking the rules set by lawfully constituted authority."<sup>206</sup> However, such legalistic notions of sin have proven untenable for today's adult believing Roman Catholics. Most who try to confess the nature of their sins according to this model experience a disconnection between the sacrament of penance and the realities of everyday life. Because of the sacrament of penance's traditional associations with just this notion of sin, it is unsurprising that Catholics find it difficult to integrate it into their psychic worlds.

Dallen makes a similar argument, explaining that a ritual constructed around "an excessively psychological and introspective vision of sin and confession, with minute schemata for examining conscience and a therapeutic use of confession" finds few willing participants. This argument centers on the communal dimension of the sacrament expressed in the second and third rites, whose effects respond more to social dimensions of sin than to individualistic concerns. Thus, understood in its entirety as a liturgical celebration involving the whole community, the reformed Rite of Penance is, in fact, rather inhospitable to private and juridical notions of sin.<sup>207</sup>

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<sup>205</sup> I noted earlier her references to cultural resistance to self-reproach.

<sup>206</sup> *Ibid.*, 3.

<sup>207</sup> Dallen, *The Reconciling Community*, 299.

One of Dallen's key principles is that the new rite challenges the juridical tendencies of past practice "by putting Christian morality in a God-centered and personal perspective, recognizing that the opposite of sin is not morality but faith."<sup>208</sup> Dallen is not clear about how this shift in perspective takes place, but it would appear that the crucial element is the rite's communal celebration. Corporate liturgies of penance implicitly convey corporate notions of sin. But, like Hellwig, Dallen argues that Church teaching and practice must help contemporary believers "discover sin and culpability for themselves."<sup>209</sup> Shifting to communal rituals of penance must be supported by sound parish pedagogy and spiritual formation, but Dallen does not go on to describe how this might take place.

Dallen and Hellwig both contend that no coherent understanding of sin has replaced the act-centered, juridical conception of past generations, leaving many Roman Catholics somewhat in the dark with respect to how to participate in sacramental penance. This is an important insight. As I will demonstrate in the next chapter, the integration of older juridical sin language into sacramental practice survives among Catholics for whom the sacramental priesthood remains as a potent symbol of authority and order. With respect to parishes whose structures and self-understanding are less hierarchical, on the other hand, Dallen and Hellwig are quite right to point out that the language of sin serves mostly as a reminder, sometimes viscerally negative, of the more damaging possibilities of religious discourse.

Hellwig and Dallen, in concert with other sacramental and systematic theologians, thus call for a kind of theological and moral reorientation and point to the human sciences as sources

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<sup>208</sup> Ibid., 262.

<sup>209</sup> Ibid., 273.

of the insights that might make such a revolution possible.<sup>210</sup> The contributions of modern psychology, says Dallen, "with its stress on the complexity of human decision making, has led moral theologians to emphasize the subjective and psychological aspects of sin and conversion and thus to diminish the importance of a single act in establishing an orientation either toward or away from God."<sup>211</sup> Hellwig concurs with this assessment, adding that psychologically, the notion of sin is simply too complex to confess simplistically and quickly in a ritual of confession. This is "futile, because neither penitent nor confessor is in a position to make the determinations that would correctly define sin in the concrete and therefore provide the matter of the sacrament."<sup>212</sup> Psychological insights into human experience reveal that intentional consciousness, the everyday sense of one's motivations and desires, proves an insufficient guide to moral theological evaluation, at least to the degree that individuals can easily and readily perceive that they have killed within themselves an active and vital relationship with God constituted by mutual and shared love, the act traditionally designated as mortal sin.<sup>213</sup>

A shift toward a less individualistic and more socially adequate notion of sin had already begun to take place a century earlier among liberal European theologians like Friedrich Schleiermacher and Albrecht Ritschl.<sup>214</sup> Later Protestant neo-orthodox theologians like Paul Tillich and Reinhold Niebuhr, in conversation with existential philosophers and social theorists,

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<sup>210</sup> See, for example, Seán Fagan, *Has Sin Changed?* (Gill and Macmillan, 1978).

<sup>211</sup> *Ibid.*, 254.

<sup>212</sup> Hellwig, *Sign of Reconciliation and Conversion*, 4.

<sup>213</sup> I discussed this definition of mortal sin in Chapter 1.

<sup>214</sup> Derek R Nelson, *What's Wrong with Sin? Sin in Individual and Social Perspective from Schleiermacher to Theologies of Liberation* (London; New York: T & T Clark, 2009), 6.

likewise pushed for a radical rethinking of human subjectivity in structural terms.<sup>215</sup> Concerns about the anxiety and estrangement that fundamentally constituted the human situation prompted such thinkers to reformulate as a universal condition. Catholics were slower to incorporate these insights, in part because of the pedagogical monopoly held by neo-Scholastic philosophy in Catholic universities and seminaries throughout the 20<sup>th</sup> century.<sup>216</sup> However, throughout the years of the Second Vatican Council and beyond, a growing consensus emerged among theologians that theories of sin and of human morality more broadly, were in dire need of reformulation.<sup>217</sup>

### B. Sin and Fundamental Option Theology

Writing more than a decade after Dallen, systematic theologian David Coffey affirms that the degree and quality of Catholic participation in the rite of penance has not improved. Like the others, he attributes the current crisis of penitential practice to widespread confusion about the nature of sin.<sup>218</sup> While part of this confusion, he says, is due to poor spiritual formation in parish and educational circles of the Church, Coffey argues that the official teachings of the Church concerning sin have not kept pace with the advances in theological anthropology mentioned above. While Catholics tacitly recognize that current teaching makes little sense in light of their

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<sup>215</sup> Reinhold Niebuhr, *Moral Man and Immoral Society* (New York: Charles Scribner's Sons, 1932); Paul Tillich, *Systematic Theology*. (Chicago: University of Chicago Press, 1967).

<sup>216</sup> John Mahoney, *The Making of Moral Theology: A Study of the Roman Catholic Tradition* (New York: Clarendon Press, 1987), 309.

<sup>217</sup> For a simple but clear overview of these emerging concerns, see Mark O'Keefe, *What Are They Saying about Social Sin?* (New York: Paulist Press, 1990).

<sup>218</sup> Coffey, *The Sacrament of Reconciliation*.



experience, they have yet to be presented with a more mature understanding that might correspond to the possibilities provided for by the new rite of penance.<sup>219</sup>

Nevertheless, Coffey is confident that the ground for a new understanding of sin can be found in the notion of "fundamental option," made popular in the theological writings of Rahner and expanded upon in the writings of numerous moral theologians. As its name implies, the theology of fundamental option claims that over and above the diverse actions that make up the lives of people is a fundamental choice for or against God. This choice cannot be reduced to any specific dimension or act of the person, because it concerns persons in their entirety and in their freedom. Coffey explains that modern psychology, "with its stress on the complexity of human decision making, has led moral theologians to emphasize the subjective and psychological aspects of sin and conversion and thus to diminish the importance of a single act in establishing an orientation either toward or away from God."<sup>220</sup> Concrete actions are not completely free but bound up in the necessity that constitutes our embodied and relational existence. But sinning, in

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<sup>219</sup> *Ibid.*, xiv.

<sup>220</sup> *Ibid.*, 254. According to traditional Scholastic moral psychology, the concrete acts of an individual are always ordered to some perceived good, which in turn exists in relationship to other goods. The life of grace given in baptism establishes (or reestablishes) God as the final good of the individual, such that all acts have their ultimate fulfillment in God. Sin, in this framework, happens when someone initiates an act that cannot, by definition, point to God as its fulfillment, because of how the nature of the act conflicts with the nature of God as its supposed end. Lest this seem overly complicated, I will provide an example. Take an act of murder, defined as killing an innocent person (See *Summa theologiae*, 2.2, q.64, a. 6.). It is impossible for individuals to commit an act of murder, freely and with premeditation, while still maintaining a relationship to God as their ultimate good, because in this act the individual is positively rejecting the human life that God has made. Loving the good of human life is constitutive in loving God as the source of that good. In doing murder, the individual freely turns away from God as the final good and thus voluntarily rejects participation in God's life. Individual acts, then, are the means by which people determine their relationship with God and the means by which they evaluate it. Paul Tillich and others were making similar points in Protestant literature.

the consensus of the Roman Catholic theological tradition, involves freely turning away from God. Moral theologian Gerald Gleeson explains it in this way:

It is not that individual acts don't matter, they do -- precisely because it is in and through one's actions that one's moral character is both formed and expressed. Still, the true significance of one's actions in relation to God is grounded in a variety of antecedent factors which determine one's responsibility and guilt because they impact on one's true freedom, even in cases where people may consciously suppose themselves to have "full knowledge and consent."<sup>221</sup>

Thus, references to a fundamental option claim that the full moral import of one's actions can only be understood within the context of one's history and surroundings.

The argument for "fundamental option" is attractive because it explains how Roman Catholics, unable to make use of the moral reasoning of previous generations, might be brought to a new appreciation for the drama of sin and forgiveness at the heart of the Catholic tradition of ministry and theology. In deferring to the human sciences for insight into the complex relationship between individuals, their acts, and their ultimate dispositions, this theological argument gains credibility in the sight of a public often more willing to trust in the expertise of the analyst than in the pronouncements of a pontiff. Moreover, an understanding of sin according to fundamental option troubles presentations of the reformed Rite of Penance that emphasize its continuity with the Tridentine juridical form of the sacrament. If sin no longer refers simply to the discrete and identifiable actions of the penitent but to a more fundamental disposition bound up in the penitent's emotional, social, and cultural context, the confession of sin shifts from a list of wrongs done to a disclosure that requires ritual mediation in its fullness, together with the use of symbol and story. As Coffey points out, this is, in many ways, far more difficult than

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<sup>221</sup> Gerald Gleeson, "The Future of the 'Third Rite' of Reconciliation," *The Australasian Catholic Record* 77 (2000) 24-25, cited in Coffey, *The Sacrament of Reconciliation*, 177.

confession as the recitation of one's violations of specific and listed moral rules.<sup>222</sup>

However, it is precisely its threat to traditional ways of conceiving of sacramental penance that makes a fundamental option approach to sin a source of grave suspicion for Pope John Paul II. Mentioning it by name in his 1983 exhortation, the pope warns against reducing “mortal sin to an act of ‘fundamental option.’”<sup>223</sup> He goes on to say that despite “situations which are very complex and obscure from a psychological viewpoint and which have an influence on the sinner's subjective culpability,” theologians may not employ a theological category that “objectively changes or casts doubt upon the traditional concept of mortal sin.”<sup>224</sup>

There are two concerns present here. First is John Paul's suspicion of too rapid a jump from the dimensions of human experience and the sciences meant to investigate them -- here, psychology -- to theological judgments. Though he decidedly does not agree with John Paul's conclusions, Dallen echoes this warning against the temptation toward reductionism, criticizing ways that pastoral and moral theologians have avoided "the social and ecclesial dimensions of sin and conversion" in their use of fundamental option, leading to a dangerous tendency to "over-psychologizing and making the whole matter purely human and totally subjective."<sup>225</sup> This concern is valid. As some theologians and philosophers have argued, Christian theological categories do not correspond directly and univocally to categorical human experiences, but rather

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<sup>222</sup> Ibid., 101. Coffey thus argues that the reformed Rite demands greater spiritual maturity and that Catholics do not tend to have this, for no pedagogical structures are in place to develop an authentic and personal moral framework. Compare this to Hellwig's claim that contemporary Catholics have a different, but not necessarily less mature, sense of maturity.

<sup>223</sup> Pope John Paul II, *Reconciliation and penance*, 17.

<sup>224</sup> Ibid.

<sup>225</sup> Dallen, *The Reconciling Community*, 254.

reflexively reveal the significance of these experiences with respect to the God of Jesus Christ.<sup>226</sup> At the same time, theological reflection is always a reorientation of the human categories, a way of playing with them in order to reveal the absence-presence of God mediated through faith. That this is done in dialogue with Roman Catholic theological tradition, creatively using the resources that this theological tradition offers, is in keeping with John Paul's insistence on remembering the traditional teaching of the Church about mortal sin.

But it is worth noting that here the real problem for John Paul is not whether acts, in and of themselves, can change our disposition before God, but whether we can *know* that this is the case with enough certainty to confess them as mortal or venial sins. This question is a psychological question, and it anticipates our forthcoming discussion of the relationship between guilt as a categorical status and guilt as a subjective appraisal. Distinguishing these uses of guilt pertains to the relationship between intentional consciousness and the moral value of our actions. Such a distinction requires us to examine the dialectic between free choice and the limits on freedom produced within human desire and obligation, and then it asks for a theological interpretation of this dialectic. Hence, John Paul rightly asks for a dialogue with the social sciences in order to clarify these questions, but he too quickly requires this dialogue to end up precisely where it began, drastically limiting its potential fruitfulness.

John Paul's second concern, present throughout the document, illuminates his conviction that Catholics are easily able to evaluate their actions as mortally sinful or not: he desires that

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<sup>226</sup> As I indicated in my introduction, as a scholar in religion, psychology, and culture, I here align myself with the critical methodologies of practical theologians like Bonnie Miller-McLemore and Don Browning, along with systematic theologians like Bernard Lonergan, David Tracy, and Edward Schillebeeckx, who see theology as a dynamic, culturally-bound, and critical process of inquiry into concrete Christian experience.

Catholics make use of the sacrament regularly, in the form closest to the Tridentine practice with which he and others of his generation grew up. As Morrill notes, "the fundamental crisis concerns not the Rite of Penance with its three ritual forms, but rather and specifically the sacrament of confession. The symbolic power of that latter term, in my opinion, should not be underestimated: Confession is in mortal danger."<sup>227</sup> This conviction, and not only or even primarily the concerns about theological methodology raised above, grounds John Paul's insistence that theologians must refrain from letting psychological insights into human experience cast doubt on the traditional teaching on mortal sin. If mortal sin ceases to be a practical theological category for the faithful, or if the ability of normal Catholics to make accurate judgments about themselves in these categories is impaired, their use of the first form of confession must necessarily decline, as has, in fact, happened. John Paul correctly recognizes that the faithful's sense of sin, generally speaking, has shifted. He is unwilling to let the Rite of Penance shift with it, but instead envisions a massive recatechizing of the Catholic faithful to recover the sense of sin that has gradually been lost.

Reflecting on the legacy of John Paul II's teaching on penance, Morrill correctly links the pontiff's concerns about the sense of sin to wider concerns about the centrality and power of the hierarchical priesthood, and this concern binds John Paul to defending a particular understanding of the relationship between God and individuals as mediated through the authoritative power of the Church's theological discourse. As my argument below will show, I think that John Paul is, to a limited extent, correct: the relationship between Catholics and God *is* mediated through the structures and practices of the Church. However, this mediation is a living reality, bound to

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<sup>227</sup> Morrill, *Sign of Reconciliation and Conversion*, 598.

neither hierarchy nor individual. It occurs not primarily in the Church's teaching about sin but in its manifestation of the saving mercy of God, of which sin is the necessary but secondary correlative. When the Church celebrates and proclaims the mystery of human redemption in a way that incorporates and invigorates the experiences of the whole faithful, the need to respond to sin will become apparent enough. Thus, it is not enough to restore a sense of sin in the abstract. The conversation must turn to local considerations of human flourishing and the obstacles, individual and social, that prevent it.

### C. Sin, Theology, and Psychology

Hellwig and John Paul both recognize that the past popularity of the rite of penance depended on an understanding of sin that no longer holds power for contemporary Roman Catholics. If this is the case, it signifies a dramatic shift in the connections between belief and authority that grounded previous generations' appropriation of sin as an experiential reality. While this shift has important theological implications, it reflects not primarily theological but culturally-informed psychological causes. Hellwig and Dallen celebrate a liberation from what they consider to be outmoded forms of religiosity, but their enthusiasm depends on a confusing amalgamation of theological judgments about sin with practical judgments about psychological maturity. It is one thing for theologians to develop fresh metaphors for understanding the rift between humans and God that are more appropriate to our cultural situation. It is another for theologians to decide that these theological interpretations signify a corresponding development in the human psyche as such. In other words, Hellwig and Dallen have not made a clear argument that the widespread rejection of sacramental penance among the laity represents development and not decline; they merely assume that this is the case.

That there *ought* to be a positive relationship between accurate theological judgments

and, for lack of a better term at this point in my study, mental health, is itself an assumption that needs careful investigation. Taken uncritically, this assumption leads to a situation in which theological judgments are evaluated solely on how well they integrate people into the status quo. It is enough to demonstrate, as I intend to do in the forthcoming chapter, that specific and widespread cultural modes of appropriating theological judgments can create an atmosphere that favors certain forms of psychopathology. But to determine a connection between theology and pathology requires an investigation of the relationship between theological symbols and their function in subjective experience, which necessitates prescinding, at least temporarily, from discussing these symbols on philosophical grounds. Sin, as a theological symbol, describes the mysterious rupture in the relationship between humanity and the God who is its source and summit. But sin is not only the product of reasonable historical and religious discourse about humans and God. It also functions as a signifier in the discourse of subjective human experience, often beginning in childhood, and thus it acquires a vast array of associations: filth, sex, private parts, angry dad, disobedience, risky fun, weakness, to name only a few possibilities. The interchange between these two modes of formal theological discourse and subjective experience is not simple, and this complexity must be considered when the subjective content of religious symbols plays a significant role in religious rituals like the rite of penance.

According to the theories of father of psychoanalysis Sigmund Freud, psychopathology signals a specific means by which an individual unconsciously maintains a certain degree of psychic health. The suffering caused in neurosis is a negotiated suffering, as the pathological symptom both masks and reveals the desire whose unmediated presence would cause significant harm. Working through neurotic symptoms never returns the subject to a then conflict-free and pleasure-ridden existence of plenitude inscribed in the subject's earliest memories, but rather

achieves a more modest degree of freedom and health.<sup>228</sup> Vergote convincingly argues that "[I]f religious beliefs, representations, and ritual behavior are considered not as mediations of a divine activity but as a cultural fact and the matrix of subjective orientations, the question of religion's impact on psychic health remains pertinent for the human sciences."<sup>229</sup> By extending this analysis to considerations of religious forms of psychopathology, Vergote argues that the psychological content of theological symbols, like sin, can function analogously as bearers of latent repressed wishes.<sup>230</sup> Because Christian religious discourse involves elements that signify powerful and foundational human desires, Christian religious discourse is inherently risky, as are rituals that invite participants to appropriate religious symbols into their way of being in the world. "One need only survey the characteristics that make up a religion," Vergote says, following closely to Freudian tradition and Freud's own reading of the role of religion in psychic life, "to realize that it does not consist simply of the sum of its articulated beliefs but it also organizes and refashions the forms, objects, and coordinates of instinctual life."<sup>231</sup> This

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<sup>228</sup> Freud writes, "Just as health and sickness are not different from each other in essence but are only separated by a quantitative line of demarcation which can be determined in practice, so the aim of the treatment will never be anything else but the practical recovery of the patient, the restoration of his ability to lead an active life and of his capacity for enjoyment." See Sigmund Freud and James Strachey, *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, vol. 7 (London: Vintage, 2001), 253.

<sup>229</sup> Vergote, *Guilt and Desire*, 10.

<sup>230</sup> "[I]f it applies to a collective unit, the term pathological must be taken analogically, meaning that the cultural and religious climate diminishes its members' opportunity to realize their human potential and favors individual pathologies." (ibid., 31) This reasoning figures largely into his careful exploration of guilt neurosis, which I will explore in the next chapter.

<sup>231</sup> Ibid., 33. Freud had a similar perspective, arguing that cultural entities like religion operate as an external force on the psyche, shaping the ego as the ego responds simultaneously to instinctual demands and social pressures. See Sigmund Freud and Sigmund Freud Collection (Library of Congress), *Civilization and Its Discontents* (New York: W.W. Norton, 1962), 22-32.



refashioning is not the organic unfolding of some latent religiosity posited in the human soul. Rather, it proceeds according to the same messy principles by which we negotiate, passively and actively, between our desires and the obligations presented in our social and cultural web in order to fashion ourselves into persons. The complex exchange between cultural elements of religion and the particular ways that persons appropriate these elements is what gives religions their historical character at any given time and place.

Thus, to return to our immediate subject, there is an important difference between the way a theological symbol like sin solves a theological problem and the way the same symbol, drawn from theological discourse, can operate "as an instrument of self- mutilation inside the psychic system."<sup>232</sup> The form of sacramental penance praised by John Paul and rejected by Dallen and Hellwig, has not in fact disappeared, nor has the theological sin-discourse associated with it. For some Catholics, it remains a viable religious practice. For others, it poses the gravest difficulties, and they either approach the sacrament differently or, as in most cases, abandon it altogether. The question of how these approaches function for their practitioners cannot be settled by appeal to theological argument alone, nor by unfounded assumptions of cultural and moral development, but by examining the complex relationship between the religious and cultural order and the psychic lines of desire and obligation.

#### D. The Sense of Sin

The presentation of fundamental option theology and its implications for the sacrament of penance, and the reaction of the Catholic hierarchy, demonstrates the need for psychological insights into the formation of the conscience, the relationship of this formation to theological

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<sup>232</sup> Ibid., 37. I will discuss some specific ways that this happens in the next chapter.

symbols, discourse, and ritual, and the constitutive capabilities of self-knowledge. Theologians and Church authorities unanimously agree that something generally called “the sense of sin” has undergone a substantial shift, and argue that this shift reflects changes in secular culture. On the one hand, theologians like Hellwig and Dallen are content to affirm the supposed positive transforming effect of therapeutic culture on a generation of Catholics raised according to a legalistic and list-oriented moralism and the theological world they inhabit. Theologians like John Paul II, on the other hand, offer warnings about too easily capitulating to cultural trends and psychological shifts without allowing theology to speak back with its own critical voice. However, what these otherwise diverging theological evaluations of sacrament penance all lack is a rigorous account of precisely what a “sense of sin” entails for the penitent. Understanding how penitents come to employ sin language to describe their experience requires an inquiry into a number of psychological factors, including dynamics of child-rearing, rule-breaking, and parental authority in dialogue with God-representations that have their source not only in Church discourse but in cultural depictions and the free play of imagination.

A psychoanalytic investigation of this process reveals, according to Vergote’s depiction, “how the development of mind, of body experience, and of a growing sense of identity and autonomy introduce within religious belief conflictual processes that the subjects solve in various ways under the influence of their desires and anxieties.”<sup>233</sup> If the sense of sin among practicing Roman Catholics has shifted, it has done so because the previous sense of sin failed to bring its subjects’ “desires, disillusionments, revolts, anxieties, identification with models, evolving experiences, and so on” into dialogue with the opportunities presented or prohibited by religious

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<sup>233</sup> Vergote, “What the Psychology of Religion Is and What It Is Not,” 83.

forms and rituals.<sup>234</sup> For those who continue to make use of the sacrament of penance, we can assume that they are able to achieve some integration of their subjective awareness of their sins with the elements of the ritual itself. Thus, I argue that differing approaches to this ritual signify different conflict-solving strategies, constituted by conscious and unconscious elements, with respect to guilt and sin.

Theological conclusions about the Catholic “sense of sin” are founded on certain uncriticized anthropological assumptions, and an investigation into the psychodynamic elements underlying the sense of sin, generally understood as the experience of fault, will illuminate the debate about the merits of a fundamental option approach to sin or other possible alternatives. At a cultural level, psychoanalytic insights into the subjective practice of the sacrament of reconciliation can show that the complexity and opacity of human experience defended by fundamental option theology was itself produced within and by the traditional discourse of Catholic act-centered morality and its desire to define concrete acts of sin. While John Paul implies that elements foreign to Church teaching have invaded the faithful and have perverted their sense of sin, it rather may be the case that the emergence of a complex notion of sin was *produced by* the internalization of the Church’s traditional rhetoric, in part through participation in Tridentine forms of confession.

An example may make this clearer. Some thinkers have theorized that the advent of Freudian psychoanalysis into contemporary discourse began to change the way that people perceived themselves and thus changed the very formation of their psyches. Social critic Philip Rieff, for instance, developed a thesis that communities once constituted by the obligations of

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<sup>234</sup> Ibid.

individuals to the social whole have been replaced by a therapeutic culture which “cannot conceive of an action that is not self-serving, however it may be disguised or transformed.”<sup>235</sup> Picking up on this argument, practical theologian Don Browning investigated the ethical and theological visions embedded within modern psychological understandings, showing how psychological discourse both informs and draws from wider cultural patterns.<sup>236</sup> The insights of psychoanalysis are thus fruitful on at least two accounts. First, as Miller-McLemore has argued with respect to the merits of feminist studies in psychology, “psychology remains essential to adequate understandings of human nature.”<sup>237</sup> Second, and following from this, ecclesial structures and rituals like confession that involve complicated and self-implicating experiences of sin and guilt require “exploration of the power of the unconscious in sexual desire and formation.”<sup>238</sup> While Miller-McLemore is concerned primarily with the cultural construction of gender, I believe that her insights can be extended to any culturally mediated and theologically laden practices, including practices and rituals of penance.

The integration of juridical and confessional practices of self-examination on a cultural level into the discourse of generations of Catholics created the psychological conditions in which the current atmosphere of complexity and obscurity has delivered them from suffering that comes from a harsh and overly simplistic conscience. Only by understanding how people come

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<sup>235</sup> Philip Rieff, *The Triumph of the Therapeutic: Uses of Faith After Freud* (Wilmington: Isi Books, 2006), 51.

<sup>236</sup> Don S Browning, *Religious Thought and the Modern Psychologies: A Critical Conversation in the Theology of Culture* (Philadelphia, PA: Fortress Press, 1987).

<sup>237</sup> Miller-McLemore, *Christian Theology in Practice*, 284.

<sup>238</sup> *Ibid.*

to develop a sense of sin in dialogue with theological and cultural symbols can we can evaluate how Catholics, with an awareness of their sins, makes use of the rite of penance.

### **III. Guilt: Towards a Sense of Fault**

In a 1953 address to an international meeting of psychotherapists and psychologists, Pope Pius XII warned those present that curing guilt feelings does not necessarily cure the person of the moral fault that produced them. Nonetheless, he allowed that a distinction can be made between the sensitive awareness of having violated a law of God and a morbid and irrational sense of guilt. In making this distinction, Pius XII recognized in the psychoanalytic sciences grounds for a certain autonomy from theology, provided that analysts and clinicians take responsibility for the moral implications of any counsels they might offer to their patients. If, as Pius XII pointed out, to cure guilt feelings is not necessarily to forgive sin, and if to forgive sin guarantees no relief from guilt feelings, an investigation into a ritual whose defining subjective characteristic is guilt feelings and whose objective is the forgiveness of sins needs a way to distinguish between the two. Such an approach calls for a careful consideration of the differences between insights into the dynamic character of the unconscious with its affective contents and theological insights into the relationship of persons to God.

As with sin, treatments of guilt in contemporary studies of the sacrament of penance oscillate between theological and psychological interpretations without clear justification. Confusion about the role and import of "guilt" abounds in recent studies of the rite. Combining a reliance on second-hand knowledge of psychodynamic phenomena together with the denigration of certain kinds of subjective experience, discussions of the sacrament of penance might attempt to justify what the ritual *ought* to do in theological terms without specifying how this might come

about in the psychological experience of penitents.<sup>239</sup> In other words, guilt as a theological category denoting the sinner's status before God and guilt as a complex psychic situation are often conflated without clarification, leading to confusion about the relationship between the subjective sense of fault in its various forms to the theological purposes of the sacrament of penance. Without clarifying a distinction between psychological and theological categories, it is impossible to settle whether, as theologians like Dallen argue, guilt is an outmoded emotional reaction to legalism<sup>240</sup> or whether, as John Paul suggests without further clarification, there is a difference between "healthy" and "unhealthy" guilt.<sup>241</sup>

In referring to the sense of fault, I am formulating a general psychodynamic category, formed with the resources provided within the cultural order, of reflexive negative affective responses, one's various ways of sensing that one has been somehow devalued. The feelings of guilt, shame, and alienation would fall into this general category. This formulation recognizes that individuals have a variety of ways of responding to what they perceive as their faults. The value of this approach, as I will show in this chapter's final section, is that it allows for theological categories to pertain to a number of psychodynamic maneuvers, thus avoiding the temptation to privilege a particular emotional experience over others as being sufficiently spiritual.

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<sup>239</sup> e.g., Dallen, *The Reconciling Community*, 263-4. Dallen dismisses penitential rituals that try to merely forgive an inward guilt and restore a sense of wholeness because they do not conform to his theological expectations about what the ritual should do. I develop my critique more fully below.

<sup>240</sup> *Ibid.*

<sup>241</sup> Pope John Paul II, *Reconciliation and Penance*, 16.

### A. Guilt as Subjective Awareness

Theologians writing on penance all agree that contemporary culture has supported a shift in personal senses of fault, echoing the observations of writers and cultural critics for nearly half a century.<sup>242</sup> For example, Hellwig points out that people are taught to defend against self-criticism and negative feelings under the influence of pop psychology's tendency to assuage people's wounded sense of self.<sup>243</sup> Critical of self-help models that promote an excessive individualism, she attributes this situation to the cultural dominance of an American individualism that discourages a "sensitivity to one's own impact on others" in favor of "relentless self-promotion."<sup>244</sup> While Hellwig maintains that this is arguably better than the inordinate focus on legal and ecclesial prohibitions experienced by previous generations, she points out that this view of the self has given way to a situation in which "the frightened awareness that all is not well lies very close to the surface under a shallow guise of respectable normalcy."<sup>245</sup> The subjective response of Catholics to their perceived failures has shifted from a focus on specific wrongs done to a more general malaise of "disorientation, alienation, frustration."<sup>246</sup> While these insights may be true, their significance remains to be explored and verified by psychological, cultural and sociological studies before they can be of much use to studies of sacramental penance. Hellwig names a possible correlation, but it is unclear how this

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<sup>242</sup> See, for instance, Karl A Menninger, *Whatever Became of Sin?* (New York: Hawthorn Books, 1973).

<sup>243</sup> Hellwig, *Sign of Reconciliation and Conversion*, 2.

<sup>244</sup> *Ibid.*

<sup>245</sup> *Ibid.*, 108.

<sup>246</sup> *Ibid.*, 110.

shift in self-perception stands in relationship to shifts in confessional practice and wider cultural changes.

Taking a stronger stance toward these changes, sacramental theologian James Dallen is less critical than Hellwig of the contemporary situation just described. Situated within a discussion of the kind of subjective experience the three forms of the 1983 Rite of Penance ought to evoke, Dallen voices his criticism of past conceptions of the rite as focusing on "inward guilt and its effect as forgiveness and wholeness."<sup>247</sup> Guilt, for Dallen, describes "a shallow and superficial emotional response" to the demands of the Church and society, which makes its subjects "passive and powerless in the face of evil."<sup>248</sup> He contrasts this unhelpful emotional response to the spiritualized sense of culpability aroused by the authentic celebration of the new rites, "an experience of the Spirit that is powerful within the community of faith to assure victory and make resistance possible."<sup>249</sup> Guilt and other emotions like "humiliation and shame or regret and remorse" are not the point of the sacrament of penance, and focusing on penance as a "sacramental release from anxiety produced by guilt" mistakes psychic phenomena for the true objects of healing in the sacrament, which are the divisions between the penitent and the community that constitute the divisions between the penitent and God.

By distinguishing between psychic phenomena and the experience anticipated by the sacrament of penance, Dallen avoids reducing theological concepts to psychological experiences.

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<sup>247</sup> Dallen, *The Reconciling Community*, 263. This oft-cited text provides something of an expanded counterpart to Hellwig's own text, though, curiously, Dallen does not seem aware of her work.

<sup>248</sup> *Ibid.*, 274.

<sup>249</sup> *Ibid.*



He recognizes that what is ritualized in the sacrament is not an emotion but a process than must be understood and fulfilled in theological terms. In other words, for Dallen, the ritual provides the penitent with the means to appropriate a new stance with respect to the community and to God. This moves beyond a purely juridical understanding of the sacrament, such as that of John Paul, which changes the objective status of the believer without clearly corresponding to theological significance of the penitent's shift with respect to the community.

However, I argue that Dallen is too quick to dismiss the significance of the negative emotions he rejects, for two reasons. First, any emotion that can paralyze an individual is for that very reason assuredly not superficial. Debilitating emotions reach into the heart of the twisted tangle of obligation and desire that constitute our motivations and shape our actions. To reject such emotions as shallow is to trivialize the careful negotiation involved in overcoming such emotions. But Dallen's mistake is not just to trivialize emotions but to mistake an effect for its cause. Emotions like guilt do not paralyze: they describe, in a visceral way, a paralyzing psychic situation, a situation in which the subject is caught between the pull of obligations and the push of desires. Dallen's uncaredful references to psychodynamic phenomena require significant context and clarification if they are to be helpful in describing the experience of penitents in the sacrament.

Second, even if psychodynamic phenomena like emotions are not the point of the sacrament, they form an unavoidable component of it. Penitents will come to the ritual feeling guilty, ashamed, humiliated, and alone. The ritual may not remove these emotions, but they are the material from which the ritual creates significance. An adequate account of the sacrament penance must say something about the role of emotions simply because emotions make up a large part of why penitents make use of it. Moreover, while theologians may abstract meaning

from emotionality, the reality they are studying – human subjectivity – is simultaneously meaningful and emotional, and so such abstraction risks simplifying what must remain complex. Perhaps Dallen wishes otherwise, but I question his readiness to dismiss guilt as a relic of a bygone era and its bygone rituals. As I will show, guilt, even as a response to disobeying the law-like expectations of a paternal Other, continues to play a role in the contemporary practice of sacramental penance. Again, I agree with Dallen that a specific emotional response is not the purpose of the ritual, but it seems hasty to reject any attending emotions as unimportant. Given the power and significance of human emotion, especially with respect to articulating personal and social failures, this strikes me as an overly abstract understanding of penance.

The failure to fully account for the presence and role of guilt in contemporary theological treatments of penance leaves concepts like conscience, sense of sin, and responsibility somewhat hollow and formal. The Rite of Penance may give meaning to such concepts, but only through their concrete embodiment in the penitent's emotion-laden contribution to the ritual. The superficial discussion of guilt also contributes to the inability of the literature to account for the emotional consequences of the ritual: its ability to evoke a response in the penitent. This demonstrates the need for something like a critical psychoanalytic theory of religious ritual, a way of gaining insight into the relationship between individuals and specific religious forms. With respect to the sacrament of penance, this approach is necessary for understanding the subjective elements at work in individuals' responses to or against the way of being in the world presented by the ritual.

## B. Guilt and Freedom

For John Paul, guilt corresponds objectively to a person's responsibility and freedom.<sup>250</sup> As a formal and transcendental term, it describes the degree to which persons are responsible for those actions that harm their relationship with God, with themselves, with others, and with society. Thus, a person is guilty only insofar as she or he is free to act. This definition extends from a conception of sin as the misuse of the freedom granted by God, and it secures guilt as belonging to the dimension of morality and not to psychology as such.

Later in his letter, John Paul raises concerns about tendencies in modern psychology to "avoid creating feelings of guilt" which "leads to a refusal ever to admit any shortcoming." Thus, the pope seems to maintain that the absence of guilt feelings is a problem for modern society, and its major consequence is a loss in the sense of sin. While I will discuss his concerns about the "sense of sin" in greater detail below, I highlight the relationship between the sense of sin and the absence of guilt feelings to point out a confusion about the psychological role and significance of guilt. We have already seen that John Paul uses the term guilt to refer to an objective moral status. Here he implies that guilt feelings somehow play a role in ascertaining one's moral status, for their disappearance signifies the consequential disappearance of the sense of sin necessary for any confession of guilt. However, he provides no further insights into this connection, nor to the relationship between guilt as a transcendental status and guilt feelings.

Shortly after this, John Paul repeats Pius XII's warnings about unhealthy guilt, connecting

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<sup>250</sup> Pope John Paul II, *Reconciliation and Penance*, 16. This document is still the most recent magisterial treatment of the sacrament of penance, with the exception of John Paul's 2002 Apostolic Letter *Misericordia Dei*. This latter document adds nothing to the theological understanding of the sacrament presented in the 1984 Apostolic Exhortation, but merely repeats some of the key practical injunctions included in the Pope's first letter.

them with the disappearance of a sense of sin. He writes, "Finally the sense of sin disappears when—as can happen in the education of youth, in the mass media and even in education within the family—it is wrongly identified with a morbid feeling of guilt or with the mere transgression of legal norms and precepts."<sup>251</sup> This raises considerable confusion. The pope first argues that the sense of sin disappears when modern psychology systematically dissuades against guilty feelings. But here the sense of sin also disappears when it is conflated with "morbid feelings of guilt." What are these feelings? Are they not precisely the target of the psychological critiques the pope was just rebuking? It is unclear on what grounds we are to distinguish between the feelings of guilt necessary for John Paul's sense of sin and the feelings of guilt that overwhelm this feeling and subordinate it their own ends? A discussion of pathological guilt clearly implies psychological assumptions about the normative functions of guilt, but John Paul's antipathy toward psychological methods is less than hospitable toward an elaboration on the relationship of this normal functioning to the subjective awareness of one's sins.

Because of his convictions about human freedom, John Paul is critical of any pronouncement of psychologists or other social scientists that locate human actions in such an entanglement of psychic and social forces that the individual is prevented from taking any responsibility. According to the pope, human freedom "cannot be disregarded in order to place the blame for individuals' sins on external factors such as structures, systems or other people. Above all, this would be to deny the person's dignity and freedom, which are manifested—even though in a negative and disastrous way—also in this responsibility for sin committed." However, while the need to recognize and promote individual agency is of central importance to

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<sup>251</sup> Ibid.

contemporary theological affirmations that humans are created *imago Dei*, discussing guilt only in terms of categorical freedom does not sufficiently distinguish between the human freedom to sin and the subjective sense of having misused this freedom. The structural conditions that give definition to human freedom are not identical to the structural conditions that shape subjective awareness of one's freedom.

Indeed, it was Freud's crucial insight that humans are not as free as we think we are, and that human life is realized in a constant negotiation between unrestricted desire and the limitations imposed by culture. His careful elaboration of the unconscious revealed that actions so often experienced as free, that is, as belonging to the arbitrary will of the ego, were in fact only intelligible when understood as the effects of a motivation unavailable to the seemingly free "I." John Paul proclaims as a matter of "faith, also confirmed by our experience and reason," that to be human is to be free.<sup>252</sup> So it is, but not absolutely. John Paul is right to reject any attempts of the human sciences to foreclose the possibility of human freedom from the outset. But it is less clear that in examining and emphasizing the structural factors that serves as limits to human possibility, psychologists and other social scientists are making this mistake. Rather, within the constraints of their respective disciplines, they are rightly refusing to introduce a metaphysical principle like freedom as constitutive aspect of analysis. If, for example, through the course of psychotherapy, patients come to recognize that unconscious representations have exerted a limiting influence on their consciousness in order to counter their desires, the possibility of freedom too is revealed, but only a freedom relative to the unfreedom of their pasts. This sense of freedom is clearly different from a philosophically derived freedom that serves as a necessary

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<sup>252</sup> Ibid.

foundation for human dignity and, to some extent, the capacity for ethical actions.

Thus, in unveiling the psychic determination of the ego, psychoanalysis only challenges a notion of freedom that presents humans as beings unrestricted in their abilities to realize themselves, preferring rather what Vergote terms an "anthropology of ethical *becoming*."<sup>253</sup> Such an anthropology is not antithetical to the philosophical implications of human freedom defended by John Paul. Indeed, only with such an anthropology, as informed by the psychoanalytic study of unconscious motivation and desire, can we begin to account for the difference between morbid and non-morbid forms of guilt and their relationship to theological concepts like sin.

Coffey comes close to the necessity of such insights when he discusses the difficulty of identifying one's own objective moral status as a prerequisite to the sacrament of reconciliation, though he is aware that this puts him at odds with John Paul's warning about structural motivations. Coffey relies on Rahner's concepts of "imposed necessity" and "original freedom," which, as transcendental terms, are only concretely encountered together in individual actions. In other words, human acts are a complex combination of freedom and necessity, and we can never get "beneath" these, so to speak, in order to reflectively measure or compare them.<sup>254</sup> Using this

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<sup>253</sup> Antoine Vergote, *In Search of a Philosophical Anthropology: A Compilation of Essays* (Leuven: Leuven University Press, 1996), 74. Vergote firmly rejects what he terms the "substantification of metaphysical principles" in any consideration of psychological realities. He argues that while a metaphysical and transcendental ordering of freedom toward the good may in fact be the ground of the human existence, a "metaphysical principle cannot be unveiled, according to its own intelligibility, except at the end of the dialectical course, as being with its non-phenomenal foundation."

<sup>254</sup> As Rahner writes, "With regard to individual free actions in his life, the subject never has an absolute certainty about the subjective and therefore moral quality of these individual actions because, as real and as objectified in knowledge, these actions are always a synthesis of original freedom and imposed necessity, a synthesis which cannot be resolved completely in reflection." Karl Rahner, *Foundations of Christian Faith: An Introduction to the Idea of Christianity* (New York: Seabury, 1978) 97. Quoted in Coffey, *Sacrament of Reconciliation*, 16.

framework, Coffey investigates the difference between feeling guilty, specifically of grave sin, and being guilty of grave sin. Coffey writes that "the question of gravity of sin is decided not just by a judgment of serious matter along with full knowledge and consent, but also, and ultimately, by a judgment as to whether some imposed necessity is present and operative, such that despite the presence of the aforesaid factors personal responsibility is impaired, with the result that the final judgment is one of mitigated rather than grave sin."<sup>255</sup> He thus points out that imposed necessity is never available to the conscious awareness of the person involved, unlike traditional mitigating factors like anger or drunkenness. This lets Coffey say that persons who in good conscience judge themselves guilty of mortal sin cannot always see that factors beyond their awareness -- unconscious factors, but also wider systemic conditions -- limited their ability to choose against the friendship with God granted to them through faith in Christ and baptism. Coffey does not, however, go on to specify just how these judgments ought to be made, and by whom, and thus implicitly calls for the insights of psychoanalysis to determine the relationship between moral integrity and subjective affectivity.

### C. Guilt and Fault

While the possibility of responsible action is a philosophical and categorical judgment about the human person, the awareness of one's actual responsibility and irresponsibility emerges within and is conditioned by the psychic interplay between desire and obligation as structured by dynamic relational and cultural forces. Feelings of guilt, of shame, and of loneliness all describe more specific ways that this psychic interplay takes place. Hellwig points out that sin, as a theological reality, is nevertheless not accessible to direct experience, only its disorienting effect

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<sup>255</sup> Coffey, *The Sacrament of Reconciliation*, 18.

and other psychological and social signs: “the restlessness, the discontent, the fear and diffuse anxiety, the inability to live in harmony and community with others, the inability to accept our own dependency, poverty and limitations.”<sup>256</sup> These psychological and social signs constitute specific examples of what I generally refer to as a person’s “sense of fault,” an affectively laden and culturally constituted appraisal that one bears some responsibility for the suffering that one experiences. Because the sense of fault will figure largely into my critical psychoanalytic investigation of penance in American Catholic parish life, it will be useful here to discuss in greater detail what I mean.

Through using the sense of fault as a category for analysis, I am attempting to create space for a number of differing and affectively laden judgments of negative self-evaluation. Sometimes such judgments are made with respect to a sense of obligation to moral principles, externalized or internalized. Sometimes such judgments are made with respect to relational ties to other persons or communities. And sometimes these kinds of judgments are made with respect to a sense of self-cohesion. In other words, there are various ways by which people experience their own limitations and failures, but these experiences point to some awareness of the gap between ideal and reality.

The identification of sense of fault as a useful category for psychological investigation derives from Freud’s designation of guilt as a psychic structure belonging constitutively to the ego. As Hermann Westerink convincingly argues, Freud’s entire corpus can be profitably interpreted as an attempt to trace guilt from its numerous clinical expressions, through the structure of the psyche, all the way to the origins of human consciousness.<sup>257</sup> The psychoanalytic

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<sup>256</sup> Hellwig, *Sign of Reconciliation and Conversion*, 107.

<sup>257</sup> Herman Westerink, *Controversy and Challenge: The Reception of Sigmund Freud’s*



investigations pioneered by Freud attempt to chart the emergence of desire along the lines provided for by the obligations of the cultural order, to allow it to speak when silenced, and to allow for new pathways in the midst of an encircling miserable fixation on the past.<sup>258</sup> In theorizing that guilt, as the tension between the drives and morality, belongs to the ego as situated between its own libidinal body and a society of other libidinal bodies, Freud showed that the individual is formed in a small social field constituted by multiple lines of force and appeal.<sup>259</sup> The subject's ongoing acceptance and rejection of these elements, together with the consequences of the child's relationships (their acceptance or defense against the child's decisions) create a psychic reality that already shapes his or her future encounters.<sup>260</sup>

The impossibility of simultaneously satisfying one's desires and meeting one's obligations puts the individual in a rather unhappy position, but as Freud perceptively

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*Psychoanalysis in German and Dutch-Speaking Theology and Religious Studies* (Wien; Global, 2009). See also R. Speziale-Bagliacca, *Guilt, Revenge, Remorse and Responsibility after Freud*, New York: Brunner-Routledge, 2004. Speziale-Bagliacca writes, "Sigmund Freud never actually wrote a book dedicated entirely to guilt, but the various comments he made on the subject throughout his work make him the true initiator of the study of the sense of guilt and certainly the first person to approach the question systematically" (p.1).

<sup>258</sup> Vergote, Corveleyn, and Hutsebaut, *Psychoanalysis, Phenomenological Anthropology, and Religion*, 71.

<sup>259</sup> Freud's archaeological exploration interweaves two different deployments of the term guilt. One, to which I just referred, pertains to the site of the psychic tension between drives and morality as constitutive of the human ego. This is a psychoanalytic and explanatory term. The other, usually translated in Freud's writings as the "sense of guilt" or "guilt feelings," refers to the experience of suffering experienced by a majority of Freud's patients thought by Freud to be the result of the theorized structure of guilt. Thus, guilt feelings are the result of guilt as a psychic structure itself, and Freud devoted much effort to giving an account of the origins of this structure.

<sup>260</sup> Vergote, *Guilt and Desire*, 23.

recognized, the alternatives are worse: neurotic suffering or chaotic society.<sup>261</sup> The cost of living amongst others involves what Freud rather confusingly called the sense of guilt, “the perception which the ego has of being watched over in this way, the assessment of the tension between its own strivings and the demands of the super-ego.”<sup>262</sup> Because this perception is inconstant with respect to ego consciousness, Freud was forced to argue that the sense of guilt remains largely unconscious, except for moments when it awakens into specific feelings like remorse or guilt-feelings. This dynamic negotiation of relational and libidinal forces constitutes what we can more usefully term the *moral conscience*, which describes the person in the midst of weighing, sometimes discursively and sometimes intuitively, the possibilities afforded within the context of desires and obligations. As Vergote notes, “The moral conscience does not exist in anyone from the beginning, but is created in the acceptance of the necessity of the prohibition of desire.”<sup>263</sup> The moral conscience, as the source of persons’ valuing and devaluing of themselves in context of bodily and relational embeddedness, describes the power of subjects to position themselves with respect to value and not simply with respect to satisfaction. Satisfaction means simply the achievement of some pursued pleasure. This differs from the obligation to an other or others whose fulfillment signifies value. Fault, then, does not signify the suffering that comes from failure to attain a wished-for pleasure but the failure to attain one’s obligations. We are

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<sup>261</sup> Freud, Sigmund, *Civilization and Its Discontents* (New York: W.W. Norton, 1962).

<sup>262</sup> *Ibid.*, 83.

<sup>263</sup> Vergote, Corveleyn, and Hutsebaut, *Psychoanalysis, Phenomenological Anthropology, and Religion*, 82. As Vergote goes on to insist, “Prohibition and judgment of condemnation are not synonymous.” To prohibit the desires is not to identify them as radically evil, but to identify the impossibility of their attaining anything of value of themselves. It is to recognize the emptiness of doing what one wants without any doubt or clarification or demand for reasonableness in the midst of others

unsatisfied with respect to our own desires, but we are at fault with respect to our ties to the other.

But our ties to the other take place along complex networks of affective valuations: fear, longing, sympathy, distrust, to name only a few. Thus, while I am confident in saying that most people make use of a moral conscience to negotiate their obligations and their desires, their experiences of tension and failure – that is, their experiences of fault – depend on psychic organization.

In subsequent chapters, I will analyze differing experiences of fault in terms of oedipal and pre-oedipal organization. Here, I want only to point out that penitents bring these experiences to the sacrament of penance, and their disclosure of them belongs as an integral component of the ritual itself. What the foregoing review of theological discussions of penance shows is that theologians have yet to conceptualize just how the ritual might incorporate a variety of expressions of fault. They anticipate that not all expressions of fault relate equally to the theological symbols that constitute the ritual. Some people, as Hellwig points out, are able to use the ritual in order to express something meaningful to them, while many others find it to be hollow; but it is doubtful that those who find little meaning in the rite of penance experience no sense of fault, even if they do not experience their fault as, say, guilt.

Understanding the subjective dimension of the sacrament of penance thus involves an investigation into the relationship between the sense of fault, in its varieties, and the ritualized possibilities for communicating this fault provided by the sacrament itself. As I have shown in the above discussion of major treatments of the sacrament of penance in the theological literature, guilt as a theological category denoting the sinner's status before God and guilt as a complex psychic situation are often conflated without clarification, leading to confusion about

the relationship between the subjective sense of fault in its various forms and the purpose of the sacrament of penance. An analysis of the subjective experience of the sacrament of penance thus requires an investigation of the subjective experience of fault, of the relationship between a person's acts and an affectively laden awareness of those acts, and the difference between guilt as a sense of fault and guilt as a theological signifier.

In referring to guilt as a kind of sense of fault, I am referring to a general psychodynamic category, formed within the constraints of the cultural order, of reflexive negative affective responses: various ways of sensing that one has been somehow devalued. Feelings like guilt, shame, embarrassment, and alienation fall into this general category. This usage recognizes that individuals have a variety of ways of responding to what they perceive as their faults. The value of this approach, as I will show in this chapter's final section, is that it allows for theological categories to pertain to a number of psychodynamic situations, thus avoiding the temptation to privilege a particular emotional experience over others as being sufficiently spiritual. It is only through these experiences that the theological term "sin" acquires any real value, and so discussions of the sacrament of penance must recognize the need for an analysis of the relationship between psychological affect and theological symbol, between the experience of fault and sin.

#### **IV. Contrition as Ritualized Fault**

In the foregoing review of sacramental theological discussions of penance, I have shown that discussion of the terms sin and guilt suffer from a confusing and indistinct mixture of theological and psychological registers. It is true that if sin and guilt describe aspects of human experience, we should not expect to encounter them in their formal actuality. Indeed, as I have suggested, we never encounter sin as sin, but only through our affective and morally-burdened

reflection on our own situation. Moreover, insofar as guilt refers to an objective moral status before an authoritative standard, we never possess enough knowledge to be certain in our self judgments, let alone in our judgments of others. And insofar as guilt refers to the affective evaluation of our self with respect to a given situation, as one mode of the sense of fault, it is not clear that we can readily and immediately identify guilt feelings with an affirmation of personal sin. Guilt, as with all senses of fault, involves a complex negotiation between one's desires and one's obligations. Something more is needed to make the leap from fault to sin, which must be more than the failure to meet one's obligations -- this is a purely formal and overly spiritualized notion of sin -- and certainly more than the failure to follow one's desires -- this leads to an individualistic and imaginary notion of sin. Rather, the leap from the sense of fault to the recognition of sin must reflect and respect the balance of obligation and desire that constitutes human subjectivity, and it must do so with reference to a term capable of signifying both at once.

This leads us to a discussion of a third and final point of psychological and theological confusion in the literature on penance: contrition. As I discussed in Chapter 1, according to the ritual text of the Rite of Penance, contrition designates "heartfelt sorrow and aversion for the sin committed along with the intention of sinning no more."<sup>264</sup> This definition, taken from the canons of the Council of Trent, describes the subjective dimension of the sacrament in its fullness. The other subjective elements, confession and penance, express and deepen the penitent's contrition, meaning that they depend on it. The absence of contrition means the absence of the sacrament. As a subjective disposition, contrition describes penitents as they present and perform themselves in the ritual. Contrition is the penitent's embodiment of the

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<sup>264</sup> Rite of Penance, 6a.

meeting of theological signifiers with the experience of fault. Because contrition is vitally connected to issues of fault and sin, it is unsurprising that discussions of contrition in theological treatments of sacramental penance fail to do justice to the psychological and theological dimensions of this complex symbol.

#### A. Contrition and Attrition

The complex and confusing history of contrition, one of the necessary theological components of the rite of penance specified by medieval theologians (most notably by St. Thomas Aquinas) and incorporated into the reformed Rite of Penance, offers one of the best example for the importance of clarifying the difference between psychodynamic and theological categories.<sup>265</sup> Theologians have long debated the relationship between *attrition*, sorrow for sins that stems from the fear of punishment, and *contrition*, sorrow for sins that comes from the love of God. This debate is significant because it shows how theologians have struggled to articulate the relationship of subjective motivation to objective moral status, or, in light of our discussion so far, the relationship of the sense of sin to guilt as a moral category. My purpose in examining this debate is to show that this confusion is alive and well in contemporary treatments of penance, and that it can best be clarified by distinguishing between psychological dynamics and theological interpretation of those dynamics.

Two opposing schools of thought emerged after the council of Trent, roughly consolidated around the positions of St. Thomas Aquinas and Duns Scotus. For the sake of

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<sup>265</sup> For an exhaustive account of this history, see Bernhard Poschmann, *Penance and the Anointing of the Sick*. (New York: Herder and Herder, 1964), pp. 158ff. See also W. David Myers, "From Confession to Reconciliation and Back: Sacramental Penance," in *From Trent to Vatican II: Historical and Theological Investigations*, eds. Raymond F. Bulman and Frederick J. Parrella (New York: Oxford University Press, 2006), 241–66.

simplicity, while both parties affirmed that contrition was the outcome of the ritual, this debate centered on whether sacramental confession changed attrition into contrition (Scotus's opinion) or whether contrition was necessary to begin with (St. Thomas's position). In other words, if a penitent went to confession strictly because she was afraid of the punishments of hell, would the ritual be a sacrament? St. Thomas's argument was that it would not: the sacrament of penance is meant to formally complete the movement that God begins in penitents to bring them back to God's self. If this movement is lacking, the penitent is not motivated by God, and the ritual fails to amount to a sacrament. Those following St. Thomas's reasoning thus tended to support a more rigorous interpretation of the conditions needed for the sacrament of penance to work: the penitent, with the help of the priest, needed to be very sure that she was motivated by the love of God and not only by fear.

But Scotus argued that this logically meant that contrition, and not absolution, completes the forgiveness of sins. The prominence of contrition threatened to empty the ritual itself of its effective power, for it suggested that the priest's absolution only confirmed what God was already doing. To counter this, those following Scotus's argument tended to conclude that the power of the priest works instrumentally to change the penitent's attrition into contrition, both beginning and completing the movement of divine forgiveness. This placed the bulk of the power of sacramental penance in the hands of the clergy, emblemized in theological discussions during the Council of Trent about the power of the keys given by Jesus to the apostles as the power specifically to retain and forgive sins in the confessional.

The Council of Trent itself left the issue open, and theologians argued bitterly about it for centuries. Finally, in 1667, Pope Alexander VII strictly prohibited any further discussion that involved criticism of the opposing party until the Vatican settled the issue. It has not yet done so.

But the practical implications of the debate for pastoral practice amounted to a victory on the side of the Scotist position, for the simple reason that vast numbers of people went to confession precisely because they were afraid of eternal punishment. To turn them away for not being rightly disposed would evince an unconscionable rigorism. It was far simpler to teach that priests were given the power to forgive sins. I will discuss the influence that this pedagogical and pragmatic strategy would have on the minds of American Roman Catholics, especially with respect to the significance of religious obedience, in the next chapter.

The point of this historical excursus is this: we might be tempted to interpret the theological account investigating the significance of attrition versus contrition as an attempt to describe how potential penitents ought to feel before approaching the sacrament of confession. Indeed, it has often been read as a guide to subjective preparation to confession. But in fact, in these arguments, contrition and attrition are metaphysical terms that theologians used to describe the interaction between God's actions and the penitent's cooperation in light of how the sacrament of penance was understood to work. They are problem-solving signifiers. From the subjective perspective of the penitent, contrition and attrition are indistinguishable, just as the movement of God's grace and the human power to make decisions are subjectively indistinguishable. While this seems remarkable -- that sorrow borne of the love of God cannot be distinguished experientially from sorrow motivated by the fear of hell -- it is keeping with the medieval concern for establishing the theoretical conditions necessary for the sacrament to produce its effect. Because the effect was intelligible only on theological, and thus metaphysical, grounds, its component parts are likewise understood metaphysically. This illuminates some of the difficulties discussed above with respect to John Paul's treatment of guilt, and its effects linger in Dallen's dismissal of the sense of guilt from the context of sacramental penance.



While I do not question the consistency and theological adequateness of the Augustinian-Aristotelian theology of the sacraments developed by St. Thomas and officially codified, to some extent, at the Council of Trent, I do question the appropriateness of using this language to describe the experience of Catholics and the sacraments. As has been demonstrated by Chauvet, St. Thomas's discussion of the sacramental effective sign falls under an analogical qualification: while we can attribute a kind of effective causality to the sacraments, we do not know precisely what this means. St. Thomas's doctrine of analogy thus "forbids any 'reifying' interpretation" of descriptions of the sacraments as instruments, as containing, producing, or causing.<sup>266</sup> But it is precisely this kind of reifying interpretation that has stultified the theology of penance. The attempt to discover how penance "causes" the penitent's contrition leads to just the impasse above that Poschmann suggests: an inability to fit together the objective and subjective elements at work in the rite. However appropriate the language of causality was to medieval theologians, in the modern context such interpretations "serve to build up an ever-present scheme of representation that we call technical or productionist," representations whose primary function is to allow us to master the truth, to bind it to ritual and form and expectation.<sup>267</sup> As Chauvet says:

The entire discussion is distorted by the passion to master the truth. Such an ambition inevitably degrades the truth into an unfailingly available foundation, a substantial permanence, an objective presence. This need for a reassuring plenitude is symptomatic of a visceral anthropocentrism: the need to begin with the certitude of the self, with the presence of the self to the self, by which everything else in the world is ultimately to be measured.<sup>268</sup>

If the sacraments cause contrition, which is a particular and explicitly subjective mode of the

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<sup>266</sup> Chauvet, *Symbol and Sacrament*, 21.

<sup>267</sup> *Ibid.*, 22.

<sup>268</sup> *Ibid.*, 28.

presence of God, then by causing the sacraments we can cause contrition. We can summon God, apply God as we wish, fit God into our schemes.

Perhaps in no other sacrament have the consequences of this sort of thinking been as evident as in the Rite of Penance. When divine forgiveness, the response of God to human sinfulness through Jesus and the Spirit, is understood as produced simply by the application of a ritual, both the tragedy of human sin and the radicalness of God's abundant mercy are cheapened. Sacramental theologians have rightly rejected the appropriation of mechanical understandings of sin and forgiveness, but they have paid insufficient attention to how this discourse took its power from the psychic and symbolic world of generations of Roman Catholics whose relationship to God was constituted by and through the ritualized and embodied practices within particular cultures. As I will show in the next chapter, the practices of local Catholic communities conferred a sense of belonging that was at once political and religious. The inadequacy of traditional understandings of contrition, I argue, is not due to a successful trajectory of moral development so much as it is a symptom of the displacement of a premodern way of life, first through shifts in material and social culture, then through shifts in everyday discourse, and finally and only now through shifts in official theological judgments.<sup>269</sup>

### B. Towards A Psychology of Contrition

Contemporary theological investigations of penance continue to wrestle with the difference between a theoretical justification for the parts of the sacrament of penance and an explanation of how the penitent's subjective presence fits into this. In what is still the most

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<sup>269</sup> Peter Homans charts the effect of modernization in his exploration of Carl Jung's own social and cultural context. I am making a similar argument here. See Peter Homans, *Jung in Context: Modernity and the Making of a Psychology* (University of Chicago Press, 1995).

careful treatment of this issue in recent years, Rahner sought to reinterpret contrition and attrition along psychological lines, denying to them any metaphysical significance on their own.<sup>270</sup>

Attrition and contrition, or imperfect and perfect contrition respectively, designate distinctions in our conscious intentional awareness: "In practice, these two theoretically distinguishable kinds of contrition coexist, though one or the other may emerge more strongly in our consciousness at a particular time."<sup>271</sup> For Rahner, this means that a constant disposition must underlie these fluctuating psychological states, and this underlying motivation is what expresses our true status before God.<sup>272</sup> In other words, to put it rather simplistically, whether we feel like we are friends with God, we are either friends with God or we are not. That this state of affairs is up to us is undeniably true for Rahner, but he insists that this friendship exists on a far deeper level than our awareness, and not without God's mysterious and primordial invitation.

Thus, attrition and contrition become helpfully immanentized, corresponding to the penitent's subjective sense of how things stand. They refer not to the state of the soul before God but rather to a personal sense of one's relationship to God that may be more or less accurate. But as explanatory theological concepts they are immediately thereby irrelevant, because they are categorically divorced from how things stand.<sup>273</sup>

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<sup>270</sup> Karl Rahner, *Meditations on the Sacraments* (New York: Seabury Press, 1977), 42-59. This chapter, entitled, "Penance: Allow Yourself to Be Forgiven", was originally published in 1972 as "Bußandacht und Einzelbeichte" in the German publication *Anmerkungen zum römischen Erlass über das Bußsakrament*.

<sup>271</sup> Rahner, *Meditations on the Sacraments*, 58.

<sup>272</sup> Coffey, *The Sacrament of Reconciliation*, 161.

<sup>273</sup> Rahner writes, "Our life is the history of an ultimate freedom before God and thus is always threatened by true guilt." (p. 58) But the nature and status of this guilt is "an area of mystery about which we can make no judgment" (p. 43).

Following this reasoning, Coffey criticizes Rahner's treatment of contrition and attrition as demonstrating "a rationalistic Western preoccupation with pinpointing the exact moment in time when a spiritual event takes place, the prime example of this being the mania (if this is not too strong a word) for determining the very instant of consecration in the Mass."<sup>274</sup> Rahner maintains, as did Aquinas, a dichotomy between the metaphysical and the psychological. But where Aquinas discussed attrition and contrition only in terms of metaphysical stances toward God, Rahner discusses them only in terms of psychological perceptions that have no bearing on one's actual status. This dichotomy removes subjective experience from the metaphysical operation of the sacrament of penance. According to Coffey's reading of Rahner, this commits Rahner to the position that all sins are always forgiven before the sacrament of penance occurs. This is, for Coffey, untenable, for he wants to say that the ritual forgives sins with a "minimal" understanding of "the contribution that the *subject* makes towards its effectiveness."<sup>275</sup> He concludes that we must recover a properly "theological and human, rather than naturalistic" treatment of concepts like contrition.<sup>276</sup>

Unlike Coffey, I am not at all interested in demonstrating the power of the sacrament of penance to change a penitent's stance with respect to God in terms of minimal subjective participation. On the contrary, I seek an account of penance that fully involves the participation of the penitent, and that finds in the penitent's contrition the workings of God's forgiveness. Contrition, as I understand it, is already sufficiently "churched," and it seems to me that Coffey's

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<sup>274</sup> Ibid., 162.

<sup>275</sup> Ibid., 163, italics in the original.

<sup>276</sup> Ibid., 163.

reluctance to envision the forgiveness of sins apart from the rite of penance is an obstacle to understanding what contributions the ritual actually makes.

However, I do agree with Coffey's critique of Rahner's inability to situate theological and psychological dimensions with respect to sin, guilt, and contrition. While I recognize the validity of Rahner's attempt to distinguish the psychological from the theological, the main limitation of his account is that his psychological application of the term contrition is laden with theological meaning. What could the distinction between attrition and contrition as psychological categories be if not the penitent's actual stance vis-a-vis God? If they describe different modes of affective consciousness, they do this because they indicate different configurations of desire and obligation. More broadly, they constitute different subjective performances of fault within the ritual itself. But this distinction requires additional clarification about the relationship between the experience of fault and theological discourse.

In other words, if Rahner's discussion shows that contrition is a religious, even Christian, emotion, we need an account of how such emotions originate. Theological accounts of the sacraments describe the mysterious disclosure of the forgiveness of God in the experience of the ritual that neither reduces the ritual to its subjective and psychological elements nor removes the significance of the sacrament to some ineffable plane. To speak of contrition with respect to the process ritualized by the sacrament of penance necessarily involves human emotion, but it incorporates the play of affectivity into something broader, opening the penitent's experience of fault in whatever form, be it through feelings of guilt, shame, or alienation, to new dimensions of value.

Thus, I do not deny the significance of the four theological elements that theologians have traditionally used to describe rites of penance. Contrition, confession, absolution, and

satisfaction express the dynamics of the ritual participation of human and divine in the sacrament. However, when penitents and confessors conceive of this participation as occurring on a singular level, sacramentality gives way to ceremonial magic, the mystery of divine redemption to a grace-factory. To avoid this tendency, I argue that we must recognize and value the distinction between human subjective experience as such and what theological language attempts to describe, always in a conditional and risky way, by stretching human categories farther than they are meant to go. This brings the doctrine of analogy to the forefront of discussions of theology and psychology: when we talk about God, God's actions, God's participation with the world, we can say true things, but we do not know exactly what they mean.<sup>277</sup>

### C. Contrition, Fault, Sin

The foregoing analysis leads me to propose the following: the experiential union of theological and psychological dimensions takes place primarily through ritual. If contrition can be described as a religious emotion, it is because through their ritual participation penitents signify and thus performatively embody their experiences of fault with reference to God, whose presence always is communicated by means of a mediation. In other sacraments, tangible objects mediate God, and participants participate in God according to their mode of participating with the objects. In the Eucharist, communicants experience God through eating and drinking. In baptism, the baptized experience God in washing with water. But in the sacrament of penance,

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<sup>277</sup> As McCabe remarks, "Thomas Aquinas thought that theologians don't know what they are talking about." For his excellent discussion of the importance of theological agnosticism and the use of analogy, see Herbert McCabe and Brian Davies, *Faith within Reason* (London; New York: Continuum, 2007, p86ff.)

God is mediated via the penitent's own subjective presence, a presence disposed to the signifying potential of the ritual form. This form includes the penitent's confession and the priest's absolution, and these elements cooperate with the penitent as an embodied and ritualized subject. In the rite of penance, however, the affective experience of the penitent is not patently obvious to the confessor; the penitent must disclose it through a confession. Thus, the ritual act of confession mediates between the penitent's subjective experience of fault, whose psychic organization can vary, and the state of contrition, which is, analogically speaking, like a form of sublimation.<sup>278</sup>

Thus, in psychoanalytic terms, I argue that contrition describes the organization of a variety of possible experiences of fault with reference to a specifically Christian symbolic order.<sup>279</sup> Theological signifiers serve as interpretative operators, neither designating a purely categorical and transcendent reality nor describing the penitent's experience. Rather, by appropriating the theological signifiers of the ritual, penitents reinterpret themselves and allow

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<sup>278</sup> To confess an experience of fault is not merely to put words around an already cohesive and meaningful state of affairs, but to reconstitute that state of affairs in a new way. In linguistic parlance, confession is an illocutionary act: it creates what it communicates in the act of communicating it. Thus, in one sense, contrition *is* confessing oneself in the ritually mediated presence of God. This is what is known in medieval theological discourse as the *sacramentum et res*. To the extent that Christians belong to the body of Christ through a union of charity, contrition reconciles the penitent to the Church.

<sup>279</sup> Vergote, Corveleyn, and Hutsebaut, *Psychoanalysis, Phenomenological Anthropology, and Religion*, 22. Building upon Lacan's tripartite distinction between the imaginary, the symbolic, and the real, Vergote defines the substantive term "imaginary" as "the production of representations -- concepts, images, symbols, ideals, models of behavior -- that express man's desires and anxieties in relation to the unconscious affective representations." He goes on to note that the discussion of imaginary representations makes no claim about the existence of their references beyond the individual's subjectivity. Rather, investigation of imaginary processes seeks to understand "the personal manner of giving content to the culturally present religious language and symbols."

themselves to be reinterpreted.<sup>280</sup> If the theological term *sin* designates the negative experience of human fault in the light of the revelation of Jesus Christ as mediated through the ritual body, *contrition* thus designates the same experience viewed positively, that is, as constituting the basis for a renewed relationship with the God who gives life. As theological signifiers, these terms mediate the shift in the penitents' appropriation of their own faults. The actual content of this shift is determined by the dynamic interplay between the penitent's affective situation and the elements of the rite of penance. To explain this dynamic interplay further will require a more specific examination of the ways that Catholics have made use of the ritual: such examinations will constitute the forthcoming chapters.

This discussion provides the theoretical basis for a further analysis of the experiences made possible in different approaches to the rite of penance. This requires bringing theological interpretation into dialogue with a psychoanalytically informed anthropology. While theological treatments of penance have tended to use the term *contrition* to refer to this experience, I argue that *contrition* describes in a theologically symbolic way the subjective position of the penitent, vis-a-vis God and the Church, intended by the ritual in its completion and not the potential penitent's pre-ritualized experience, per se. In other words, I wish to draw a methodological distinction between *contrition* as describing a normative and non-pathological Christian affect-

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<sup>280</sup> Lacan's notion of repetition, as presented in Marcus Pound's book *Psychoanalysis, Trauma, and Theology*, may be a helpful way of looking at confession and contrition, especially in relationship with the term anamnesis and the process of listing one's sins with contrition. According to Lacan, repetition occurs when one repeats a memory from the past, perhaps either through a rehearsal in the therapy session or in an enactment in life. Key here is that something is never merely repeated: a repetition always integrates the memory with the present circumstances, so that what is repeated is always the same and always new. Hence, in confession, the memory of the sin is repeated with the overlay or interpretation of the paschal mystery: one's sins are now not just malicious acts against God but also wrapped up in the paschal drama of the crucified and resurrected Jesus.



laden awareness of sin, and the more ambiguous affective experience that precedes contrition. I refer to the subjective motivation that precedes participation in ritual penance as the penitent's sense of fault. However, I do not mean that the experience of fault precedes contrition in a strictly chronological sense. Rather, I am attempting to prescind from the question of objective sin, which is implied by the definition of contrition, in order to examine the precise nature of the penitent's suffering. I argue that there is no one-to-one correspondence between the penitent's affective experience of fault and a supposed state of *contrition*, but rather that contrition describes the integration of many possible configurations of affective experiences into a symbolic revisioning of the penitent's relationship to God and to the community. The terms guilt, shame, and alienation are meant to illuminate something of the emotional organization and range of affective dynamics involved this motivation.

Making a distinction between contrition and various experiences of fault is beneficial in three ways. First, by presenting themselves to the rite of penance, penitents ostensibly demonstrate the presence of some subjective motivation, itself the product of a number of psychodynamic elements, which offers itself to the signifying parameters of the ritual. The theological commentary in the ritual text specifies that the priest-confessor's juridical function is to evaluate whether or not the penitent is sufficiently disposed to the sacrament. Broadly speaking this simply means that the priest is assigned the responsibility to ensure that some recognizable coherence exists between the range of significations that belong to the ritual form and the significations that belong to the penitent. This juridical function anticipates the possibility that a potential penitent may not be prepared to cooperate with the ritual.<sup>281</sup> Whether

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<sup>281</sup> An example may help. My daughter will learn to apologize when she harms her little brother. For example's sake, let us call this a ritual of apology, and give it the form: "I'm sorry that I hurt

or not the priest is an adequate judge of this disposition does not challenge the significance of the distinction between intending what the ritual intends and intending something contrary.

Distinguishing between the penitent's affective experience and the significance of that affective experience within the penitent's appropriation of the ritual mitigates the tendency for either priest or penitent to spiritually prioritize certain affective experiences over others.<sup>282</sup>

Second, it is clear from theological considerations of the rite of penance and the necessity of its reform, from the stories that past and present penitents share, and from my own experience that the ritual does not always accomplish what it intends, ideally speaking, or what the penitent

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you." "That's okay." And they hug. Depending on the circumstances, the words "I'm sorry" will take on a meaning ranging from "I wasn't paying attention and I should have been" to "I was angry and expressed it in a way that I regret." Eloise, however, may be tempted to use the ritual words to achieve one of its goals -- namely, the appearance of reconciliation -- without working through the process of recognizing her culpability and the significance of the harm that she did. In short, she may offer a false apology. As a parent, one of my pedagogical responsibilities is to invite her to understand the difference between a false apology and a true one. To do this, I have to make a judgment, based on appearances, of her motivations. That I might be wrong in my judgment does not change the distinction involved. However, because of a long heritage of associating the sacramental priesthood with parental functions, this example is perhaps more appropriate than I would wish. That is, the text of the rite assumes that the relationship between priest and penitent is more like the relationship I described above than is in fact possible or desirable for contemporary Catholics.

<sup>282</sup> Confession as a practice, as a space, especially as a symbolic space or a transitional space, takes its meaning from the intentions of the confessor and the penitent. Because of the nature of Roman Catholic confession, the penitent's disposition has a greater determinative effect on the symbolic space than the confessor, though the latter has a greater effect on the outcome of the ritual. In other words, the expectations of the penitent, her understanding of the sacrament, and her psychological profile (especially with respect to guilt) all construct a very specific kind of space, and the confessor reacts to this construction. What does the confessor contribute to this mutual construction? To some extent, the physical space; his demeanor, which may elicit certain responses and discourage others; his acceptance (or rejection?) of the penitent's confession and the manner of it. Still, it is not clear that the point of this study revolves around the confessor, or at least not the content of the confessor's penance and absolution. I am not convinced that the confessor's assignment of penance or absolution has much effect on the ritual itself, which may say more about my own experience of confession than it does anything else.

desires. Ritual confession can support morbid scrupulosity, self-hatred, and unhealthy dependence on paternalistic authority. It can fail to provide the relief that penitents seek. Distinguishing between the sense of culpability and *sin-contrition* provides a way to discuss the subjective effects of the sacrament as distinct from the question of theological truth. This kind of analysis is necessary for understanding how the sacrament offers a potential transformation of subjective experience and how it sometimes fails.

Third, and finally, as a psychoanalytic concept open to theological interpretation, the sense of fault provides a way for the insights of psychoanalysis to contribute to a discussion of sin and contrition. Roman Catholic theology has yet to reckon fully with what psychoanalytic and psychodynamic theorists and practitioners have gleaned from hours of firsthand experience with patients. For the most part, the theological anthropology that informs popular and theological reflection on sin and penance reflects a modernized form of Scholastic faculty psychology that is largely inattentive to the complexity and density of human affective experience.<sup>283</sup> Questions of unconscious motivation, multiple and competing desires, and the influence of culture on the formation of conscience and emotion are largely invisible to an approach that treats guilt as a quite extrinsic reality to which individuals must confirm their actions, independently of their emotional life.

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<sup>283</sup> By faculty psychology, I am referring to St. Thomas's use of the Aristotelian distinction between the faculties of sense and intellectual appetite in his discussion of the passions. I am not denying here the legitimacy of this anthropological approach; indeed, recent treatments of St. Thomas's theory of the passions and virtues offer a promising alternative to current theories of emotion. See Diana Fritz Cates, *Aquinas on the Emotions: A Religious-Ethical Inquiry* (Washington, D.C.: Georgetown University Press, 2009); Nicholas Emerson Lombardo, *The Logic of Desire: Aquinas on Emotion* (Washington, D.C.: The Catholic University of America Press, 2011); Robert Miner, *Thomas Aquinas on the Passions: A Study of Summa Theologiae: 1a2ae 22-48* (Cambridge: Cambridge University Press, 2010).

The foregoing discussion has demonstrated the paucity of attempts in the literature to analyze and integrate the subjective contribution of the penitent into a theological account of the sacrament of penance. Theological discussions of the subjective dimensions of penance – the constitutive dynamics of the penitent’s contributions – involve the employment of psychodynamic concepts. These concepts, however, are used in an unsystematic and uncritical way, rendering inconclusive any scholarly and theological claims about the concrete effects of the sacrament of penance, the desires of the penitents who make use of it, and the relationship of sin to the sense of culpability. By and large, then, theological discussions of penance have proceeded from theological principles to conclusions about what ought to be the case for penitents. In doing this, theologians have divorced theological elements of the rite of penance – guilt, sin, and contrition – from their subjective content. To restore this rift, I argue that the penitent’s subjective participation in the ritual, bringing together conscious and unconscious motivations, sense of fault, and faith, provides this content.

However, I am not hereby committed to the position that sacramental rituals must be somehow subordinated to some specified human needs, as though by carefully determining what people need theologians then construct rituals that meet them. Such a functionalist account ignores or overlooks the way that ritual takes place in a symbolic order that already delimits the shape of human needs. Nor do I intend to argue the opposite, that the Church has received intact from the hands of God a formal set of words and gestures that guarantees its own efficacy, and to which the human element is a bothersome and messy but necessary ingredient. This ignores the developmental history I traced in Chapter 1 of consistent adaptation and strategic modification in order to protect an ideal that cannot be reduced either to ritual participation or the image of a model Christian subject. Rather, I assume from a theological perspective that penance, as a

sacrament instituted by Christ as a ritualized continuation of his redemptive work, is disposed to the process of human becoming, which is necessarily an ongoing dynamic exchange between desire and obligation, the thrust toward a promised happiness and the prohibitions that prevent that thrust from erasing its own possibilities. This means that the external features of the ritual and its subjective content are always being negotiated, and that the precise theological meaning of the sacrament must attend carefully to the flow of psychic and symbolic structures at play.

## **V. Conclusion**

The overwhelming consensus of recent theological studies of the sacrament of penance is that the crisis in the practice of the ritual revolves around a change in Roman Catholics themselves. Hellwig argues that Catholics have lost a spontaneous sense of sin because of an overly therapeutic and ego-driven culture. John Paul agrees that Catholics have lost access to an authentic sense of sin, and he charges the social sciences for distorting the significance of human freedom and moral action. Dallen celebrates this situation as moral coming of age in which people are finally overcoming a futile and moralistic sense of guilt in favor of communal bonds, corresponding to the reformed rite's emphasis on reconciliation over forgiveness of sins. Coffey more soberly attributes the crisis in penance to a pedagogical failure on the part of the Church to communicate a coherent understanding of sin, made more difficult by the reticence of the Magisterium to allow for theological innovations in moral theology. However, though they all agree that what are variously termed guilt, fault, and sense of sin have changed, none of these texts provide an adequate account for how the shift occurred. Suggestions about cultural changes have not so much the force of explanation as they do a sense of deferral. This state of affairs results from a failure to follow through on calls for dialogue that integrates the insights of other disciplines. In short, without an adequate psychology informed by a critical cultural perspective,

theological accounts of the state of Roman Catholic penance are bereft of a better understanding of human subjectivity.

More importantly, these accounts provide little insight into why some contemporary Roman Catholics continue to make use of the sacrament of reconciliation. Why does this ritual appeal to some Catholics and not others? As I demonstrated in Chapter 1, the history of the sacrament of penance is precisely the history of shifts in the negotiation between cultural elements and theological symbols, whose concrete union takes place only in subjective religious participation in the ritual life of the Church. Shifts in the psychic strategies by which individuals negotiate between obligation and desire, which I call the sense of fault, shape how Catholics appropriate and integrate theological signifiers like sin. As I have argued, the ritualization of this appropriation, designated by the affective-theological symbol contrition, describes the subjective component of the sacrament of penance. Catholics who continue to find value in the sacrament of penance therefore must have some strategy for negotiating the theological signifiers of the ritual in light of cultural shifts and corresponding changes in their sense of fault. In other words, Roman Catholics who make use of the sacrament of penance do so because they are able to ritualize their contrition.

I argue that a psychoanalytic approach to contrition and the experience of fault is by no means incompatible with the theological claims of Catholic theology; on the contrary, it offers a more robust appreciation for what the sacrament of penance actually accomplishes with respect to penitent sinners. Following St. Thomas, I am therefore convinced that the sacrament of penance is a mystery expressed both in sacrament and in virtue, or, as I would prefer it, in ritualization and in personal appropriation. The rupture in the dialectic between these two elements is at the heart of the crisis in penance.

To understand how Catholics ritualize their contrition by means of the rite of penance, speculative theological insights are not enough. Nor is reflection on the text of the rites themselves. It is not enough to look only at what the ritual texts say to determine what it does and what meaning it holds for its participants. Nor is it enough to ask participants what they think is going on; it is clear that ritual does more than its participants know. Nor is it enough to ask theologians what they think, for they are abstracting from the ritual in dialogue with theological assumptions of their own in order to solve theological problems. Nor is it enough to ask the relevant authorities, for these authorities have their own ends in mind and are liable to tell us what the ritual *ought* to do, not what it is doing.

As a human practice, the sacrament of reconciliation is situational, meaning that its significance cannot be understood apart from its concrete context. Abstract descriptions of ritual confession are not precisely the same as the existing rituals themselves. This may be somewhat of a truism for contemporary theories of practice, but because much of the literature and description of confession does operate at an abstract theological level, it must be proposed at the outset that practices of ritual confession are, to use the words of ritual theorist Catherine Bell, not the "mere expression or effect" of "determinative influences deriving from other situations -- they are determinative and effective in their own right."<sup>284</sup> Rather, as methods in practical theology, drawing on theories of practice and performance like Bell's, suggest, we need to look at motivation, the structure of the ritual space, and the effect of the ritual to understand what theologies are being embodied and how these embodied theologies are related to wider Christian and secular practice.<sup>285</sup>

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<sup>284</sup> Bell, *Ritual Theory, Ritual Practice*, 88.

<sup>285</sup> Practical theologian Edward Foley identifies two key areas in practical theology that have

The ritual of sacramental reconciliation offers one source for the transaction of psychodynamic material with local structural relationships, which together embody a lived and practical theology of sin and redemption. Penance describes the complex interplay of the psychodynamic relationships between the participants as enacted in the ritual space, the cultural and social structuring of the ritual itself, and the theological ideas that both give the space its meaning and arise from the space. As the history of the church's penitential practices shows, the subjective experiences of fault, as culturally-informed and structured psychic negotiations between obligation and desire, can be differently ritualized, and that these different ritualizations can accomplish the signifying and effective intent of the sacrament of penance, which is summed up in the affective-theological symbol contrition. Building on these ideas, the subsequent chapters are meant to illustrate how American Catholic participation in the sacrament of penance has shifted, and what these shifts mean for the practice of penance in parish life.

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been significantly influenced by ritual theorists: liturgical theology and pastoral care and counseling. Interested in the subjective and psychological dimensions of rituals of penance, I am situated with one foot in each of these areas. See Edward Foley, "Ritual Theory," *The Wiley-Blackwell Companion to Practical Theology*, ed. Bonnie J Miller-McLemore (Malden, Mass.: Wiley-Blackwell, 2012), 148. Also, as Ted Smith notes, attentiveness to practice in local and cultural contexts – in my case, penance in American Catholicism -- has allowed practical theologians to more carefully define their objects of study. See in the volume cited above Ted A. Smith, "Theories of Practice," 251.



## CHAPTER 3

### JURIDICAL PENANCE: CONFESSION, LAW, AND BELONGING IN EARLY AMERICAN CATHOLICISM

In Chapter 1, I showed how approaches to penance in Roman Catholic practice take place within the parameters set forth by the ritual text, its formal words and its instructions. By charting the historical development of the sacrament of penance, I argued that changes in the way that Catholics participate in the rite of penance have always performed and reflected broader cultural, theological, and psychological shifts. Then, in Chapter 2, I argued that the shape of the dynamic encounter depends on the subjective participation of the penitent, and that understanding this participation requires insights from the social sciences, like those of cultural psychology and psychoanalysis. These insights help us to see how contrition, a theological term that describes the penitent's primary activity in the sacrament of penance, can describe a number of ways of ritualizing our faults in the light of God's mercy.

While the Rite of Penance reformed after Vatican II offers expanded opportunities for penance, the imagination of American Catholics, even those who do not make use of the sacrament, is still dominated by individual confession. To understand the power that "confession" still retains even among a majority of Catholics who never go, I want to concentrate here on how "confession" functioned in American Catholicism from its beginnings to the Second Vatican Council. While I provided an overview of this historical period in Chapter 1, I want to delve more deeply into the role of confession in the everyday lives of American Catholic before the Second Vatican Council by using the critical psychoanalytic analysis I outlined in Chapter 2.

In other words, I want to examine early American Catholic contrition, or how Catholics ritualized their sense of fault within a juridical practice of penance.

The decision to begin with juridical penance recognizes the need to account for historical change and the possibility of development. Juridical penance is the form with which most people, Catholic or not, are familiar. It spans over four hundred years, taking shape before the Council of Trent and used until the reforms of the Second Vatican Council. It embodies a theological vision of the world redeemed by Christ in which the actualization of this redemption occurs primarily through the sacramental priesthood of the Roman Catholic Church. It assures the forgiveness of sins by blessing, through absolution, the obedience that marks the penitent as belonging to the one, holy, Catholic, and apostolic Church. Juridical penance has long been an identity marker for Roman Catholics, and the contemporary faithful's overwhelming rejection of it signifies a drastic shift in what it means to belong to the Church.

But some very few Roman Catholics still make use of this approach. For example, a sign at the diocesan cathedral in Nashville reads: "Please do not get in line for confession after 4:30. The priest must have time to vest for Mass." At the cathedral, at least, lines of penitents wait to confess their sins each Saturday, and they do so promptly, quietly, taking four or five minutes at a time, rarely more. But unlike their predecessors a generation ago or more, for most of these Catholics this practice is not a habit inculcated in them since childhood and maintained through the visible presence of a confessing community. As recent research has shown, only a small minority of Catholics regularly go to confession, indicating that ritual confession has ceased to be a significantly visible practice within Catholic parishes.<sup>286</sup> Rather, the decision to make

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<sup>286</sup> According to research conducted in 2008 at Georgetown University by the Center for Applied Research in the Apostolate (CARA), only a quarter of American Catholics report that they go to

confession a regular habit is made in the midst of more widespread indifference, of the availability of other possible options, of alternative theological visions.

Juridical penance today cannot simply be understood as the practice of an older form of confession, if by this we mean a pretending that no other forms are available. On the contrary, the option of the screen or the chair, anonymous or face-to-face confession, immediately confronts the penitent with a choice. Penitents may have reasons for this choice. They may opt for what seems appropriate in the moment. But the choice between a face-to-face encounter and the screen-kneeler embodies the possibility of two approaches from the moment a penitent steps into the confessional. It is my theory that this choice embodies a larger set of assumptions, motivations, and beliefs that together constitute what, borrowing from philosopher Charles Taylor, we might term Catholic “imaginaries.”<sup>287</sup> Taylor uses the term to mean “the way that we collectively imagine, even pre- theoretically, our social life in the contemporary Western world.” It is not that these imaginaries are presented to individuals as visions of the world, whole and entire, to be appropriated. Rather, the ongoing practices of Catholic penitents continue to construct and maintain these imaginaries.

My goal in this chapter is to provide a dense cultural and psychological portrait of the juridical attitude toward penance as it was embodied in pre-Vatican II religious practice. The juridical approach to penance used regularly by a tiny minority of contemporary Roman Catholics is linked to the way Catholics used to confess their sins, but it is not the same practice.

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confession at least once a year. M. M. Gray and P. M. Perl, *Sacraments Today: Belief and Practice among US Catholics*. (Washington DC: Center for Applied Research in the Apostolate at Georgetown University, 2008), <http://cara.georgetown.edu/sacramentsreport.pdf>, 5.

<sup>287</sup> Charles Taylor, *A Secular Age* (Cambridge, Mass.: Belknap Press of Harvard University Press, 2007), 146.

To understand the differences between past and present practices of juridical penance, we must begin historically, with an analysis of the practice of confession before the reform and before the crisis. Practitioners and supporters of a juridical attitude toward penance in contemporary Roman Catholic culture allude to the older form implicitly and explicitly. Explicitly, the continuity of juridical penance today with the preconciliar practice argues for its power, its authenticity, its trustworthiness.<sup>288</sup> This is how centuries of Catholics practiced, so the argument goes, and look at what has happened to the world as the practice has died off. Implicitly, the juridical form of confession is the natural outcome of the widespread practice of individual auricular confession so encouraged and mandated during the papacy of John Paul II.

Thus, I will argue in this chapter that individual confession, which I describe as the juridical approach to confession, is primarily a sacrament of belonging. While it promoted an individualistic and calculating attitude toward morality, I contend that ordinary penitents generally made use of juridical penance primarily in order to renegotiate their relationship to the Church as an authoritative source of identity. Obedience to the Church's moral prescriptions was not, for ordinary Catholics, part of an ethical program of self-reform and ongoing conversion but the conditions for belonging, and juridical penance provided an authoritative recognition of the performance of obedience that constituted the good-enough Catholic.

## **I. The World of Juridical Penance**

To paint a brief picture of the Roman Catholic world in the United States before Vatican II, I rely on a number of historical surveys of this period, especially Jay P. Dolan's *In Search of*

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<sup>288</sup> Here and elsewhere, by *preconciliar* I refer to American Catholicism in the 18<sup>th</sup> and 19<sup>th</sup> centuries before the Second Vatican Council.

*an American Catholicism*, as well as Charles Taylor's somewhat more general cultural analysis of post-Tridentine Roman Catholic culture in *A Secular Age*.<sup>289</sup> Taylor helps us to see the broad philosophical and cultural movements, while the work of historians like Dolan fills in the details and challenges the sweeping claims inherent to any brief historical overview. The point of this portrait is to show that for American Catholics, confessional practice served as an enactment of the bonds that held the parish community together, bonds constituted by the recognition of paternal authority and obedience. As Catherine Bell argues, ritual functions as a space in which ritual participants negotiate issues of identity and power, but they do so in order to secure a renewed, if only partial, sense of identity in community.<sup>290</sup> Thus, juridical penance provided Catholics with one arena in which to reproduce relationships of power and domination not mechanically or automatically but strategically in a way that affords the penitent some sense of agency. All of the problems attached to the relationships of power and domination in wider Catholic culture thus followed penitents into the confessional.

In his psychoanalytic exploration of the structure of guilt, Vergote reasons that if there exists a neurosis centered on an unconscious guilt that capitalizes on religious symbolism and

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<sup>289</sup> Jay P Dolan, *In Search of an American Catholicism: A History of Religion and Culture in Tension* (Oxford; New York: Oxford University Press, 2002); Charles Taylor, *A Secular Age* (Cambridge, Mass.: Belknap Press of Harvard University Press, 2007).

<sup>290</sup> Drawing on the theories of Pierre Bourdieu, Bell argues, “The basic dynamics of ritual, therefore, can be seen to involve two processes. First, ritualization is itself a matter of drawing strategic contrasts between the acts being performed and those being contrasted or mimed. Second, the schemes established by ritualization are impressed upon participants as deriving from a reality beyond the activities of the group...Ritualization is, therefore, a type of creative socialization.” Catherine M Bell, “Ritual, Change, and Changing Rituals,” *Worship* 63, no. 1 (January 1, 1989): 31–41. See her seminal text *Ritual Theory, Ritual Practice* (New York: Oxford University Press, 1992) and her later expansion, *Ritual: Perspectives and Dimensions* (New York: Oxford University Press, 2009), for an extended treatment of this theory.

discourse for its affective power, then there too can exist a cultural situation which, while not directly causing guilt neurosis in all its subjects, nevertheless disposes them to suffer the general effects of a repressive sense of guilt. He terms this milieu a "collective neurosis," borrowing from Freud's use of the phrase to describe religion in general, and directly alludes to a general atmosphere of post-reformation Christianity, especially its Roman Catholic forms.<sup>291</sup> This general atmosphere, Vergote writes, "tends to overemphasize the importance of sin to the degree that many of its members exhibit psychological symptoms of obsessional neurosis."<sup>292</sup>

Contrasting such a milieu against the possibility of a religious culture that is predicated on and generally supports the harmonious interplay of a society of psychically healthy individuals, Vergote criticizes, on a psychological level, the harmful effects of "the religious and pathological deviations caused by a form of Christianity whose message becomes concentrated on the consciousness of sin and whose larger aims are reduced to the constant struggle against sin."<sup>293</sup>

In what follows, I will argue that the preconiliar confessional world of Roman Catholicism in the United States manifested a tendency toward a collective guilt neurosis. Even when the practice of juridical penance did not result directly in individual psychopathology, it

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<sup>291</sup> Vergote criticizes Freud's interpretation of religion on the grounds that he uses its pathological manifestations as representative of religion in general. While he gives a nod to the possibility of a healthy-minded religious outlook, Freud spends little time examining its conditions. See Antoine Vergote, "Religion after the Critique of Psychoanalysis: The Scope of Psychoanalysis", in *Psychoanalysis, Phenomenological Anthropology, and Religion*, eds. Jozef Corveleyn, and Dirk Hutsebaut (Leuven: Leuven University Press, 1998), 17-37. For a similar argument, see Ana-Maria Rizzuto, *The Birth of the Living God: A Psychoanalytic Study* (Chicago: University of Chicago Press, 1979).

<sup>292</sup> Antoine Vergote, *Guilt and Desire: Religious Attitudes and Their Pathological Derivatives* (New Haven: Yale University Press, 1988), 72.

<sup>293</sup> *Ibid.*

perpetuated a high degree of suspicion of human instincts and fear of sin. To understand why the practice of juridical penance flourished in this atmosphere, we must grasp how the development of religious obedience amidst the laity facilitated a strong relationship between the symbolic and structural power of the Catholic priesthood in the confessional and the moral codes and instruction that dominated the Catholic world.

Catholicism in the United States was marked early by a tension to negotiate between its European origins and pressures exerted by its new largely Protestant and egalitarian setting. Roman Catholicism in the United States has historically maintained lively and significant ties to Catholic life in France, Germany, and Rome, and events on the European continent made their effects abundantly known in the political and religious lives of Catholic parishes. Waves of immigrants brought with them memories and practices that found a new, if somewhat negotiated, home in an American Catholic culture that fought as hard to distinguish itself in the midst of a predominantly northern European Protestant milieu as it did to assimilate to the dominant values of the culture. Indeed, historian Jay P. Dolan argues that American Catholicism has been shaped by a conflict in its heart between the early success of Catholics in New England to develop a fairly egalitarian and republican model of Catholic parish life and the attempts of ultramontanist Catholics, largely French and Irish, to recenter and unify the American church through a monarchical view of the papacy, the bishops, and the priesthood.<sup>294</sup> The success of the latter movement, together with a thrust toward rigorist morality, significantly colored Roman Catholic parish life from the mid nineteenth century until the Second Vatican Council and is a key to understanding the significance of juridical penance in the life of the Catholic parish.

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<sup>294</sup> Dolan, *In Search of an American Catholicism*, 5ff.

### A. Catholic Formation, Communion, and Parish Life

Indeed, the parish was the center of American Catholicism, the locus of the struggles of immigrant and native Catholics alike to find a home between Rome and Protestant America. By the beginning of the nineteenth century, there were barely over a hundred Catholic parish churches in the United States.<sup>295</sup> By 1860, churches full of Irish and German immigrants spread throughout New England, then south and west into Kentucky, Ohio, and Tennessee, with over three million Catholics making it the largest Christian denomination in the United States.<sup>296</sup> Despite their numbers, Catholics did not perceive themselves to be in the majority. On the contrary, antebellum hostility for Catholic immigrants and their native counterparts spread throughout the country, prompting Roman Catholics to emphasize their differences and develop resources for maintaining their identity. The rhetoric of Catholic preaching and teaching during the late 19<sup>th</sup> century testifies to what historian Ann Taves describes as the "creation of an enclosed Catholic subculture" designed to defend itself "as a beleaguered minority banding together to protect itself from the attacks of its enemies."<sup>297</sup> The parish and the subculture that surrounded it was, for many Catholics, a haven in the midst of a resentment that was as much religious as it was political. But the parish also served as a base from which American Catholicism could begin a long process of negotiation with the wider public that viewed it with suspicion and contempt.<sup>298</sup>

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<sup>295</sup> Dolan, *In Search of an American Catholicism*, 29–30.

<sup>296</sup> *Ibid.*, 58.

<sup>297</sup> Ann Taves, *The Household of Faith: Roman Catholic Devotions in Mid-Nineteenth-Century America* (Notre Dame, Ind.: University of Notre Dame Press, 1986), 128

<sup>298</sup> This is the primary claim in Dolan's *In Search of American Catholicism*.



Forming the core of the parish base was the celebration of the Mass, whose primary agent was the parish priest. Intoned in Latin with only a modicum of active responses from the participating laity, the Mass as a complex whole signified for many Catholics the mystery of a God who saves people by providing them with a redemptive ritual and men to offer it on their behalf, a ritual that required little comprehension on their part for it to be effective. Belonging to the church of the priests and maintaining the lines of that belonging throughout the vicissitudes of daily life was the key to pleasing God and enjoying the eventual rewards of heaven. Numerous and diverse devotional practices inside and outside the parish grounds -- processions, praying the Rosary, novenas, to name just a few -- fostered an integration of faith into daily life and strengthened Catholics' sense of identity. But no ritual facilitated the connection between participation in the Mass and daily life as much as juridical penance.

Communion, receiving from the priest the consecrated body and blood of Jesus, was the fullest way of participating in the Mass. But for centuries communion had been reserved to the clergy, who were ritually obliged to receive, to those in vowed religious life, and to only the extremely pious and holy laity. The sense of mystery and holiness ascribed to the sacrament coextended with a sense that only the worthiest might approach without fear. To receive the benefits of the sacrament, according to the canons of the Council of Trent, it was enough to be in its presence with a living faith.<sup>299</sup>

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<sup>299</sup> Trent distinguished three ways of receiving communion. Sinners (those without faith or those receiving in an unworthy state) received only “sacramental” communion, the consecrated host bereft of any positive spiritual effects. The lay faithful majority received “spiritual” communion by being in the presence of the sacrament with an attitude of faith and reverence. A third minority received it both spiritually and sacramentally. See *Council of Trent: Decree on the Sacrament of the Eucharist*, session 13, ch. 8, DS 1648 in Catholic Church et al., *The Church Teaches; Documents of the Church in English Translation*. (St. Louis: B. Herder Book Co., 1955).

Thus, most Catholics, encouraged to view themselves with suspicion and the sacrament as reserved for the most pure, communed no more than once a year, an obligation laid down in 1215 by the Fourth Lateran Council. Those who did commune were obliged to go to confession. In the language of the Scholastics as taught to Catholics from grade school onward, no one conscious of a mortal sin dared, on pains of Hell, to receive communion, and only through the absolving powers of the priest could one be freed of mortal sin. Thus, the sacrament of confession served as the gateway to communion. So long as communion was portrayed as something for a spiritual elite, the numbers of Roman Catholics who made use of the sacrament remained relatively small.

The relative unpopularity of confession changed, however, with the success of a campaign for more frequent communion. Following a decree of Pope Leo XII that urged the Catholic faithful to communicate frequently, a campaign of Church leaders, associations, and education in the United States in the mid 19<sup>th</sup> century established weekly communion as the norm for the laity. The moral atmosphere around communion did not change so quickly, however. Frequent communion required frequent confession. Priests in the United States began to hear confessions at an unprecedented rate.

The confessional had long been a potent symbol in Roman Catholic culture, but it began to be charged with the experiential memories of generations of Catholics encouraged to confess monthly, if not more often. Even beyond the issue of mortal sin, long associated in the Catholic imagination with sexual desire, the willingness to go to confession itself served as a kind of moral barometer for one's worthiness to approach the communion rail. To refuse to go to confession, even if one was not conscious of mortal sin, suggested the possibility of a rebellious attitude toward the Church and thus toward God. In this way, then, a logic developed according

to which not going to confession became itself a sign of sin, perhaps *the* sign of sin in one's life, a refusal to submit one's desires to the power of the Church.

### B. Three Preoccupations in Pre-Vatican II American Catholicism

The confessional became for American Catholics in the late 19th and early 20<sup>th</sup> centuries a potent sign of the symbolic crux of their religious practice: the avoidance of personal sin in order to maintain a relationship to God and the Church constituted by obedience. The moral formation of the Catholic laity was an education in how to go to confession. The moral formation of the Catholic clergy largely dealt with the sacrament of penance, with how to function as a confessor. As I will argue below, the confessional infrastructure of the Catholic Church, initially developed to combat the evils of sin, eventually came to be of such significance that Catholics became dedicated to facilitating and maintaining the guilt that the confessional initially was designed to heal.

Not all of the Catholic world was dark. Devotions to the sacred heart of Jesus sought to remind people of the benevolent mercy of God. The cult of the Virgin Mary continuously brought a maternal love to bear on the sufferings and uncertainties of daily life. Immense work on behalf of the poor testified to a concern for the other, for a willingness to go beyond a mere religious individualism. But still, as I will show in this section, the dominant moral theology of the Catholic world, in the United States and elsewhere, was centered on the avoidance of personal sin. With the pressure to confess before receiving communion came the expectation that there must be something to confess, and it was the primary task of the Catholic laity to discover within themselves the signs of rebellion and to confess them.

The influence of the sacrament of penance on the moral formation of Roman Catholics in Europe and in the United States cannot be understated. Moral theologian John Mahoney

identifies three key preoccupations of a culture devoted to auricular confession: law, the individual, and sin. These preoccupations largely occluded the ability of the sacrament of penance to signify a life freed from the power of sin; on the contrary, the legalistic suspicion of the individual propensity to sin facilitated by confessional culture testified to the ongoing victory of death over life, evil over good, sin over redemption. As Mahoney explains, juridical penance and the moral theology that surrounded it "was itself heavily responsible for increasing men's weakness and moral apprehension, with the strong sense of sin and guilt which it so thoroughly strove to inculcate or reinforce, and the humiliations and punishments with which it drove its message home."<sup>300</sup> At the same time, the juridical vision and its practice solidified the relational lines that bound Roman Catholics to their parishes. Rigid moral codes provided a sense of objective certainty, a consciousness of the Church's place in the world, even as they frustrated any subjective grasp of what these codes meant beyond obedience and docility. Heightened focus on the individual, a trend by no means limited to Roman Catholics, increased the pressure. These three characteristics of preconciliar Catholic practice in America provide insight into the elements that structure the possibilities inherent to the juridical rite of penance.

#### *A Preoccupation with Law*

The language of law permeates the Christian moral tradition. Extending back at least as far as the Mosaic covenant established between God and Israel through the formation of the Torah, the notion of a divine law expresses at once God's gift and humanity's obligations, an ongoing dialectic between religion and politics expressed above all in the prophetic writings of the Hebrew Bible. Not only did the law provide prescriptive guidance in matters of life, it

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<sup>300</sup> John Mahoney, *The Making of Moral Theology: A Study of the Roman Catholic Tradition* (Oxford, OX; New York: Clarendon Press; Oxford University Press, 1987), 28.

provided above all a sense of identity, a relationship with God best described by the multivalent term *covenant*. For this reason, the Gospel writers were careful to portray Jesus as restoring and not negating the Law, as in Matthew, or as facilitating a distillation of the Law into a single new Commandment, as in John.<sup>301</sup> Early Christian disputes about the relationship between belonging to Christ and following the commandments, above all in Paul's letters to the Roman and Galatian Christians, testify to the ongoing importance of the law for emerging Christian communities, as well as for the slowly developing distinction between the eternal law of God and the temporal and legal regulations of human societies. This distinction, present in the works of Augustine and refined especially by medieval theologians, came to occupy enormous significance for Roman Catholic moral thought in modernity.

As a multifaceted and complex theological symbol, the language of law has afforded centuries of diverse and rich theological discussions of the precise relationship between God, creation, and humanity. However, a narrowing of this symbol into what we might term *legalism* as a specific way of thinking about the relationship between humans, their actions, and God is one of the distinguishing marks of early modern Catholic moral thinking. As Mahoney argues, "one of the major tendencies in the historical working out of moral theology has been to place a great emphasis on morality as the fulfilling of God's will as he legislates for his creatures."<sup>302</sup> For complex historical and theological reasons, one strand of moral theology proved more successful than others at finding ecclesial support in the post-Tridentine Roman Church. This strand was visible especially in the work of Peter Abelard, William of Occam, and central to the 15th

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<sup>301</sup> Matthew 5:17; John 13:34.

<sup>302</sup> Mahoney, *The Making of Moral Theology*, 225.

century conflict between Franciscan and Dominican theologians. It understands morality, the skillful and fruitful living of human life, in terms of strict obedience God's specified prescriptions. The embodiment of a moralistic and legalistic tradition in Catholic moral teaching and practice, above all in the formation of priests and the training of Catholics to go to confession, provided post-Tridentine Roman Catholicism with an understanding of the Christian life based almost entirely on notions of will, obedience, and power.

To understand the legalistic morality that would take potent shape in American confessional culture, it might help to use ethicist and practical theologian Don Browning's descriptive distinction between deontological and teleological ethics, spelled out in his *Religious Ethics and Pastoral Care* and developed out of categories common in philosophical ethics.<sup>303</sup> Teleological ethics, drawing on an understanding of the natural law developed by Thomas Aquinas as a set of principles whose source is in the intelligibility of God's character, regards the nonmoral value of certain goods as determinative of moral action.<sup>304</sup> Properly ethical acts, according to this understanding, are those which adequately move a person toward her or his flourishing by seeking the goods that are constituted by their complementarity with what it means to be human. These goods, discerned within the intelligible structures of reality itself, are not subject solely to the ethical agent's desire but rather determine the shape of that desire. Sin, according to a teleological ethic, involves acts or events that move the agent away from her or

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<sup>303</sup> To lay out these categories, Browning uses the work of American moral philosopher William Frankena. See William K Frankena, *Ethics* (Englewood Cliffs, N.J.: Prentice-Hall, 1973). For a similar approach, see James M Gustafson, *Protestant and Roman Catholic Ethics: Prospects for Rapprochement* (Chicago: University of Chicago Press, 1978).

<sup>304</sup> Don S Browning, *Religious Ethics and Pastoral Care* (Philadelphia: Fortress Press, 1983), 25.

his flourishing, which is understood as already determined by what humans are according to their created nature.

Deontological ethics, on the other hand, propose that the movement of the agent toward or away from nonmoral goods is immaterial, or at least insignificant, with regard to the ethical value of the agent's actions.<sup>305</sup> What determines the morality of an act is the intention of the agent and the conformity of the act to formal principles: that one should always tell the truth, or never take what does not belong to one, or never misuse the human sexual function. Because of the emphasis of this ethical tradition on the importance of the will, Roman Catholic moral theologians have preferred to name it voluntarism, an understanding of law "as primarily the expression of the will [*voluntas*] of the lawmaker to oblige his subjects to certain types of behavior."<sup>306</sup> Immorality, understood in terms of voluntarism, in the Roman Catholic tradition, or as deontological ethics, in the (Kantian and) Protestant tradition, is constituted by a breaking of universal commands, which are ultimately subject to the free and sovereign will of God.

In the emerging political arena of the European (and later, the American) nation-state, an understanding of sin in terms of law-breaking dominated Roman Catholic discourse. Drawing on the influence and meaningfulness of the political institutions built on these philosophical presuppositions, the concept of sin as law-breaking is thus embedded within a context of authority, power, and legal jurisdiction. Indeed, as immorality was fundamentally divorced from an intelligible system of moral reasoning that sought reasons for acting grounded in embodied human relationality, what counted as sin was determined not by the process of communal

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<sup>305</sup> Ibid., 26.

<sup>306</sup> Mahoney, *Making of Moral Theology*, 227.

reasoning but by hearing the Word of God and obeying.<sup>307</sup> To be sure, an emphasis on obedience was of paramount importance in a period of constant political unrest and violence. Sin language that appealed to the importance of law and order drew its rhetorical power from cultural and political upheaval, but embedded in this discourse are significant assumptions about the relationship of humans to one another and to God, assumptions that especially permeated the sacrament of confession.

### *A Preoccupation with Sin*

As a formal system of ethics, the post-Tridentine Catholic obsession with law suffered from its own theoretical and theological pitfalls, and these are amply documented in moral theological literature. But as contributing toward an attitude or a mentality, this obsession tended to portray sin, in Mahoney's words, "as above all a transgression of law" which "has inculcated concepts of divine justice and retribution, and of God himself, which have bitten deep into the spiritual lives of millions."<sup>308</sup> The voluntarist tradition of moral thinking in terms of obedience and law-breaking informed Roman Catholic depictions of sin in early modernity, and these tendencies were transplanted to North America as seminaries were created and immigrant parishes formed. Even as Catholic moral theology maintained a tenuous connection to the teleological precepts of the natural law, moral treatises and manuals of pastoral care for

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<sup>307</sup> The reasons for the gradual erosion of teleological ethics in the face of deontology are complicated. Mahoney locates it in the influence of the Spanish Jesuit theologian Francisco Suarez, whose emphasis on God's will as expressed specifically in the laws known through natural reasoning and divine revelation significantly shaped Catholic moral theology (ibid., 226). An alternative, or perhaps complementary, explanation might be suggested by cultural historian Jean Delumeau's *Sin and Fear: The Emergence of a Western Guilt Culture, 13th-18th Centuries* (New York: St. Martin's Press, 1990), which traces through sermon, art, and religious practice of Europe a growing internalization of the fear of death.

<sup>308</sup> Mahoney, *Making of Moral Theology*, 35.



confessors that produced careful accounts of appropriate moral guidelines and expectations showed evidence of voluntarist and legalistic thinking. Accompanying the emphasis of voluntarism on the salvific importance of conforming of the human will to the divine will was a general conviction about the weakness and corruptness of the human will itself.

Discussing the rhetorical and pastoral tactics of the Church in the context of European Catholicism, Taylor points out that the Roman clergy attempted to foster something that was never so emphasized because it was never so necessary to mobilize the Catholic faithful over against their Protestant counterparts: "a deep, personal, devotion to God (through Christ, or Mary) in (potentially) everyone."<sup>309</sup> However, while models of holiness, especially by means of depictions of the saints, were provided as positive motivation, the Catholic reform was more significantly marked by the appeal to fear of damnation.<sup>310</sup> For its own part, as Dolan shows, early American "enlightenment Catholicism," a generally optimistic and rationalist moral theology, was quickly displaced by the influences of first a French and later an Irish style of Catholicism that, despite their liturgical and devotional differences, were united by a common skepticism about human freedom and an emphasis on fear as a means of inciting moral obedience.<sup>311</sup> Despite maintaining a degree of separation from the Reformed and Puritan claims that Christians might achieve a positive assurance of their salvation, the pastoral ministries of the Roman Catholic Church in North America and Europe tended nevertheless to emphasize certain

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<sup>309</sup> Taylor, *A Secular Age*, 496.

<sup>310</sup> Taylor writes, "If the aim is not just to make certain forms of spirituality shine forth, and draw as many people as possible to them; if the goal is really to make everybody over (or everybody who is not heading for damnation), then perhaps the only way you can ever hope to produce this kind of mass movement is by leaning heavily on threat and fear." (497).

<sup>311</sup> Dolan, *In Search of an American Catholicism*, 39–40.

clearly understandable moral standards, not as "signs of election, but minimal conformity to the demands of God: the avoidance of mortal sin, or at least doing whatever is necessary to have these sins remitted."<sup>312</sup> Falling into mortal sin, understood to be a reasonably probable event for most normal Catholics, signified two things. Firstly, and more proximately, as I explained in my earlier discussion of the campaign for frequent communion, a person conscious of committing a mortal sin could not participate in sacramental communion. The moral reasoning made available to ordinary Catholics in the United States tended to emphasize the importance of doubt, not as a mitigating factor, but as an indicator that one really *ought* to confess. Thus, in the mind of the American Catholic, going to confession before going to communion was understood to be absolutely necessary, for to do otherwise was to commit the sin of presumption.

Secondly, and more remotely, sinning mortally placed one in a state of radical disobedience before God, such that one was assured of going to Hell were one to die before going to confession. Avoiding Hell as a penalty for mortal sin through obeying the moral law as communicated by the prescriptions of the Church constituted the main vocation of the Catholic, and it was an extraordinary person who sought a moral or spiritual world beyond conformity to the Church's ecclesial and ethical injunctions.<sup>313</sup> As Taylor wryly goes on to remark, "Without this [minimal conformity], you aren't even at the starting line, as it were, of this crucial journey. You are not in the game at all."

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<sup>312</sup> Taylor, *A Secular Age*, 497.

<sup>313</sup> Mahoney observes, "As a consequence of this commitment to spiritual pathology, the discipline of moral theology was to relinquish almost all consideration of the good in man to other branches of theology, notably to what became known as spiritual theology." This included all forms of pastoral care in parish contexts. See Mahoney, *Making of Moral Theology*, 27.

Minimal conformity to the Church's moral law involved what the Council of Trent termed an "integral confession," the complete identification of each mortal sin of which one was conscious, according to its category and the number of times it was committed. Catholics were taught from childhood that to omit a single mortal sin had the effect of rendering the confession null, and so the Church's pedagogical resources trained on raising Catholics who could easily categorize their actions according to a binary system of "grave" or "mortal" sins, which must be confessed, and "venial" sins, which might be confessed but did not have to be. This method of self-analysis portrayed the penitent's moral life not as a single narrative, unified by a dialectic of responsibility and unfreedom, and colored by particular tendencies, but rather an approach marked by discontinuity, "'freezing' the film in a jerky succession of individual 'stills' to be analysed, and ignoring the plot."<sup>314</sup> These freezes, furthermore, included not only sinful actions but also sinful thoughts, which could also be mortal. Moreover, the objective gravity of certain sins deemed by the Church to be mortal was sometimes opaque to Catholics themselves: does missing Mass on a Sunday really constitute a damnable offense? As Mahoney remarks, "in its attaching the element of sin so readily in the past to positive Church laws on frequently trivial matters as a sanction to their observance, it has only helped to devalue the currency, and done little to engender and foster a healthy respect for real sin."<sup>315</sup> By emphasizing the folly of attempting to decide these matters for oneself and retaining all authority to render judgment, the moral theological reasoning of American Catholicism, like its European counterpart, placed a moral burden on its own authority that could scarcely be borne.

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<sup>314</sup> Ibid., 31.

<sup>315</sup> Ibid., 32.

*A Preoccupation with Autonomy*

As is clear from the foregoing discussion of the preconciliar Church's preoccupation with sin, a corresponding preoccupation with the individual marked the confessional culture of the early 1900s. Because the chief goal of the Roman Catholic was to avoid mortal sin and thus to meet the bare requirements for Heaven (with an assumed and lengthy period spent in Purgatory), a concern for individual actions and their effect on the individual soul predominated in parish life. Moral self-policing was the preparative basis for confession and thus was necessary for communion and eventually eternal life.

But before moving on to note the ways in which sexuality became the target and the symbol for this constant surveillance, it is important to note, with Mahoney, that my emphasis on the Church's preoccupation with individualism should not overlook the important movements toward a collective and social understanding of morality present in the medieval concern for justice between individuals, in early modern moral theological discussions of property, human rights, and war, and especially in papal critiques of certain economic tendencies born out of the European industrial revolution, all of which set the scene for more robust discussions of structural sin in the second half of the twentieth century.<sup>316</sup> Nevertheless, as Mahoney notes, remaining tendencies toward individualism, especially concerning individual auricular confession, "is one reason why the Church's moral tradition has found it difficult to handle the idea of collective responsibility on a large scale."<sup>317</sup> Juridical penance offered individuals a way to make amends to God for the wrongs they perceived themselves of having committed, but no

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<sup>316</sup> *Ibid.*, 33-34.

<sup>317</sup> *Ibid.*, 34.

opportunities for more than one individual to participate in sacramental penance were in view, primarily because the moral theology of the Church emphasized the autonomy of the individual and the primary significance of her or his battle with sin.

Indeed, this is especially true in terms of the Church's rather infamous anxiety around matters of sexuality. Though he offers some speculation as to the causes of this focus, absent as it was for the most part throughout the pre-Reformation middle ages, Taylor confines himself to the observation that the arena of sexual desire became the playground of mortal sin to a far advanced degree than other kinds of sins:

[Y]ou could go quite far in being unjust and hard-hearted in your dealings with subordinates and others, without incurring the automatic exclusion you incur by sexual license. Sexual deviation, and not listening to the church, seemed to be the major domains where automatic excluders lurked. Sexual purity, along with obedience, were therefore given extraordinary salience.<sup>318</sup>

Taylor correctly identifies the explicitly sexual focus of the moral codes, made available to pastors through confessional manuals, which marked the Roman Catholic moral theological discourses predominant in Europe and North America.

Much of the extraordinary salience given to sexual matters stems from the position of preconiliar Catholic moral theology that sins against sexuality involve, to use a complicated moral theological phrase, "no parvity of matter."<sup>319</sup> This is what is meant by parvity of matter. In order for most sins to be considered mortal, three conditions must be fulfilled: the act itself must be objectively grave (not venial); the subject must know that what she or he is doing is, in fact, a serious sin; and the subject must intend to do what he or she is doing. If one of these conditions

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<sup>318</sup> *Ibid.*, 498.

<sup>319</sup> Curran, *Catholic Moral Theology in the United States*, 44.

is not met, the gravity of sin is mitigated. Not so, however, with sins against the Sixth Commandment. As moral theologian Charles Curran documents, Catholics were taught to assume that all instances of sexual pleasure committed outside the bounds of monogamous marriage, even those which take place in thought alone, constituted a mortal sin.<sup>320</sup> The dimensions of chastity, understood as the correct and moderated regulation of sexual desire and practice, was held to be the most important characteristic of Catholic holiness and was thus the playground of the devil. The surveillance and control of sexual desire offered to Catholics the central battle for their souls, and because each and every offense constituted grave sin, the sacrament of confession provided the only opportunity for purification, for starting over.

Thus, the moral theology supporting the system of juridical penance was predicated on the assumption of the autonomy of penitents that guaranteed *a priori*, their responsibility for excesses of desire in thought, word, and deed. Not only could the juridical system not envision collective actions of responsibility and penance, it was unable to account for the degree to which systemic conditions, both in terms of culture and of psyche, prevents penitents from exercising the sort of autonomy presupposed by the kind of moral theology taught to people in the pews. However, Catholic men and women did not seem to struggle primarily with deliberate acts of ill will and misdeeds done in complete autonomy. Rather, their sins were, for lack of a better word, messier.<sup>321</sup>

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<sup>320</sup> Ibid.

<sup>321</sup> As Mahoney is at pains to show throughout his work, moral theologians from Trent onward were well aware that human actions are by nature messy and difficult to parse. Hence the continuous disagreements that marked the field of moral theology. The issue, rather, is that this murkiness was lost as the complexity of academic moral theology about the human will was simplified first for seminary contexts and then even more in parish religious education, leading to the assumption that these matters were crystal clear for good obedient Catholics.

### C. Religious Obedience

As Taylor argues, the emphasis on sexuality likely contributed to the relative dearth of men in the confessional: the double presence of a celibate male authority and the necessity of speaking about "the most reserved and intimate facet of their lives" presented an almost insurmountable obstacle.<sup>322</sup> However, as I will go on to show below, Catholic moral theology's suspicion of sexuality was but the most visible symptom of a much deeper suspicion of human instinctuality itself. Thus, not only sexual desire but also impulses born of aggression fell under moral suspicion and censorship. Hence Taylor's singling out of both sexual disorder *and* refusal to listen to ecclesial authority as constitutive of an "automatic exclusion" from communion with the Church. Sexual conformity offered the readiest and visible occasion for practicing obedience to the lawful authority of the Church, but juridical confession was not directed solely toward the forgiveness of sexual sins. Rather, it offered the Catholic faithful a way to signify their belonging to the Church, a belonging whose proper and full celebration was sacramental communion.

In terms of personal religious practices, even the centuries-old practice of prayerfully discerning the movement of God's Spirit in the concrete flow of lived experience is appropriated within a surveilling and fearful logic: the examination of conscience comes to mean carefully tracking the transgressions of pleasure and desire according to a stringent moral code. Here a psychoanalytic lens becomes useful for understanding the links between morality as taught and morality as lived. Reminding his readers of "the record of a religious education that holds sexuality in abeyance, represses all violence, and exalts the idea of self-mastery," with specific references to the dangers of and risks associated with sexuality, Vergote traces the troublesome

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<sup>322</sup> Taylor, *A Secular Age*, 499.

effects of preconciliar Roman Catholic moral theological discourse on the individual psyches of Catholics, whether they were specifically neurotic or merely prevented from full participation in love, work, communication, or enjoyment: "This massive culpabilization of sexuality acts as a paradoxical double bind, producing doubt and anxiety if not genuine neurosis."<sup>323</sup> Failures to uphold the standards of absolute purity in the realm of the imagination, to say nothing of the realm of human action, incur the psychological equivalent of heavy taxation.

The benefit of this taxation, however, was the assurance of a place of belonging, of a home, constituted by the religious obligation felt, however obliquely, by nearly all American Roman Catholics before the Second Vatican Council. This obligation, a pressing and affective demand to conform, like all forms of obligation, confers on the obliged an identity and a place. As I sought to show in my brief description of Roman Catholic parish culture at the beginning of this chapter, the early Catholic experience in the United States was nothing if not determined by the need to create and maintain a familiar place in the midst of hostility and difference. The assurance that one is a Catholic, even if one is a bad Catholic, was, to borrow Catherine Bell's terminology, part of a *redemptive hegemony*, a "a construal of reality as ordered in such a way as to allow the actor some advantageous way of acting," constructed by the juridical penitential spaces of the Church.<sup>324</sup> A trade-off: guilt for belonging, and the same trade off that marks the formation of the ego in Freud's thought. To this trade off, and to the lived experience of guilt that marked the Roman Catholic juridical confessional, I now turn.

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<sup>323</sup> Vergote, *Guilt and Desire*, 73.

<sup>324</sup> Bell, *Ritual: Perspectives and Dimensions*, 81.



## II. Psychoanalysis and the Pressure to Confess

Juridical penance ritualized guilt, a particular and structured sense of fault that organized obligation and desire along oedipal lines of authority. This sense of fault has cultural roots in the correspondence of the paternal structure of the Church with the paternal structure of the family, leading to a ritual that involves with the penitent's sense of religious obligation as part of the way she inhabits the world, part of her natural landscape.

This sense of obligation tied the penitent to the Church in analogous ways that fear of failing one's parents ties children to the family, a mostly unconscious internalization of God together with Church and Church authority. God, for such penitents, is truly mediated by and contacted through the Church. This contact has imaginary power and significance and should not be overlooked – this is why Freud called religion a collective neurosis. Thus, I want to argue that the quick, in-and-out practice of confession worked because it allowed the penitent to discharge a debt incurred by compromising with her desires and her obligations: a sort of religious anxiety kept in place more by *not going* to confession.

### A. Obedience and Moral Identity

It seems clear from the foregoing description and analysis of preconciliar Catholic culture that a threefold preoccupation with law, with sin, and with the moral condition of the individual lends itself to a specific kind of religious suffering. This, at least, is Vergote's contention. Because Vergote understands life to be constituted by the meeting of guilt and desire, his theory seems particularly suited to an exploration of how Catholics ritualize sin, guilt, and forgiveness. For Vergote, the psychic dimensions of desire and debt are fundamental aspects of human subjectivity. By desire, he means, in my own loose terminology, the longing for satisfaction as it is structured and limited within language and culture. By debt, Vergote means the way that

relational obligations shape how we understand what we want and what we owe to others, constituting our dependence on the cultural and symbolic order for identity. Because I find the financial implications of the term *debt* to be distracting, I prefer to use the term *obligation*, which captures its psychic force without confusing us with notions of a quantified transaction.<sup>325</sup>

Vergote suggests that even when religious suffering is not acutely pathological, it has the effect of casting a generally disruptive and painful shadow over life. I am not concerned here with examining the causes of this culture: I have suggested, following Taylor, that it may be related to the need for American Catholics to mobilize around a common identity, and that an emphasis on the negative aspects of human morality proved to be more effective, in a pragmatic sense, for generations of Catholic religious instruction. It is impossible to tell whether other strategies might have proven more viable, or less harmful. It is enough for me to show that within this culture, Catholics experienced their faults generally along the lines of obedience and disobedience, and that obedience was linked closely in the Catholic mind with upholding a fairly specific moral code.

Because this moral code, or rather those with the responsibility for teaching it, tended to focus predominantly on the dangers of the misuse of human sexual faculties, the sense of fault engendered by transgressing it is quite similar, at least structurally, to the sense of fault traced along oedipal lines by Freud and his followers, which for the sake of parsimony I will term *guilt*. Thus, in this section I contend that the structuring of sexual desire according to the limitations

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<sup>325</sup> The influence of Jacques Lacan, under whom Vergote studied, is evident in his appeal to Lacan's distinction between the imaginary and symbolic orders as he makes his own interpretative return to Freud. For a discussion of Vergote's debt to Lacan, see Herman Westerink, *Controversy and Challenge: The Reception of Sigmund Freud's Psychoanalysis in German and Dutch-Speaking Theology and Religious Studies* (Wien; London: Lit, 2009).

provided by the child's obligations to her or his parents described by the Oedipal crisis has an analogue to the religious structuring of desire according to the limitations provided by the Catholic's obligations to the Church. In both cases, injunctions, "No's", constitute the subject's relationship with a source of ego strength, with her ego ideal -- with the parents and with God. These injunctions offer the subject a means of discovering and enacting responsibility, but because they involve the negotiation of desire within the network of obligations, they always invite the dangers of neurosis: obsession, legalism, perfectionism.

These injunctions, to be clear, are the necessary grounds for the formation of conscience and for moral identity. But the culture in which the "No" is uttered, the consequences of transgression hinted at or spoken outright, the problematization of the subject's desire itself instead of certain possibilities, all contain the seeds of pathology, in Vergote's terms. Unless the "No" is also a "Not yet," a refusal that simultaneously affirms what it refuses (that is, the subject's desire), it has the effect of shutting down desire completely.<sup>326</sup> In the sacrament of penance, then, the confession simply becomes the confession of desire itself as transgression: "I confess, Father, that I am a desiring body, and I recognize that in being what I am I have been disobedient." The ritual thus enacts the return to obedience, the desire to not desire, which is the masquerade of godhood itself. The temptation of hidden perfectionism haunts the confessional, as does a hidden legalism, the desire to secure the failed guarantee of parental authority in God.

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<sup>326</sup> Vergote writes that parental prohibitions that fail to legitimize desire can create a split in the subject between two egos: "the ego of desire without respect and the ego of reason without desire" that "impose themselves as the true ego." Here, "The two 'I's' must learn to die in order to surmount both the affective contagion of naturalism and the empty universalism of pure awareness. The "ethical 'I' is born of this double death." See Vergote, "Moral Law and Original Sin in the Light of Psychoanalysis," in *Psychoanalysis, Phenomenological Anthropology, and Religion*, 80-81.

## B. Desire and Transgression

The Freudian conflict between drive and morality as theorized by Vergote has an analogue to the conflict between sinful nature and the positive laws of the Church (morality) that was constitutive of Catholic culture. For this reason, the sense of fault, in all its varieties in the preconciliar age for American Catholics can be profitably interpreted according to the Oedipal crisis, which is precisely the scene of negotiation between the body's pulsions and the moral prohibitions of a cultural Catholicism.<sup>327</sup> The outcome of this situation is the guilty Catholic, the infamous Catholic guilt. The preconciliar Catholic can always go to confession, should always go to confession, because she is always and everywhere guilty.

What we have in the preconciliar Catholic world is a rather negative view of human aggression and desire on the one hand and a carefully structured, rational system of moral guidelines and positivist principles on the other. Thus, obedience to the moral law is constitutive of being, in the eyes of the Church and thus of God, in a state of moral purity. The sense of fault I am attempting to describe here might be likened to the sense that some (but not all) people have of having disappointed their parents. Fear of punishment gives way in this instance to a perception of the loss of the other's esteem and love; and because one has identified with that

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<sup>327</sup> Freud used the term *Trieb* to express “what the human subject involuntarily takes up before being conscious of it.” Vergote prefers to translate this somewhat confusing term as “pulsion” in order to capture the sense of *Trieb* as that within us that pushes us. Pulsions are not strictly biological processes, nor are they felt urges. Rather, they occupy a psychic space between biological agency and conscious awareness. As Vergote writes, “Through pulsions, human consciousness finds itself extended to the very dimensions of the universe such that human beings will only achieve peace if they reunite with this nature deep within themselves.” The reality of the psyche is one of Freud most important and confusing contributions. See Antoine Vergote, *In search of a philosophical anthropology: a compilation of essays* (Leuven: Leuven University Press, 1996), 178.

other, the loss of his or her love is experienced simultaneously as the loss of self-love. Guilt, in this analysis, is precisely a sense of loss accompanied by a desire to make recompense.

But in the preconciliar world, the things that constituted displeasing God were rather unrelated, at least in terms of perception, to the achievement of a reasonable level of human health. In other words, the moral law constituting the obedient subject is extrinsic to the principles that constitute the happy subject. Thus, obeying the Church's injunctions was given moral weight by the fear of Hell and the loss of God's love precisely because disobeying these prohibitions had no perceptible consequences on their own terms. Sin was a transgression against God's law as manifested by the Church, not, as later moral theologians would come to recognize, against the very principles (reasoned out in a communal tradition) that best fostered the personal and communal environment in which flourishing was made possible.

### **III. The Guilty Subjects of Juridical Penance**

After outlining some of the psychological dynamics that underlay the preconciliar Catholic world, I want to show how the preoccupations with law, sin, and the power of the individual will in the preconciliar Catholic world shaped expectations about the subjective dimension of the sacrament of penance: the idealized juridical penitent as rational, obedient, and autonomous. As a result, juridical penance rewards those who manifest these tendencies, but it does not seem to work for the ambivalent, the morally confused -- in short, most Catholics. The effect of these expectations, however, was to facilitate and maintain a constant anxiety in the face of confession and to promote an attitude of ambivalent obedience, such that normal Catholics confessed their sins because *not* to confess was implicitly to consent to disobedience. So long as Catholic identity, in terms of the ego-ideal, was bound up in the portrait of the ideal Catholic expected by parish confessional practice, Catholics confessed because not to confess was to, in

effect, quit trying. Confession, for pre-conciliar Roman Catholics, is the sacrament of the good-enough Catholic.

#### A. Ideal Penitents and the Ambiguity of the Will

For whom was the juridical approach to the sacrament of penance intended? The ritual form of confession as it was practiced throughout early American Catholicism, as operative within a heavily systematized moral framework and a religious climate of fear and suspicion of the instincts, presupposes an ideal penitent maximally disposed to benefit from the sacrament. To the degree that actual penitents approximated this ideal disposition and its attributes, they would receive, in the theological parlance of the time, the grace of the sacrament. Thus, a sketch of the ideal penitent in the juridical approach to penance sheds light on the anthropological assumptions at work in theological and ecclesial reflection on the subjective aspects of penance and reveals them to be tailored quite specifically to the sacrament, rather than the other way around. That is, the idealized penitent is ideal because this penitent justifies the practice of juridical penance. The concrete limitations of this idealized penitent with respect to counterclaims about the actual subjective position of American Catholic penitents reveal, conversely, the limitations on psychological and theological grounds of the juridical approach to the sacrament of penance.

Ideal penitents, according to the Tridentine model, are obedient, well catechized, and autonomous. First, they are obedient, recognizing that their happiness in this world and especially in the next depends on pleasing God. Aware that their knowledge of God's will comes primarily from the teaching of the Church, they are eager to obey the moral law as promulgated in pulpit and classroom as well as the more minor precepts governing worship and practice (like fasting on fast days and not participating in Protestant worship.) When such penitents sin, they are quick to despise themselves for their weakness and do not hesitate to confess their sins as

soon as possible. But indeed, such penitents already have the habit of confessing regularly, as the Church recommends.

Second, these penitents are well catechized. They know the Ten Commandments and the various ways of breaking them. They can parse the difference between a mortal and venial sin in practice. They understand that sexual desire poses the gravest threat to their relationship with God and recognize that they must avoid all possible sources of such temptation, for frequenting "occasions of sin" is itself a sin. They perceive the moral law as a fairly intelligible system and recognize that each choice they make is either for or against God. Because they are obedient, they always strive to make the right choice. Because they are well catechized, they intuitively grasp the connection between a particular moral precept and the good it is meant to protect and secure. For these penitents, there is no difference between violating their conscience and violating the laws of the Church, and in confessing specific sins, they clearly intend repentance and a reconfiguration of their desires.

Third, ideal penitents are autonomous, single-minded, not complex. They desire God above all things, and order the rest of their desires carefully according to the duties given by their state in life. When they sin, they suffer immediately from the knowledge that they have failed God; when they repent, they despise their sin and turn wholeheartedly back to God. These penitents do not make excuses for their sins and confess them clearly, honestly, with sorrow. Their sins are failures of willpower, and repentance is a matter of bringing themselves back into order.

Of course, this portrait is too neat, and it would be a serious error to suppose that any parish priest expected his parishioners to live up to this model. Moreover, the complex and ongoing moral controversies taking place between rigorist and laxist theologians demonstrate a

perhaps healthy degree of ambiguity about the human condition itself, its proneness to sin, and the relationship of the will to the intellect.<sup>328</sup> Nevertheless, the sophisticated analysis of moral theology became quite simplified in the discourse available to most ordinary Catholics, leading to an atmosphere of unspoken assumptions about what was *supposed to be* according to the Catholic view of things. Right and wrong were supposed to be clear distinctions. Catholics were supposed to feel terrible when they sinned and to feel good when they obeyed. Ambivalence about the teaching of the Church on any points was evidence of sinfulness and was to be distrusted, immediately confessed, forgotten about. The commonly held assumption that mortal sins were easy to commit and made one worthy of Hell led to the unspoken assumption that there was *supposed to be* some intuitive connection between the things that the Church called sinful and the pain of eternal loss. Guilt was a foretaste of Hell, the suffering due to sin. When Catholics experienced guilt feelings, they were to immediately seek out the act, in thought, word, or deed, responsible for the feeling. Confessing the act through the sacrament removed guilt feelings. If the guilt remained, it was evidence that the Catholic was not truly sorry.

For this reason, Freud's reflections on the genesis of guilt in the construction of the ego shed valuable light on the gap between what Catholics assumed ought to be the case and what actually was the case with respect to the relationship between their desires and their obligations. Indeed, the strength of Freud's argument rests in his recognition of the role that the *ought* plays in the creation of the *is* -- or, in other words, the influence of the superego on the ego.

The ideal penitent is, in many respects, analogous to the idealized child. Obedient, well-instructed in the rules of the household, and either a good child or a bad child (never an

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<sup>328</sup> C.f. Mahoney, *The Making of Moral Theology*, 139ff.



admixture of both). Freud's destruction of the myth of the idealized child thus provides an analogous critique of the myth of the ideal penitent, a critique which goes a long way in explaining the somewhat ambivalent attitude of Catholics to juridical penance even during its heyday. Freud's criticism provides a three-pronged challenge to the world of Catholic penance, corresponding to Catholic preoccupations with law, with sin, and with the individual will. First, Freud's suspicion toward the objective nature of human reason and his willingness to consider the hidden effects of desire on the rationalizing tendencies of the mind (the relationship between the pleasure principle and the reality principle) challenges the penchant for a simple set of moral principles that can clearly govern human moral actions. Second, Freud's discoveries about the omnipresence of human sexuality complicate the picture of sin as overtly sexual and raise questions about the value of demonizing the aggressive and sexual drives. Thirdly, the ramifications of Freud's theorizing about the unconscious and the inherent and permanent ambivalence in the roots of human desire complicate the emphasis on the power of the individual will in penitence.

#### B. Penitents, Desire, and the Law: Oedipal Reflections

As indicated above, the notion of law occupies a specific dimension in Roman Catholic life and thought. Conforming to the letter of the law, failing to follow it, or refusing to follow it, were seen as reflecting the actions of free and independent wills. In its obsession with the structure and regulation of the laws of the Church as expressions of the laws of God, however, the Church had not yet come to terms with the symbolic power of law as it relates to the formation of the Catholic subject. Before the law could serve the didactic function of providing specific direction and guidance in matters of everyday life, it had already played a key role in

how Catholics acquired an identity, and in acquiring this identity, how they related to their own desires.

To explain this, I rely primarily on Freud's insights into the formation of the ego as interpreted by Vergote. The Oedipal crisis and its resolution provide Freud with a viable metaphor for the child's acquisition of an identity, an acquisition that the child both receives and performs. Freud argued that the authority of the parents, before it possessed specific content (do this, don't do this), served the more primordial function of confronting the desires of the child with a prohibition. The Oedipal drama depicts the father as the instigator of the break in the libidinal union between the child and its mother. The father's law-like prohibition of the child's all-encompassing desire does deny any possible immediate resolution of the child's desire, but as it does so it also confers a recognition of the child as someone with an identity in its own right. Moreover, the successful resolution of the Oedipal drama does not result in a complete repression of desire, but instead its active and partial deferral. It is as if the prohibition says to the child, "You can not have what you want here and now, but somewhere and sometime in the future." In becoming an identity of its own, the child's initial desire is divided into what Vergote calls "a memory of paradise lost" and "a project of happiness to be realized."<sup>329</sup> This division "makes the child capable of encountering the other in truth and of responding to his desire polarized toward the other. This cleavage effects the distance in the present and makes the distance an active presence."<sup>330</sup> More importantly, in acquiring the ability to defer desire through

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<sup>329</sup> Vergote, "Moral Law and Original Sin," 79.

<sup>330</sup> Ibid.

the internalization of the law, the child can create a space for others free of the immediate demands of desire.

The parental "No" creates a crisis in which the child may learn to recognize the other as other. At the same time, this "No" must also be a "But someday" or it risks proclaiming the illegitimacy of the child's desire in the face of a purely arbitrary refusal.<sup>331</sup> In other words, the parental prohibition must not only be motivated by but communicate respect and concern for the critical exigency of desire at work in the child or it risks, in Vergote's words, a split in the subject between two senses of identity, "the ego of desire without respect and the ego of reason without desire," which battle for mastery within the subject, for the subject is unconsciously bound up in the erroneous assumption that she or he must choose between them. The possibility of the ethical subject, Vergote explains, depends on the successful mediation of this conflict: respect for the affective bond that links the subject, through her or his desire, to the other, and respect for the law that provides the other with the space in which to emerge. Neurosis, on the other hand, results from a situation in which the exigencies of desire are granted no legitimacy or where rejection of prohibition removes all safeguards around the identity of the other.

To bring this analysis to bear on juridical penance, I return to the preoccupation with law that dominated the juridical attitude. The effect of an emphasis on obedience to the positive moral law as promulgated by the teaching authority of the Church was to cultivate and maintain

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<sup>331</sup> Indeed, one of Vergote's major criticisms of Freud's depiction of the Oedipal myth concerns his inability to conceive of a moderate and deferring form of prohibition. Because Freud identifies the primordial Oedipal situation as the origin of ethical reasoning itself, the primordial father can have no ethical motive for conferring upon his sons a prohibition. The "No" of the primordial father, in this sense, has no legitimacy or illegitimacy. But because of this, Freud cannot explain why the sons experience guilt over their patricide. See Vergote, "Religion after Psychoanalysis," 32ff.

in the Catholic faithful a division between reason, specifically the reasoning power of the Church as divinely inspired, and desire, specifically understood in terms of concupiscence. The homiletic and pedagogical use of fear through cultivating an imaginative appreciation for the pains of Purgatory and above all Hell elevated the law's association with arbitrary force over respect. The ease with which it was possible to violate the positive laws of the Church were evidence enough to the faithful of the supposed illegitimacy of their everyday desires, and the opacity of these laws themselves proved the failure of reason that made the faithful dependent on the inspired Church for guidance. Catholic subjects were thus caught in a double bind, taught to trust neither their own reason, nor their desires, but to confirm their "wills" (a problematic entity in itself, which I discuss below) to the benevolent authority of the Church.

This oedipal analogy allows us to see that the emphasis on legal prohibition to the detriment of a recognition of the goodness of desire made it difficult for Catholics to develop the capacity for truly ethical reasoning. The Church as paternal authority provided conditions for purity based primarily on the avoidance of desire. But, as I indicated above, individual neurosis is not the only, or even primary, result of a juridical mindset whose privileging of a legalistic style of moral reasoning leads to the suppression of the legitimacy of desire. The great majority of the Catholic faithful, those who made fairly regular use of the juridical approach to penance, were not, in fact, neurotic. Though juridical penance's preoccupation with law surely supported Catholics suffering from guilt neurosis, its more general effect was to cultivate a wider malaise with respect to the very possibility of achieving and maintaining moral purity. This work was left largely to priests, to those in religious life, and perhaps to the religiously inclined and pious laypersons. Those who did seek moral purity had to deal with the vicissitudes of perfectionism

and moral rigorism; whatever theoretical and objective status they attained was bought at the cost of tremendous psychological conflict.

To make this clearer, we might see a certain parallel between the moral theology informing juridical penance and what Bernard Lonergan identified as a decadent Scholasticism governing Roman Catholic theological thought.<sup>332</sup> However correct the theological conclusions of the Scholastic manuals, their transmission to the faithful was not in terms of conveying a style of theological reasoning but in establishing the correct truths to be believed.<sup>333</sup> Likewise, even if the prescriptions of the moral manuals were the solid results of careful moral theological casuistry, the communication of this moral system to ordinary Catholics presented these prescriptions as though they were handed down in their present intelligible form by God, such that any difficulties in following them reflected solely the recipients moral weakness. In essence, their content hardly mattered: emphasis was on obedience to the Church's positive laws, not on the internalization of a style of moral reasoning that could carefully mediate between moral theological tradition and the concrete situation.

Not all ordinary Catholics can be moral theologians, and no political entity can do without positive laws. My point, however, is that the effect of moral theology's preoccupation with law, together with its emphasis on human sinfulness, was to secure obedience to the Church's teaching authority as constitutive of belonging. To return to the oedipal metaphor, the faithful largely received the moral teachings of the Church in their prohibitive, lawlike character: a resounding "No," with few signs of a "Not yet." Indeed, especially with regard to sexual

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<sup>332</sup> Lonergan, *Method in Theology*, 80.

<sup>333</sup> C.f. Mark D Jordan, *Rewritten Theology: Aquinas after His Readers* (Malden, MA; Oxford: Blackwell Pub., 2006).

matters, the aura of prohibition extended past the act into the interiority of penitents themselves: inappropriate sexual acts, thoughts, wishes, potentialities were all matter of the gravest kind. A small and simple step, then, to Taylor's insight into the link between sexual sin, disobedience, and exclusion: the prohibition of desire itself, libidinal desire especially, but also aggressive desire. These desires signaled the resistance to law that marked the Catholic subject as sinful, and aroused with them a corresponding fear of a punishment fitting for a minority population in search for a secure base: the punishment of isolation, Hell, the fragmentation of identity.

But, following Freud, this fear of punishment, however public its images in preaching and pedagogy, ran in tandem with a desire for punishment that would reconstitute the disobedient Catholic subject as once again good-enough. Indeed, one of the definitions Freud offers for guilt is that of the unconscious desire for punishment.<sup>334</sup> His point means that the punitive nature of the superego, as the internalized parental authority (and here, the internalized paternal authority of holy “Mother” Church), draws its power from the penitent's need to belong to the Church, or in Freud's language, the penitent's need for the Church's love.

### C. The Pressure to Not Have Not Confessed

It bears repeating that while it cannot be maintained that the common practice of juridical penance in preconciliar American Catholicism led to widespread individual neurosis among Catholics, it quite certainly contributed to an atmosphere in which psychic equilibrium was purchased at the cost of what might be termed affective spiritual authenticity, or the ability to incorporate, in an ongoing and enriching way, the values and disvalues manifested in the flow of experience according to a Christian symbolic. For the most part, it would seem that ordinary

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<sup>334</sup> Sigmund Freud, *Civilization and Its Discontents* (New York: W.W. Norton, 1962), 70.

Catholics were aware of this. By and large, American Catholics did not fling themselves into the confessional at every available opportunity, but rather fulfilled the basic injunction of Church teaching, which was to confess at least once a year. Mission preachers, capable of arousing high levels of religious sentiment in its positive and negative variety, doubtlessly created situations in which Catholics exceeded their Easter duty -- but such missions rely on providing out of the ordinary, special encounters with God, encounters that demand some sort of personal response.<sup>335</sup>

True, in times of great distress and personal turmoil, individuals were prone to seek the confessional, to confess their sins, to seek a new beginning. But again, such opportunities for a new beginning do not typically arise out of scrupulously attending to the prescriptions of the Church's positive law but in what seems to be a spontaneous confluence of sensed personal failure and the desire to maintain, even recreate, one's connection to one's origins. Thus, I argue that the sense of fault that the widespread practice of juridical penance cultivated was not based on an individualistic regard for upholding the law as constitutive of one's self-worth, something like a strong and moralistic ego, but rather a regard for belonging as a good Catholic to the Church as a local and communal body. Put more simply, ordinary Catholics went to confession primarily because the cost of *not* going to confession was too high, and only secondarily because they were overly concerned with having committed this or that sin. Being a good Catholic -- meaning in this context, good enough -- involved the performance of one's obediencial belonging through the sacrament of confession.

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<sup>335</sup> James O'Toole reminds his readers frequently in his thorough analysis of confessional data that a great many of his sources relied on mission preachers and not on week-to-week parish confessions. O'Toole, *Habits of Devotion*, 139.

To return to the historical sketch provided at the beginning of this chapter, it makes sense that for American Catholics, the widespread juridical penance practiced before the Second Vatican Council was chiefly about maintaining one's connection to the Church through a performance of obedience that reconstituted them as good-enough-to-belong. Catholic parishes were themselves centers of political identity, havens during a time of widespread social hostility toward those who did not fit the image of the white English-speaking Protestant. The program of frequent communion enhanced the Eucharistic locus of parish life, but for the Catholic faithful full participation in communion only increased the stakes around moral purity: being a good-enough Catholic now had a liturgical reward. As we shall see in the next chapter, after the publication of *Humanae vitae* the reward stayed the same, but the conditions for being a good-enough Catholic shifted radically.

However, if juridical penance was the Catholic penitent's performance of obedience, the audience of this performance was not the confessor, but the penitent. Without intending here a psychological reductionism, I argue that even if penitents thought of God as their primary audience, their interaction with God was still mediated by and located within the dialectic of their prohibited desires and their obligations to the Church's positive laws. The efficacy of the juridical rite of penance revolved around the two elements of verbal and integral confession and absolution, as John Paul II indicated. But for ordinary penitents, the achievement of juridical penance was in mustering the will to confess, to overcome the reluctance that spelled disobedience. Worse than any actual sin was the refusal to confess sin itself. This, then, is the infamous "Catholic guilt" at work: Catholics confessed because they were guilty, but they were not guilty because they sinned in this or that way, but because their very constitution as desiring subjects demonstrated a resistance to law that the juridical culture associated with sin. Absolution



was not the removal of guilt, for this did not disappear, but rather the removal of the condition of having not confessed, that is, of disobedience.

With Vergote, then, I argue that guilt is ineluctable in the formation of the Catholic subject, for guilt is the psychically structured mediation of desire and the obligations that defer it. In the climate of collective guilt that characterized the preconciliar parish, the strong suspicions around sexual desire did not scare ordinary Catholics into a state of chastity but rather produced a state of heightened anxiety as the cost of belonging to the Church. Catholics sinned, and sinned frequently. The confessional data we do have from the time period reveals that the sins commonly confessed were ordinary, often sexual in nature, and habitual.<sup>336</sup> For most Catholics, juridical penance did not, in its structure, provide a setting conducive to true repentance, if by that we mean the cessation of specific sins. Rather, it provided the means to maintain a good-enough conscience before a God whose standards were impossibly high but whose benevolence allowed obedience to substitute for purity. Juridical penance, as sacramental theologians like Hellwig have pointed out, did not facilitate conversion for the majority of the Roman Catholics who practiced.<sup>337</sup> Rather, it facilitated the ongoing maintenance of a felt sense of belonging, constituted by performative obedience before the positive laws of the Church.

The foregoing argument does not deny that there were individuals whose use of juridical penance facilitated authentic conversion. Confessors welcomed the respite of a penitent with a well-formed conscience who evinced sorrow for specific wrongs done, on the basis of the harm these wrongs caused to others and to the self proximately, and to the penitent's perceived

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<sup>336</sup> O'Toole, *Habits of Devotion*, 131-186.

<sup>337</sup> Hellwig, *Sign of Reconciliation and Conversion*, 109.

relationship with God remotely. The sense of fault motivating the confession of ideal penitents surpasses the anxiety of the threat to connection and belonging that breaking the laws of the Church arouses in the lives of ordinary Catholics. But this sense of fault, based on the recognition that desire exceeded the bounds of the penitent's obligation to the other, already approaches the contrition of which St. Thomas and the other medieval theologians spoke, the love of neighbor that is at the same time the love of God, and thus has already secured for the penitent the reparative bond that was broken in her or his sin. When belonging to the Church is constitutive of the moral identity of such ideal penitents, sacramental confession is a logical necessity, but the paradox noted and never fully resolved in St. Thomas's sacramental theology still remain effective: the contrition that motivates the ideal penitent to confess is already itself God's forgiving activity as awaiting full expressive intelligibility.

By all accounts, such penitents were a rarity in the preconiliar world. As I shall argue in the next chapter, the tremendous disappearance of penitents following the promulgation of *Humanae vitae* is our best evidence that several generations of juridical penance provided an inadequate substitute for what Lonergan terms authentic moral conversion, the movement from predicating decision on potential satisfactions and dissatisfactions to predicating decisions on potential value and devalue. Value and devalue had little place in an atmosphere concerned chiefly with the approximation of desire to the positive commands of a moral law through the instrumentality of the will. At best, for most Catholics, only compromise was possible.

#### **IV. Conclusion**

Juridical penance designates a form of penance whose efficacy is guaranteed by the form of the ritual itself. When a priest with orders to absolve hears the integral confession of a baptized sinner who is sorry for the sins she names, that priest's absolution effects the

forgiveness of sins. While penitents' full confessions and their sorrow are understood to be essential elements in juridical penance, without which no sacrament can occur, still the emphasis is on the power of the minister to absolve.

That generally few Catholics make use of juridical penance should not surprise us. The ritual is archaic; it depends on what many consider to be outdated understandings of personal sin and clerical authority. Instead, what is noteworthy is the fact that some Catholics do still make regular use of this form of penance. These Catholics do not have the support of a cultural system in which frequent confession is encouraged. They do not participate in liturgical worship that readily links itself to the practice of sacramental confession. That an American Catholic would choose to take part in juridical confession signifies a particular constellation of theological, psychological, and cultural elements that together make the ritual something that, in some way or another, "works" for the penitent. This chapter is concerned with analyzing how juridical penance made sense in preconciliar American Catholicism, with what had to be true of a penitent for a brief ritual confession of sins and an equally brief formula of absolution to secure what can be loosely, if too ambiguously, an experience of divine forgiveness.

As I have shown above, the preconciliar approach to ritual penance, which I term the juridical approach, works when it is constituted by the interaction of specific ritually structuring symbols with a guilt constituted within an oedipally structured relationship between penitent and Church authority. The theological symbols that belong to juridical confession mediate the Christian drama along the lines of obedience and disobedience, or perhaps better, the Christian life as constituted by the recognition of God's authority as mediated by the official structures of the Church. Oedipal guilt describes the subjective sense of fault that most easily appropriates these symbols, for it already configures fault along the lines of oedipal and hierarchical authority.

When these lines become fragmented, as I will discuss in the next chapter, a different sense of fault arises, with different opportunities for restoring lost connections. But *prima facie*, juridical penance is about restoring a connection, with God through the Church, perceived to be lost through one's breaking of authoritative rules -- that is, through disobedience.

## CHAPTER 4

### THE COLLAPSE OF CONFESSION AND THE TRANSFORMATION OF CATHOLIC GUILT

Among the many changes that rocked the Catholic world after the Second Vatican Council, perhaps none reveals the radical shift in the laity's relationship to clerical authority so well as the collapse of sacramental confession after 1968. The immediate decline of this formerly widespread practice pointed forward to a new set of attitudes of Catholics with respect to what we might term the penitential dimension of Roman Catholicism, and it pointed backward towards that gradual erosion of hierarchical moral authority of which the collapse was a historical monument.

Judging from rates of participation in the sacrament of reconciliation, Catholics have withdrawn almost entirely from the penitential dimension of the Church as embodied in the practice of individual confession. As I discussed in the first and second chapters, this withdrawal was the occasion of the 1983 synod of bishops convened by Pope John Paul II, culminating in the apostolic exhortation *Reconciliation and penance*. In 1990, the National Conference of Catholic Bishops issued a study document confirming that no improvements had been made to the rate at which American Catholics were confessing.<sup>338</sup> More recent surveys confirm the trend. According to a series of studies conducted in 2008 at Georgetown University by the Center for

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<sup>338</sup> Catholic Church, National Conference of Catholic Bishops, and Bishops' Committee for Pastoral Research and Practices, *Reflections on the Sacrament of Penance in Catholic Life Today: A Study Document* (Washington, D.C.: United States Catholic Conference, 1990).

Applied Research in the Apostolate (CARA), only a quarter of American Catholics report that they go to confession at least once a year.<sup>339</sup> Forty percent of those who do go to confession regularly grew up in the years before the Second Vatican Council. Half of all Catholics surveyed, regardless of whether they report going to confession once a week or almost never, believe that it is not necessary to go to confession to be a “good Catholic.”<sup>340</sup> Compared to the consistent and lengthy lines of penitents outside of the confessional in the century leading up to Vatican II, this change is striking.

While the portrait of preconciliar Catholic ritual participation was never as seamless as it sometimes was portrayed in Catholic literature, preaching, and education, the changes in the last fifty years of Roman Catholic practice demonstrate a profound and irrevocable fracturing of the authority of the Church hierarchy, from the trustworthiness of the local pastor to the credibility of the pontificate. While no single cause can be responsible for such drastic institutional shifts, the publication of *Humanae vitae*, Pope Paul VI's encyclical on the regulation of parenthood, in 1968 marks for many theologians and historians the decisive turning point for the laity.

With respect to wider American culture, however, the rejection of *Humanae vitae* as an authoritative teaching was not an anomalous event. Rather, it corresponded with a wider cultural resistance to traditional forms of authority, a movement toward what Charles Taylor calls a widespread and expressive individualism, and a revised notion of Catholic-American identity, all within an emerging global capitalism and the advertising machine that spread its good news

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<sup>339</sup> M. M. Gray and P. M. Perl, *Sacraments Today: Belief and Practice among US Catholics*. (Washington DC: Center for Applied Research in the Apostolate at Georgetown University, 2008), <http://cara.georgetown.edu/sacramentsreport.pdf>, 5.

<sup>340</sup> *Ibid.*, 61.

across America and the world. At the same time, traditional religious institutions witnessed an overall weakening of a sense of “religious obligation,” a general cultural decline in commitment to the beliefs and practices that had shaped American religious traditions.<sup>341</sup>

Many historians and theologians have already documented these shifts, though not always with attention to their psychological correlates. The emerging popularity of various modes of psychotherapy, and especially the language of these therapies, testified to a predominance of personal struggles with emptiness, inauthenticity, and inadequacy. As sociologist Philip Rieff has argued, therapeutic language shaped the imaginations of the American public, even among those who never went to therapy.<sup>342</sup> Terming this development, and the text exploring it, the “triumph of the therapeutic,” Rieff believed that Freud’s analytic explorations paved the way for a tragic loss of community through a individualistic and therapeutic “detachment” from all symbols that value something beyond the self.<sup>343</sup> While I do not share his sense of overt loss, as I hope the portrait I painted of early American Catholicism in

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<sup>341</sup> While Charles Taylor outlines this shift in *The Secular Age* from a cultural and philosophical perspective, Vergote provides a dense psychological profile of the diminishment of religious obligation in *Religion, Belief and Unbelief* (Leuven; Amsterdam: Leuven University Press; Rodopi, 1997).

<sup>342</sup> See Philip Rieff, *The Triumph of the Therapeutic: Uses of Faith after Freud*. (New York: Harper & Row, 1966).

<sup>343</sup> For instance, Rieff writes, “The modern therapeutic idea is to empty those meanings that link the individual to dying worlds by assents of faith for which his analytic reason tells him he is not truly responsible” (Ibid., 65.) I agree with his depiction of the therapeutic idea, with the crucial caveat that these meanings are emptied *in order to be refilled*. The emptying and refilling activity to which psychotherapy is committed is not in principle hostile to participation in Catholic religious practice. On the contrary, though I cannot explore this at length here, it has an important relationship to similar practices that show up throughout Catholic traditions of spirituality.

the last chapter demonstrated, I do think he accurately perceives the shift to a psychologized sense of interiority and some of the dangers this shift poses to communal life.

Catholics working in pastoral and psychological fields in university, seminary, clinical, and parish settings had long been following the psychoanalytic debates about the psychological subject and its relationship to culture beginning as far back as Freud. However, unlike the field of Protestant pastoral care, whose theorists reflected extensively on the use of psychological ideas in pastoral settings even while these ideas were being implemented, the practical convergence of psychoanalysis and Catholicism has received only a modicum of theoretical reflection. This is a story that has only recently begun to be studied in its historical entirety.<sup>344</sup> During the period of postwar crisis, as historian Robert Kugelmann has recently pointed out in his work on Catholicism and psychology, the Neo-Scholastic hold on Catholic theorizing of the psychological subject loosened, allowing Catholic psychologists to interact more broadly with humanistic psychology, especially the non-directive approach of mid-twentieth-century client-centered psychologist Carl Rogers.<sup>345</sup> While Kugelmann provides a sweeping and accurate account of the incorporation of humanistic psychological ideas into Catholic theological and philosophical conversations, the implications of the popularity of these psychologies for postwar Catholic parish culture have yet to be fully explored.<sup>346</sup>

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<sup>344</sup> See Robert Kugelmann, *Psychology and Catholicism: Contested Boundaries* (Cambridge: Cambridge University Press, 2011). Kugelmann builds on the work of C. Kevin Gillespie, *Psychology and American Catholicism: From Confession to Therapy?* (New York: Crossroad Pub., 2001). For a more strictly psychoanalytic take, see W. W. Meissner, *Psychoanalysis and Religious Experience* (New Haven: Yale University Press, 1984).

<sup>345</sup> Kugelmann, *Psychology and Catholicism*, 306–310.

<sup>346</sup> For instance, psychoanalytic and cultural thinkers like Philip Rieff, Philip Cushman, and Jeremy Carrette have explored the general effects of psychological discourse on the cultural construction of the late modern subject, though it remains unclear how these effects apply



In Protestant ecclesial and scholarly circles, these grounds are well trod. Pastoral theologians like Don Browning, Bonnie J. Miller-McLemore, and Barbara J. McClure have produced penetrating analyses of both the adequacy and the effects of the modern psychologies on the field of pastoral care and counseling. For instance, Browning's *Religious Thought and the Modern Psychologies* takes a careful look at the different psychological approaches that have dominated modern pastoral care, lifting up their unexamined moral and theological assumptions about persons and societies.<sup>347</sup> Miller-McLemore uses theological and psychological resources throughout her work to investigate the political and communal implications of human practices involved in motherhood, for instance, academic scholarship, and even dying.<sup>348</sup> And like Miller-McLemore, McClure calls for a renewal of traditional theological understandings of sin, arguing that past conceptions of this complicated concept in the practice of pastoral care and counseling have ignored and even facilitated forms of political oppression.<sup>349</sup> Each of scholars provides numerous examples cultural analysis that uses psychological reasoning and models to find theological value in local, not idealized, human experience. But, as I argued in Chapter 2,

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specifically to American Catholics. See Jeremy R Carrette, *Religion and Critical Psychology: Religious Experience in the Knowledge Economy* (London; New York: Routledge, 2007); Philip Cushman, *Constructing the Self, Constructing America: A Cultural History of Psychotherapy* (Boston, Mass.: Addison-Wesley Pub., 1995); and Philip Rieff, *The Triumph of the Therapeutic; Uses of Faith after Freud*. (New York: Harper & Row, 1966).

<sup>347</sup> Don S Browning, *Religious Thought and the Modern Psychologies: A Critical Conversation in the Theology of Culture* (Philadelphia, PA: Fortress Press, 1987).

<sup>348</sup> See Bonnie J Miller-McLemore, *Death, Sin, and the Moral Life: Contemporary Cultural Interpretations of Death* (Atlanta, Ga.: Scholars Press, 1988); *Also a Mother: Work and Family as Theological Dilemma* (Nashville: Abingdon Press, 1994); and especially "Feminist Studies in Psychology: A Resource," *Christian Theology in Practice: Discovering a Discipline* (Grand Rapids, Mich.: W.B. Eerdmans Pub. Co., 2012), 255-285

<sup>349</sup> McClure, *Moving beyond Individualism*, 231.

Catholic parish culture and practices of pastoral care have largely been neglected from such a perspective, including and especially practices of penance.<sup>350</sup>

For two centuries American Catholics had met their social and psychological need for recognition by upholding the conditions of obedience discussed at length in the last chapter. A pointed and obediential guilt has diffused into a more ambiguous sense of fault, a sense of one's life as a whole, perceived not in terms of specific moral acts but in categories like conformity and spontaneity, authenticity and depletion. The language of traditional confession could not express these perceptions, and in the face of the Church's diminishing authority the laity no longer felt an obligation to go to confession. The crucial question, to which the Church offered no satisfactory answer, was simple: "Why would I *want* to go to confession?" An adequate answer to this question needs to pay attention to its psychological dimensions, to the experiences of fault that contemporary lay Catholics might want to express. Like Chapter 3, this chapter is concerned with articulating the psychological dimensions of the Catholic practice of sacramental penance. However, for reasons that will become clear below, here I am using critical psychoanalytic analysis to explore the practice of *not* going to confession anymore, providing a psychological portrait of the majority of Catholics who rarely if ever go to confession. These are the Catholics to whom other models of penance, which I will explore in Chapter 5, must be addressed.

In this chapter, I use the psychological theories of Heinz Kohut and D.W. Winnicott, supplemented by the critical analysis of Jessica Benjamin, to argue that the cultural and social

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<sup>350</sup> Bruce Morrill's use of cultural anthropological insights to examine the sacrament of anointing is a noteworthy exception to this trend. See Bruce T Morrill, *Divine Worship and Human Healing: Liturgical Theology at the Margins of Life and Death*. (Collegeville, Minn.: Liturgical Press, 2009).

changes in the middle of the 20<sup>th</sup> century made it difficult, if not impossible, for Catholics to articulate and place guilt feelings within the traditional moral framework of the Church. Both prominent writers and theorists in clinical spheres, Kohut and Winnicott each developed significant innovations on the structural model of the self articulated by psychoanalysts in the tradition of Freud, and their work presents us with two fertile ways to understand the reformulation of Catholic moral subjectivity in the mid-20<sup>th</sup> century and its effects on individual rituals of confession.

In the first part of this chapter, I take a look at the ecclesial changes that took place throughout the 1960s, especially in light of the Second Vatican Council. The liturgical changes promulgated at Vatican II generated among the laity the notion of a Church that could not only change but might also err. I then interpret the effects of these changes on the laity using the psychoanalytic theories of Kohut, arguing that the culturally constituted oedipal structures in which guilt arises were challenged in both Church and society, leading to different configurations of the self as well as unfamiliar psychopathologies. Catholics ceased to identify with the Church according to the oedipal model of parental authority. Without this authority, the Church's moral teaching ceases to command the fear and respect of the laity. As I showed in Chapter 3, an obediential fear and respect constituted Catholic guilt, and so the diminishment of these psychological and relational ties to Church authority effected the prevalence among the laity of what I term a pre-oedipal sense of fault, a less articulable perception of one's value to oneself and to others within the emotionally charged context of one's relationships.

Then, in the second part of this chapter, I turn to the social and cultural upheavals taking place in the mid-19<sup>th</sup> century landscape of Catholicism, showing that as Catholics experienced wider acceptance in American society, the need for strong cultural ties to a single parish

diminished. Anti-institutional cultural trends throughout the second half of the 20<sup>th</sup> century that privileged spontaneity over conformity supported an idea, popular within the work of Catholic spiritual writers and popular theologians, that the truest self is the one freest from social pressures, even and especially including religious obligations to the Church. Winnicott's exploration of the difference between true and false selves demonstrates some of the psychological insights that arise from this trend, and we can see them verified, for instance, in the laity's rejection of the Church's prohibition of contraception. The laity's rejection of *Humanae vitae* marked the emergence of a "private" sphere in the lives of lay Catholics within which Church authority is itself not recognized, but which is the context for the experience of preoedipal guilt, precisely what the sacrament of penance is meant to, but cannot in its current practice, ritualize.

Finally, supplementing Winnicott's investigations into the formation of guilt in early childhood development with feminist psychoanalyst Jessica Benjamin's attention to wider dynamics of gender and culture, the third part of this chapter explores the implications of the shift from oedipal to pre-oedipal guilt, as I attempt to formulate the conditions for a renewed understanding of sin in current Catholic practice. As the Church's authority in matters of the laity's personal life has diminished, oedipal Catholic guilt gave to experiences of isolation, alienation, and shame better articulated in the language of psychotherapy than in the language of traditional Catholic moral theology. As I will argue in the next chapter, contemporary rituals and practices of penance must be informed by a renewed understanding of sin and a moral theology that can interpret these dynamics.

## I. The Divorce of Oedipal Religion and the Emergence of a Pre-Oedipal Guilt

The reluctance of Roman Catholics to participate regularly in the sacrament of reconciliation in the years leading up to and after the Second Vatican Council hinges upon changing notions of priestly and ecclesial moral authority. These changing notions reflect simultaneous shifts in social and psychological dimensions. As cultural psychologists, sociologists, and practical theologians have noted, cultural structures have correlatives in the psychic lives of individuals, and it is the widespread individual performance of these structures that constitutes them as cultural.<sup>351</sup>

For practices of individual confession to a priest to be subjectively fruitful for the penitent, the penitent must, in some sense, trust that the priest possesses the power to absolve. This trust, in some sense, constitutes the authority of the priest as a concrete and cultural reality.<sup>352</sup> The popularity of the sacrament of confession and the frequency with which the laity practiced depended on a certainty that the priest, acting as a personal instrument of Jesus Christ, had the power to make their sins not count anymore.

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<sup>351</sup> This insight is foundational to Catherine Bell's theory of ritual, as represented, for instance, in Catherine M Bell, *Ritual Theory, Ritual Practice* (New York: Oxford University Press, 1992). For a persuasive argument that psychologists must attend to issues of local cultural, see Jacob A. Belzen, *Towards Cultural Psychology of Religion: Principles, Approaches, Applications* (Dordrecht: Springer, 2010). For a more theological exploration of the relationship between culture and practice, see Kathryn Tanner, *Theories of Culture: A New Agenda for Theology* (Minneapolis: Fortress Press, 1997). Nancy Chodorow uses this insight to reflect on how wider societal patterns shape the psychic underpinnings of expectations about motherhood in *The Reproduction of Mothering: Psychoanalysis and the Sociology of Gender: With a New Preface* (University of California Press, 1999).

<sup>352</sup> For a careful theological treatment of this claim, see Bernard Lonergan, "Dialectic of Authority, in *The Lonergan Reader*, eds. Elizabeth A Morelli and Mark D Morelli (Toronto: University of Toronto Press, 1997), 550-667. Theologian William A. Clark has explored the pastoral implications of this notion in *A Voice of Their Own: The Authority of the Local Parish* (Collegetown, Minn.: Liturgical Press, 2005).

As we saw in the last chapter, for the last four centuries, the Roman Catholic laity indeed attributed to priesthood just such a power, nestled in a web of various other sacramental powers: the power to confect the Eucharist, to preach at Mass, to baptize, to give last rites to the dying. These sacramental powers themselves were related to a different power located in the priestly identity: the power to be holy, to be pure, to be outside of the world, and, for Roman Catholics specifically, to be celibate. The manifold powers of the priest testified to the ecclesial lines of apostolic power extending from parish church to diocesan cathedral, from diocesan cathedral to the Lateran basilica in Rome, and from Rome to Christ the Son of God. Thus, priestly power and authority accompanied the lay faithful from baptism to death and provided visible assurance of God's divine plan.<sup>353</sup>

For Roman Catholics in America, the cultural ferment of the 1950s and 1960s came to a head with the Second Vatican Council. Instrumental in creating a renewed theological vision for the Church, this global gathering of bishops and experts and the documents it produced provided American Catholics with a religious language that affirmed the underlying postwar ethos of authentic expressionism just as it transformed their understanding of their cultural past. As sociologist Jerome Baggett points out, the Council did not so much as change the attitudes of American Roman Catholics toward the Church and world as it authorized as the highest level the

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<sup>353</sup> Jay Dolan's *The American Catholic Experience: A History from Colonial Times to the Present* (New York: Doubleday, 1985) lists a number of significant factors that undergirded the Church's emphasis on ecclesial authority, especially in the context of the Vatican's semi-recent loss of claims to temporal authority (the loss of Papal States in 1859). Vatican I's declaration of papal infallibility, the promulgation of a revised Code of Canon Law in 1917, emphasis in piety on Jesus' own submissiveness and how to model it, and constant reminders about holy days of obligation, church regulations, papal pronouncements, all emphasized clerical control.

transformations that were already underway.<sup>354</sup> However, the official shift in the self-recognition of the Church was not simply a move from one way of understanding the Church to another, but rather the creation of a space for multiple and contesting understandings of what it means to be Catholic, and thus for the possibility of multiple and contested understandings of the sacrament of penance in the face of fragmenting social identity and a shift to a less articulable sense of fault. Thus, after discussing the cultural effects of Vatican II on changing Catholic perceptions of the Church and its hierarchy, I will use Kohut's distinction to associate these perceptions with a widespread psychological shift among American Catholics from an oedipal to pre-oedipal guilt.

#### A. The Pastoral Council and Changing Visions of Church

Convened in order to "update" the Church, the Second Vatican Council drew on resources from a variety of historical, theological, and social scientific perspectives in order to demonstrate as a point of fact that the Church itself changes. The language of the documents of Vatican II explicitly pointed toward this shift in ecclesial self-understanding. Without denying the need for a divinely instituted and hierarchical leadership, the bishops emphasized the nature of the Church as the whole "people of God" on a pilgrimage through the vicissitudes of culture and history.<sup>355</sup> This realization had a profound effect on the historical imaginations of the Catholic laity. Perhaps the most important ramifications of this shift in cultural imagination was the creation of a distinction, hitherto nearly unimaginable, between the Church and God. Accustomed to a vision of a God-directed Church that remained constant in doctrine and practice

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<sup>354</sup> Jerome P Baggett, *Sense of the Faithful: How American Catholics Live Their Faith* (New York: Oxford University Press, 2009), 18.

<sup>355</sup> C.f. *Lumen gentium* 9, 48.

from the time of the New Testament onward, American Catholics were given the tools to reimagine their cultural history not as the necessary movement of an immutable and divine institution through time but as a constant interaction between social bodies in flux as they made their journey towards and with God. To recognize the need for change meant a recognition that the Church was not as perfect as it might be. The need for *aggiornamento*, a key term used in the council referring to bringing the Church up to date, disclosed, for the first time in the minds of many Catholic, the possibility of difference between the activity of the Church and the activity of the God for whom this Church proposed to speak and according to whom this Church claimed to act.

I will return below to the consequences of the realization of the non-identity between God and Church for the laity in terms of the transformation of Catholic guilt. Before this, however, it is important to point out a second ramification of the new vision of a changing Church on the level of practice. American Catholics largely believed that the Church's liturgical rituals, especially the Mass, had been handed down with few significant changes by the apostles. This provided the Catholic imagination with a sense of what Catholic writer Gary Wills describes as "old things always returning, eternal in that sense, no matter how transitory."<sup>356</sup> Confession, as the liturgical correlate to the unchanging Latin Mass, was seen as a permanent anchor of Catholic moral identity; to be a Catholic was and always had been to pray, to go to confession, and to go to Mass.

The liturgical changes implemented after the Council, over a period of approximately 10 years, radically altered this vision. The restoration of ancient and forgotten liturgical rites, the

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<sup>356</sup> Garry Wills, *Bare Ruined Choirs: Doubt, Prophecy, and Radical Religion* (Garden City, N.Y.: Doubleday, 1972), 16.



simplification of current rituals, and above all the incorporation of the vernacular highlighted the Church's ability to change its practices, to adapt them to new cultural and social issues. But this also highlighted the capacity of the Church to adapt inadequately, given the truly astounding level of human freedom and innovation at work in such adaptations and the ever present possibility of bias. That the Church's practices, even the Mass and confession, did not have to be what they in fact are was a destabilizing insight for many American Catholics. Who should determine the fittingness of liturgical rites? Were the Church's dogmas and moral teachings evidence of the same mixture of the arbitrary and the inspired? If more minor ecclesial laws like the regulations for fasting and the level of participation in non-Catholic religious ceremonies were subject to the Church's prudential wisdom, what about larger issues like Mass attendance, birth control, or confession? The Council had allowed the laity to ask these questions, but it did little to answer them. On the contrary, with its promise of a revitalized religious life, Vatican II also provided the faithful with, in the words of theologian T. Howland Sanks, "a lack of clarity of vision, a lack of certainty, and a massive identity crisis."<sup>357</sup> Pope Paul VI's promulgation of *Humane Vitae* would only exacerbate the gap in the minds of American Catholics between following Church teaching and following God, as I will discuss in the second part of this chapter.<sup>358</sup>

Constant throughout the history of American Catholicism is the conviction that salvation occurs through being recognized by God. Fantasies of Hell as an outer fiery darkness populated

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<sup>357</sup> T. Howland Sanks, *Salt, Leaven, and Light: The Community Called Church* (New York: Crossroad, 1992), 143.

<sup>358</sup> Paul VI, *Humanae Vitae*, Vatican Website, July 25, 1968, accessed April 12, 2016, [http://w2.vatican.va/content/paul-vi/en/encyclicals/documents/hf\\_p-vi\\_enc\\_25071968\\_humanae-vitae.html](http://w2.vatican.va/content/paul-vi/en/encyclicals/documents/hf_p-vi_enc_25071968_humanae-vitae.html).

by the unrecognized and forgotten served as terrifying reminders of the dangers of getting lost in the world, and communal celebrations of baptism and first communion witnessed to young psyches the enlivening power of belonging to God. Authority, conceived in terms of its psychic structuring presence, is precisely the authority to recognize, and the spiritual health of the Catholic subject depends on recognizing oneself as being recognized by God, however dimly or partially. In psychoanalytic terms, "conscience" designates the psychic agency responsible for policing the conditions of recognition; as the internalization of God's own authority, conscience possesses a sacred character, but as a mediated internalization of this authority, it is not absolute.<sup>359</sup>

If the significance of divine recognition did not shift for Catholics in the postwar years, what has? The relationship of the Church's recognition to divine recognition. Familiar and agreeable to American Catholics was the Catholic claim that no one outside the Church could be saved, and official Church pronouncements and teaching did little to expand the notion of the Church beyond the membership of the Catholic Church. The Vatican II Church leaders would manage, largely in the conciliar document *Lumen gentium*, to expand the membership of the Catholic Church, in principle, to anyone. This means that those whom the Church does not recognize may still share in the life of God. Being Catholic was no longer key to being one of the spiritual elect. And so, for lay American Catholics, official Church recognition has come to matter only where Church customs still have influence: the rituals of childhood, marriage, and funerals. For everything in between, Church recognition is relatively unimportant.

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<sup>359</sup> C.f. *Gaudium et spes* 16.

One of the themes that will emerge later in this chapter is that recognition is key for identity. Beginning with Freud himself, psychoanalytic practitioners and theorists have emphasized the role of recognition in the development of the self. As I showed in Chapter 3, the model of the Oedipus complex accurately describes the psychological lines that existed between American Catholics and the Roman Catholic Church. However, psychoanalysts began to challenge this model as the patients they encountered began to exhibit new symptoms, symptoms that could be traced to the effects of rapid socioeconomic and cultural changes throughout the 20<sup>th</sup> century on the psychological and cultural structuring of the self. As I explained above, Catholics were by no means immune to these changes, and so they should be included among those whose self-structure was shifting. I turn now to the self-psychological theories of psychoanalyst Kohut, whose insights into the link between recognition and primary narcissism will help me to draw connections between cultural and psychological shifts in the transformation of Catholic guilt.

#### B. From Guilt to Tragedy: Perspectives from Heinz Kohut

As noted earlier in this chapter, resistance to the public authority of religious discourse and the form of subjectivity such authority fostered was not a uniquely Catholic phenomenon, even if its particular effects are intelligible only in light of the American Catholic context. This resistance was consonant with the widespread cultural rejection of paternalistic and moralizing authority in favor of an authentic self-expressionism.<sup>360</sup> As cultural historian Philip Cushman recounts, "A preoccupation with "the self," its natural qualities, its growth, its "potential," abstracted out of and removed from the sociopolitical, became increasingly prominent in the post

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<sup>360</sup> C.f. Taylor, *A Secular Age*.

war years."<sup>361</sup> The psychological consequences of this shift have been the focus of vigorous discussion in psychoanalytic circles. The postwar years saw the proliferation of analysands within psychoanalytic circles whose symptoms resisted traditional categorization in the diagnostic categories of the neurotic.<sup>362</sup> Patients reported not embodied responses to repressed desires, nor obsessive ritualization, but feelings of numbness, emptiness, and meaninglessness.

The popularity of Kohut's "self-psychology" testifies to its perceived accuracy in describing the most common psychological maladies of the postwar years, the symptoms of which were strikingly different from those of classical neurosis.<sup>363</sup> Kohut joined psychoanalysts like D.W. Winnicott and Melanie Klein in drawing attention to the significance of pre-oedipal stages of development, particularly to the quality of the infant's interaction with its primary caregiver -- in Kohut's social context, normally the mother. According to Kohut's theories about the formation of the self, these early interactions have a profound effect on how individuals come to value themselves and others. For my purposes, Kohut's interpretation of Freud's Oedipus complex help us to understand how the dominant sense of fault among Catholics has shifted

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<sup>361</sup> Cushman, *Constructing the Self*, 240.

<sup>362</sup> See Christopher Lasch, *The Culture of Narcissism: American Life in an Age of Diminishing Expectations* (New York: Norton, 1978), 42.

<sup>363</sup> For instance, the influence of Christopher Lasch's acerbic but seminal social application of Kohut's psychoanalytical lens in *The Culture of Narcissism* demonstrates not necessarily the accuracy of Lasch's critiques but their adequacy to their intended recipients' conception of themselves. In other words, whether or not Lasch's conclusions about the effects of bureaucracy, consumerism, and changing family structure on the nature of the superego are correct in themselves, the story he told tended to elicit either eager approval or vigorous ire. It was a familiar story, even if it was problematic. For an extended critique of Lasch's position, see Benjamin, *The Bonds of Love*, 156ff.

from a guilt that signals moral disobedience to a shame that signals a deficiency in one's own self, a deficiency that occurs primarily through the loss of relationship.<sup>364</sup>

While some psychoanalysts like Melanie Klein and D.W. Winnicott persisted in using the term “guilt” to designate pre-oedipal senses of personal fault, contemporary theorists tend to make sharper distinctions between guilt as an essentially structured sense of fault and other moral emotions like shame or embarrassment. In practice, people often use the terms “guilt” and “shame” interchangeably, though it can be therapeutically advantageous to distinguish them in one's own experience. This advances the major claim of this chapter that as these obediential structures diminished, oedipal guilt gave way to a more unstructured, pre-oedipal sense of fault.

Indeed, pastoral theologian Donald Capps argues that the term “shame” does better than “guilt” at capturing something crucial in what I am describing as pre-oedipal fault.<sup>365</sup> For Capps, understanding the role that shame has come to play in contemporary experiences of the self is key to developing more adequate pastoral practices of healing. I agree with this, and in the next chapter I discuss relational forms of penance that provide struggling persons with interpersonal

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<sup>364</sup> For a discussion of the complicated terminological issues at play here, Melvin R Lansky and Andrew P Morrison, *The Widening Scope of Shame* (Hillsdale, NJ: Analytic Press, 1997). Moreover, in practice, people often use the terms “guilt” and “shame” interchangeably, though it can be therapeutically advantageous to distinguish them in one's own experience. I am unable to explore these issues here, but for a good pastoral and practical theological treatment of them, see Donald Capps, *The Depleted Self: Sin in a Narcissistic Age* (Minneapolis: Fortress Press, 1993); and Stephen Pattison, *Shame : Theory, Therapy, Theology* (Cambridge, U.K.: Cambridge University Press, 2000). For my purposes, I follow both scholars in arguing that the term “shame,” better than guilt, captures something crucial in what I am describing as pre-oedipal fault.

<sup>365</sup> Capps, *The Depleted Self*, 4. Stephen Pattison offers an extended critique of Capps' treatment of shame in the text already cited. Further research into the relationship of personal and social shame to rituals of penance are, to my mind, a fruitful and necessary next step for a practical and pastoral discussion of Catholic penance in parish contexts.

spaces in which they can articulate and appropriate shameful situations. However, in attempting to formulate what is constructive and healing in the shift from oedipal to pre-oedipal guilt, I focus more on the relational and ethical opportunities that emerge in the self's dependence on others.

For Freud, the Oedipus conflict was the central symbol of the human situation. Under the influence of early biological ties to his mother, the child comes to desire her; she represents his fulfillment. However, it becomes clear to the child that the father's relationship to the mother is what he wants but cannot attain. Like the cultural norms that govern society, the father prohibits the child from getting what he wants in order to preserve an uneasy peace. Torn between his fear and hatred of, and admiration for, this much stronger figure and his desire to have his mother to himself, the child must learn to compromise with his desires. He learns to postpone them, but they never entirely go away. Indeed, they form the foundation for his identity, and his ability to express them in acceptable ways marks the boundary between psychic health and psychic illness.<sup>366</sup>

But according to Kohut, the oedipal situation reveals not what is normal about human development but what is pathological. Intergenerational conflict and its resultant internalized guilt is not inherent to the essence of the self; rather, it reflects the perpetuation of psychic disturbances through parents' own inability to achieve a healthy sense of self-love. While the conditions of his social context may have prevented Freud from imagining otherwise, when a

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<sup>366</sup> This is an admittedly brief explanation, serving only to familiarize the reader with the basic dynamics of the Oedipus conflict to show that the Freudian ego is an inherently conflicted figure. I purposefully use masculine language: the Oedipus conflict is fundamentally about sons, and Freud's notorious relationship with what he termed the "dark continent" of female psychology has been the subject of extensive exploration. See Nancy Chodorow, *The Reproduction of Mothering: Psychoanalysis and the Sociology of Gender* (University of California Press, 1999).

child is surrounded by loving, attentive, and hopeful caregivers, the violence of the Oedipal conflict does not emerge.<sup>367</sup>

In an exclusive use of gendered language familiar to his contemporaries in psychoanalytic circles and elsewhere, Kohut termed this theoretical transformation of psychic structure the shift from "Guilty Man" to "Tragic Man." As I described above, Guilty Man's relationships are structured unconsciously by the tensions that arise in libidinal life. "Not only because of environmental pressure, but especially as the result of inner conflict," writes Kohut, Guilty Man "is often unable to achieve his goals."<sup>368</sup> But the shift to Tragic Man theorizes the emergence of a self whose health is constituted through the attention and support given to it by others. This self is tormented not so much by conflict between desire and the obligations of culture but by narcissistic needs for affirmation and idealization.

Following this theory, we can interpret the traditional "Catholic guilt" of early American Catholicism as oedipal guilt, a threat to a sense of worth structured by obedience. In contemporary Catholic life, this oedipal guilt has been replaced by a more unstructured and pre-oedipal guilt, echoing the early childhood tension that arises as selves learn to negotiate with freedom, power, and the limits of this power. Early American Catholic culture cultivated a sense of guilt motivated by obedience. By conforming one's actions and, to some extent, one's desires to the expectations of the Church, Catholics could experience themselves as "good enough." One

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<sup>367</sup> For a fuller elaboration of the significance of the Oedipal conflict in the framework of self-psychology, see Heinz Kohut, "Introspection, Empathy and the Semi-Circle of Mental Health," *The International Journal of Psycho-Analysis* 63 (1982): 395–407.

<sup>368</sup> Heinz Kohut, *The Restoration of the Self*, (New York: International Universities Press, 1977), 132. Hence the preconiliar appeal of Church suspicious of the erotic and the aggressive elements in psychic life, willing to reward those who ritually submitted them to the confessional with an affirmation of belonging.

of the consequences to the decline of Church authority among postwar American Catholics was a simultaneous decline of trustworthy moral measures with which one could gauge one's worth. In other words, once the Church's moral authority was questioned and obedience to this Church challenged, a structured Catholic guilt gave way to a more unstructured sense of fault, an uncertainty about how to assign value to oneself.

### C. Toward a More Relational View of Sin

Early American Catholicism was marked by a tendency to distrust human nature, with its aggression and sexual desires, as being prone to sinful conflict with others and with God. This somewhat pessimistic view was echoed in part by Freud's own vision of humans as caught between the forces of their own internal desires to dominate and enjoy and the restricting cultural obligations that maintained a tenuous peace. Without disputing the experiences, clinical and otherwise, that informed Freud's anthropological vision, Kohut nevertheless challenges its normative status. Here I draw an analogy between this conflict and the shift from early Catholic distrust of the archaic forces of sin in the human soul to a more relational perspective on the disrupting influences of sin.

According to Kohut, self-love is a necessary and valuable prerequisite to what psychoanalysts call "object-love," the psychological dimension of the ability to be involved with others in a healthy way. He moved away from the structural formulation of the human psyche in terms of dynamic id, ego, and superego processes, positing instead a temporally enduring core or "nuclear" self whose early encounters with its caregivers provide it with the resources it needs for healthy development. A healthy self -- that is, one with an inner reserve of narcissism or self-love -- "is not prone to become fragmented, weakened, or disharmonious during maturity, at least



not severely and/or for long periods."<sup>369</sup> Thus, the emergence any serious pathology is usually "due to disturbances of the self-selfobject processes in early life."<sup>370</sup> Kohut deliberately sets this claim against the traditional Freudian conception of psychopathology as arising because of repression, the inability or unconscious refusal to accept one's own aggressive or sexual desires in the face of familial and social prohibitions. In other words, while the Freudian ego has its uncertain existence within the impasse of psychobiological urges and cultural standards, Kohut's self emerges within the field of parental attention, interest, and warmth.

Kohut's reflections on the shift from an oedipal to a pre-oedipal self-structure suggest that Catholics tend not to experience their faults in terms of a guilt that makes them deserving of punishment but in terms of a lack in the self, a sense of not being enough. The disappearance of a specific and strong sense of guilt mourned, as I discussed in Chapter 2, by theologians like Pope John Paul II may not be a sign of moral or psychic illness. Rather, it may indicate the beginnings of a more robust moral vision, one rooted not in discreet acts motivated by pure drive-like qualities like holiness and sin, but rather in all of the multifaceted and often ambiguous aspects of the self perceived as an interconnected and potentially healthy totality. The confession of sin, according to such a theological anthropological vision, is necessarily more complex, injected with personal and social meaning drawn from critical reflection on one's context.

In *Why It Is Good To Be Good: Ethics, Kohut's Self Psychology, And Modern Society*, philosopher John Riker argues that contemporary ethics needs Kohut's self-psychology to correct its hostility toward self-love, its preference for abstract ethical norms over concrete

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<sup>369</sup> Heinz Kohut, *How Does Analysis Cure?* (Chicago: University of Chicago Press, 1984), 70.

<sup>370</sup> *Ibid.*

insights, and its reluctance to admit the existence of the unconscious.<sup>371</sup> The same argument applies to Catholic moral theology. Riker writes:

Everything changes when we conceive of the self as fragile, interdependent, and needing a trustworthy matrix of selfobjects. The self needs others in ways that are genuinely supportive of mature narcissism, ways that do not indulge immature forms of gratification or bind the person in morbid forms of dependency. One can get this kind of support only through reciprocity that involves empathy, care, and the practice of the virtues. We need these moral traits not just to block the power of the passions or open up the possibility of rational life but to generate and sustain a self.<sup>372</sup>

The diminishment of oedipal guilt and the monopoly of religious obedience over ethical and moral development presents an opportunity for an understanding of sin as those forces and conditions which interfere with the relational prerequisites of healthy selfhood. If, as Kohut showed, loving recognition can form and heal the self, then its absence can distort and wound.

Here, discerning one's sins is not a matter of checking which rules were broken but rather discovering one's freedom and its restrictions in the midst of one's relationships and their obligations. Following the roots of perceived sins down into the self involves an encounter with the self's own need for love and recognition, together with all the harmful or fruitful ways we might try to attain them. It involves, too, the realization that others have these needs, and that sin exists not just on the level of individual action but within relational transactions. Moral responsibility within these transactions involves the development of a pre-oedipal sense of fault founded not primarily on obedience but on respect and mutual recognition.

To elaborate on the moral vision implied by a shift to pre-oedipal guilt, I will draw on another psychoanalytic theorist, D.W. Winnicott, who demonstrates into the necessity of

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<sup>371</sup> John H. Riker, *Why It Is Good to Be Good: Ethics, Kohut's Self Psychology, and Modern Society* (Lanham, Md: Jason Aronson, 2010), 121.

<sup>372</sup> *Ibid.*, 115.

spontaneity and power for authentic moral action and responsibility. The emergence of such spontaneity depends on wider cultural structures, especially those structures regulating and shaping understandings and practices of sexuality. Thus, I now turn to a discussion of shifting Catholic attitudes toward the Catholic hierarchy, with particular attention to ecclesial attempts to exercise power over the sexual lives of the laity. After this, I will argue that the distance between hierarchy and laity creates a new cultural and moral space for Catholics to regain a relational and embodied sense of their own moral responsibility.

## **II. The Church Hierarchy is Not God: Implications of Pre-Oedipal Guilt**

In Chapter 2, I proposed the oedipal relationship as a model of ecclesial authority in the American Catholic psyche. Despite the ecclesially feminine language around the oft-used phrase "holy Mother Church," and despite never using masculine language to describe the workings of the Church itself, Catholic symbolic authority was overtly masculine, conferring recognition on the obedient Catholic subject in exchange for his or her dutiful submission to the Church's positive laws. For the most part, the Catholic laity aspired to the status of the good-enough Catholic; access to the truly good and pure was limited to the clergy and especially to those in religious life, to those who had forsaken all right to pleasure and self-satisfaction for the sake of God and Church. To the extent that you give yourself over to the Church, went the common understanding, you will enjoy the supernatural satisfaction of being pleasing to God.

As we have seen, the desire to be recognized as belonging to the Church marked the structure of early American Catholic culture and its subjects. Moreover, for pre-Vatican II Catholics, the distinction between Church and God was barely visible for the laity. God lay on the other side of the Church, beyond the horizon of the Church's liturgies, disciplines, feasts, but for the laity, beyond the horizon of death and the time of purgatory that awaited the just-good-

enough Catholic. Being recognized by the Church was as close to being recognized by God as was fitting for Catholics pilgrimaging through this life's vale of tears. Thus, according to the oedipal analogy, Father-Church presented his "No, not yet" to the desire of the Catholic for Mother-God. Recognition by the Church and participation in the Church's symbolic world provided a mediated access to God, and the transgression of the Church's laws put even this mediated access at risk. Catholic guilt, the internalized prohibition of Church authority that drew its force from the Catholic subject's own desires, was predicated on the subject's identification with the Church as the beloved Other, the object of God's desire. Excessive transgression, even in the form of avoiding the confessional, threatened this identification and aroused the anxieties of Catholic subjects, whose recourse to the confessional signified the re-recognition of the Church that constituted them as good-enough.

Thus, according to the juridical model of confession, along oedipal lines the Church as Father governed access to the forbidden fullness of God as Mother. American Catholics were born into this structuring culture, and until after World War II they rarely gave it pause. In the midst of anti-Catholic hostility and the necessity of cultivating local identity, the symbolic culture of Catholicism provided recognition in exchange for obedience. The sacramental and liturgical transactions of Catholic parish life structured the dialectic of obligation and desire of early Catholic subjectivity, and this subjectivity, marked at birth by the discourse of lived Catholicism, discovered these transactions to be familiar, just the way things are.

But the crises of the postwar years effected a gradual loosening of the close bonds between Church and God. The ability of the teaching authority of the Church to speak persuasively and decisively for God was challenged by the American laity's access to other authoritative discourses, especially the discourse of the therapeutic. Backed by an affluence that

permitted the free play of imagination with respect to the market within the context of a much more welcoming non-Catholic America, American Catholics were able to question the Church's conditions for access to the forbidden fullness of God. As the primary mediating point for this access, it is no surprise that the sacrament of confession fell into rapid disuse. Under the influence of the increased authority of psychological experts, Catholic guilt, long the necessary condition of the obedient subject and the sign of the desire to be recognized by God through the rejection of sin, now became a sign of sin itself, of a self unable to be freed through self-acceptance. Not only was the necessity of the clergy to recognize, on God's behalf, the authenticity of the penitent called into question, but the conditions for divine recognition themselves shifted from outward signs of obedience to God's will as revealed by the Church's positive laws to an inward condition of spontaneity and freedom unrestrained by external regulation. After exploring the cultural trends underlying these conditions, I will turn to the psychological theories of Winnicott to argue that the substratum of pre-oedipal guilt is a tenuous balance between self's vital spontaneity and its inherent dependence on others.

#### A. Shifting Cultures, Shifting Selves

As I showed in the most recent chapter, preconciliar Catholic culture centered on the need to construct and maintain a sense of identity, communal and individual, in the face of an alienating and sometimes hostile wider cultural context. The tendencies of European ultramontane Catholicism to evince a defensive and somewhat triumphalist posture found a welcome home in pockets of Catholic immigrants whose priests and liturgical traditions provided a sense of belonging, a home away from home. Participation in parish life provided a means to feel "just as good as" the others who might be encountered in public spheres. This was a world in which world in which cultural and religious boundaries were more fixed than fluid. Without a

mass media that could monopolize common discourse, the sphere of local religion still maintained the power to recognize and constitute individuals. Thus, Catholic parishes were bound within the same cultural system, linked together by the visible leadership of a unified clergy, by a shared liturgical life, and by the obligation to uphold the Church's positive laws.

As the locus of these three forces, the sacrament of confession operated as a powerful instrument for maintaining a shared sense of Catholic identity. On the level of the individual psyche, the recognition of oneself as a good-enough Catholic was the goal of participation in the Catholic world. All of the potent theological symbols alive in Catholic discourse pointed to this goal. Hell was absolute exclusion from the recognizing mercy of the Church and its sacramental powers. Salvation involved escaping the fires of hell through maintaining the moral standards of the good-enough Catholic, the bare minimum of which was the willingness to confess one's sins before the authoritative and recognizing judgment of the priest. Participation in confession was the gateway to the reception of holy communion and thus to full participation in the Church's liturgical life through being recognized as (barely) worthy enough to receive the body of Christ. As the conferral of the Church's recognizing and constituting power, the sacrament of confession offered Catholics the means to recognize themselves as recognized by the Church, and thus to maintain some stable sense of identity.

Because confession operated as a sacrament of recognition and identity, its centrality depended in a large part on the need of American Catholics for precisely the identity it conferred. The Catholic world provided the organizing and recognizing structures of selfhood. These structures penetrated through immediate kinship lines, linking families together (through, for instance, attendance at liturgical rites and festivals, but also in a more direct sense through the sacrament of matrimony) and associating the ventures of these families with wider public

networks of influence and power. Michael Corleone's power in *The Godfather*, for instance, cannot be divorced from his willingness to have his son baptized in the Church, to make at least the most rudimentary display of obedience. The sacraments, especially confession, became important precisely at those moments when identity was most at stake.

As I highlighted earlier, identity in early American Catholicism was nearly always at stake because of the perceived and actual antagonism toward Catholics on the part of wider Protestant American culture. As sociologist Jerome Baggett reports, "Catholics went about their everyday lives within a kind of cultural fortress that defended them from the encroachments of an at times hostile society."<sup>373</sup> The vast number of Catholic institutions created from the second half of the 19<sup>th</sup> century onward, from parish to school to hospital, testified to the felt need of Catholics as a body to create and consolidate a world that belonged to them, a world different from the one perceived against its backdrop. And the world of the Roman liturgy, with its Latin, its ritual, its candles, and its celibate priesthood, served as a vivid and ongoing reminder that American Catholics were, in nearly every significant sense, different.

As Catholicism was accepted within the mainstream of society, however, the anxiety around maintaining clear boundaries necessary to Catholic self-recognition diminished. After the Second World War, a perceptible shift with respect to economic, social, and cultural dimensions signaled new possibilities for interacting in wider public dimensions. Reports of "rapid and bewildering change" within previously stable parishes testify to the opportunities for social mobility available to Catholics after the war and the effect that this mobility would have on entrenched Catholic subculture.<sup>374</sup> Postwar education funded by access to the GI Bill, increased

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<sup>373</sup> Baggett, *Sense of the Faithful*, 11.

<sup>374</sup> Alan Ehrenhalt, *The Lost City: Discovering the Forgotten Virtues of Community in the*

suburbanization, and an irresistible appreciation for the pluralism of wider American culture all contributed to a weakening need for a robust Catholic identity predicated on difference.<sup>375</sup>

Sacramental confession was the way that Catholics recognized the Church as recognizing them as good-enough. As a result of the lessening need for a robust identity, the moral obligations that established the basic grounds for authoritative recognition likewise diminished in power. While the numbers of weekly confessions remained fairly steady throughout the 1950s, testifying to the ongoing symbolic presence of the confessional within the Catholic cultural matrix, confessors were often less than enthusiastic about their content. Parishioners practiced what was termed "devotional confession," confessing not present sins but instead recalling former and previously confessed sins in exchange for the "certain grace" of the sacrament.<sup>376</sup> While this was firmly in keeping with official theological teaching, the popularity of such confessions, and the relative absence of potentially serious moral matters within the confessional long before the collapse of the sacrament testifies to the function of the sacrament as a sort of

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*Chicago of the 1950s* (New York: Basic Books, 1995), 280. Both Jerome Baggett and Jay Dolan discuss this book. See Baggett, *Sense of the Faithful How American Catholics Live Their Faith*, 12; Dolan, *In Search of an American Catholicism*, 194.

<sup>375</sup> Baggett, *Sense of the Faithful*, 12–13. In addition to presenting Ehrenhalt's research on the pluralism of 1950s Chicago, Baggett relies on sociologist Will Herberg's contention that 1950s Catholicism had become less preoccupied with sin and authority, per se, than with the assimilation of wider American norms of comfort and stability within its own particular religious frame of reference. Baggett contends, however, that "the so-called American way of life was actually more culturally disparate and politically contested than [Herberg] portrayed it." See Will Herberg, *Protestant, Catholic, Jew; an Essay in American Religious Sociology*. (Garden City, N.Y.: Anchor Books, 1960).

<sup>376</sup> O'Toole, *Habits of Devotion*, 165.



ritual placeholder, a means for Catholics to remain technically connected to the authoritative and recognizing Church.<sup>377</sup>

The assimilation of American Catholics into wider society by the middle of the 20<sup>th</sup> century, however, meant that the Church's rhetoric of sin, law, and willpower entered into competition with other standards of identity and the networks of obligation that constituted them. According to historian James Hennessey, Roman Catholics were characterized still by a "pervasive moralism," but the contents of this moralism tended to express the general privatistic and cultural morality of the wider status quo.<sup>378</sup> In this way, where early American Catholicism could be seen as a largely a self-contained trajectory of moral and cultural change, that is, a contained dialectic within Catholic subculture of its own competing symbols and values, especially under the influence of its European roots, by the 1950s it had begun to integrate fully the moral, psychological, and cultural tendencies that would bring about the widespread changes of the late 1960s. Immune for a time to the rapid upheaval that marked the Catholic European religious world, American Catholicism now had to contend with a pluralism marked by political strife, competing cultural frameworks, and multiple voices of authority. As Charles Taylor points out, the strengths of the preconciliar Catholic world of what he calls the age of mobilization, constituted by "spirituality, discipline, political identity, and an image of civilizational order," were ill equipped to survive the radical changes that took place in the middle of the 20th

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<sup>377</sup> Ibid., 168.

<sup>378</sup> James J. Hennessey, *American Catholics: A History of the Roman Catholic Community in the United States* (Oxford; New York: Oxford University Press, 1981), 288.

century.<sup>379</sup> Confession, once a central element within the Catholic world, would not withstand this encounter.

One important facet, the economic shift within the American Catholic world, deserves to be noted in detail. As mentioned above, after the Second World War Catholics enjoyed unprecedented opportunities for upward social mobility. Hennessey points out that funds from Roosevelt's 1944 G.I. Bill allowed a massive number of Roman Catholic veterans to receive college education and occupational training. These same veterans were marrying and having children, and so by 1960 the numbers of Roman Catholics in prewar America had doubled to 42 million. Not only did Catholics become an even more significant portion of the American populace, but they entered the middle-class in doing so, in terms of personal presence and cultural influence.<sup>380</sup> Taylor provides a vivid account of what this shift entailed. He writes:

With post-war affluence, and the diffusion of what many had considered luxuries before, came a new concentration on private space, and the means to fill it, which began distending the relations of previously close-knit working-class or peasant communities, even of extended families. Older modes of mutual help dropped off, perhaps partly because of the receding of dire necessity. People concentrated more on their own lives, and that of their nuclear families. They moved to new towns or suburbs, lived more on their own, tried to make a life out of the ever-growing gamut of new goods and services on offer, from washing-machines to packaged holidays, and the freer individual life-styles they facilitated. The "pursuit of happiness" took on new, more immediate meaning, with a growing range of easily available means. And in this newly individuated space, the customer was encouraged more and more to express her taste, furnishing her space according to her own needs and affinities, as only the rich had been able to do in previous

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<sup>379</sup> Taylor, *A Secular Age*, 472.

<sup>380</sup> Hennessey notes, for instance, the tremendous literary and television presence of Catholic figures: "the Eisenhower years (1953- 61), featured the dramatic popularization of religious philosophy by Fulton J. Sheen, television's first significant Catholic star. Thousands read his books--*Peace of Soul* (1949) and the five-volume *Life Is Worth Living* (1953-57) among them. Fulton Oursler had died in 1952; his *The Greatest Story Ever Told* and *The Greatest Book Ever Written* remained popular. Thomas Merton's *The Seven Storey Mountain* (1948) introduced Americans and most American Catholics to an exceptional religious writer and poet and to the life of the Trappist monks." See Hennessey, *American Catholics*, 284.

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Suburbanization, cultural assimilation, and upward economic mobility meant that Catholics could rely less on the official recognition of parish authorities -- the clergy -- to consolidate a needed sense of identity in the face of alienating anxiety. Once Catholics belonged to America and America to Catholics, a fact made very clear by the 1961 election of John F. Kennedy, the stakes of being a good-enough Catholic, as determined by the legalistic rubrics of the Church, were considerably lower. With less at stake on a cultural-psychological level, the Church was forced to rely more on the intelligibility and affective potency of the Church's moral teachings than it did on the desire of the laity for recognition within and by the ecclesial world; in this, it came into sharp competition with other moral narratives.

The entry of Catholics into white middle-class America occurred at a time when the moral and cultural horizons of the white middle class were themselves changing. Taylor characterizes the 1960s cultural shift, broadly speaking, as the emergence into a mass phenomenon of an expressive individualism that previously marked only the cultural elite.<sup>382</sup> The search for the most “authentic” way to live, a goal earlier afforded only to those with symbolic and culture capital, became a viable moral discourse for the burgeoning American middle

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<sup>381</sup> Taylor, *A Secular Age*, 474.

<sup>382</sup> Taylor agrees with other social critics like Christopher Lasch and Philip Cushman that we cannot understand the cultural shift in question, or its ramifications for the Catholic moral world, without an account of the rampant rise of mid-century consumerism and the 60s hippie movement as a counterpart. Indeed, the tension between suburban consumerism and hippie expressionism resolved in an attitude, shared by all involved, that presents "choice" as the most primary value, regardless of context. Freedom of choice echoes the expressionist authenticity sought by those on the wave of the 60s cultural revolution, but it simultaneously echoes the infinite panoply of choices presented by the consumer market. See Taylor, *A Secular Age*, 473-475.

class.<sup>383</sup> What does Taylor mean by “authenticity”? Drawing on his analysis of late-eighteenth century Romanticism, he defines authenticity as the assumption that "each one of us has his/her own way of realizing our humanity, and that it is important to find and live out one's own, as against surrendering to conformity with a model imposed on us from outside, by society, or the previous generation, or religious or political authority."<sup>384</sup> Taylor’s notion of authenticity as strong resemblances to what I describe psychologically spontaneity, a sense of one’s own agency and power. Again, while this attitude was previously only found among elite intellectuals and artists, after World War II the search for spontaneity began to find expression in the lives of an expanding middle class, a great number of whom were Roman Catholics.<sup>385</sup>

#### B. False Selves, True Selves, and Spontaneity

As we saw above, Kohut’s theory of the formation of the self emphasizes the necessity of the loving attention of a primary caregiver, normally conceptualized as a mother, whose empathic responses to the infant help it to develop a core of psychic self-love. But even mature and healthy selves, in the most ideal conditions, come to experience what Kohut terms

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<sup>383</sup> Ibid., 473.

<sup>384</sup> Ibid., 475.

<sup>385</sup> Against moralistic rejections of the cultural turn to authenticity that propose "mere egoism" as the motivating factor, Taylor argues that even while the prioritization of pleasure may play an important role in the psychological motivation of individuals, some wider cultural shift must account for what allows hedonism to emerge as an individual possibility. In other words, it is too simplistic to say that before 1960, American Catholics were not motivated by the desire for pleasure, the good life, or however we may want to formulate "hedonism," and that after 1960 Catholics experienced a spontaneous reorganization in psychic structure that made them servants of greed and pleasure. Rather, the moral and cultural space of the psyche itself shifted. Claims that people are more or less selfish, Taylor argues, need to be substantiated by the social conditions in which selfishness is more or less appropriate to the ideal that frames individual motivations. See Taylor, *A Secular Age*, 473-475.

narcissistic injury: "The world, they begin to sense, does not exist solely for them, and they are not, in fact, the very center of all that is."<sup>386</sup> This realization generates an imbalance within a self now split between a protected grandiose self, whose illusion of omnipotence must be maintained, and a depleted self, victim to experiences of extreme negative self-worth.<sup>387</sup> Such a self comes to experience its fault not in terms of the need for punishment, obedience, and reparation that describes guilt, but rather in terms of an inarticulable need for recognition, empathy, and self-affirmation that, according to Kohut, describes shame.<sup>388</sup> The tension between the need to be connected and the need to protect a sense of one's own agency marks the pre-oedipal senses of fault of contemporary Catholics, whose suspicions of the Church hierarchy's incursion into their private lives is equally matched by a desire to share in the Church's liturgies. Because of his work with infantile omnipotence and the origins of guilt as a healthy way of feeling these tensions, I turn from Kohut to Winnicott to explore some of the ramifications of pre-oedipal guilt.

Those familiar with the work of Winnicott will recognize the salience of these concepts with respect to the developmental significance of human relationality and the emergence of a sense of fault and concern for others in early childhood. The popularity of Winnicott's clinical

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<sup>386</sup> Capps, *The Depleted Self*, 28. The author of this quotation, pastoral theologian Donald Capps, is concerned about a shift similar to the one in Catholic culture I am exploring here. He uses Kohut's theory of the narcissistic conflict between grandiosity and idealization to explain why contemporary selves tend to experience feelings of shame and depletion rather than feelings of guilt.

<sup>387</sup> *Ibid.*

<sup>388</sup> "Shame, then, follows from the failure of all those experiences out of which self-esteem, pridefulness, a responded-to exhibitionism normally emerge." Heinz Kohut, Paul Tolpin, and Marian Tolpin, *Heinz Kohut: The Chicago Institute Lectures* (Hillsdale, NJ: Analytic Press, 1996), 246.

theories about the necessity of revisiting infantile omnipotence in order to express a "True Self" marginalized by the performances of a "False Self" expresses in psychoanalytic terms the cultural suspicion of institutional morality featured in post-war American culture. Experiences of falseness and unreality gestured toward the inability of institutional frameworks to provide fulfillment or even adequate guidance, for as Winnicott argues, merely obeying societal norms fails to address the root of the problem. This anti-institutional current running throughout Winnicott's thought makes him a helpful partner in a conversation about postwar American Catholics, for he traces in psychoanalytic terms the mixture of love and self-assertion that constitutes contemporary Catholic attitudes toward the Church, its clergy, and its teachings.

*An Illusion of Omnipotence*

Drawing on the work of Melanie Klein, one of Freud's immediate predecessors, Winnicott's theorizing of the infantile self made the psychic incorporation of elements from the infant-mother relationship central to its formation. As Cushman argues, Winnicott's familiarity with the early childhood environment allowed him to speak directly to how parenting styles affect a child's sense of self.<sup>389</sup> This language provides new ways of thinking about the self and its relationship to moral development, not as a participation in a cultural group that grants recognition and legitimates behavior, but as the adaptive and adapting negotiation of one's assertiveness and love, in a constant attempt to grapple with the illusion of one's omnipotence.

In psychoanalytic fashion, Winnicott's constructive theory of the self was derived from observing strategies of defense employed to maintain a modicum of stability to the detriment of

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<sup>389</sup> Cushman, *Constructing the Self*, 253–256. Cushman argues that Winnicott's "theory, and especially his description of the self, should be immediately recognizable to most citizens of middle-class postwar Western society. More than any theorist who had predated him, Winnicott implicitly described the era."

true psychic vitality. Winnicott developed the language of the "True Self" from his clinical experience with patients struggling to articulate a lack of spontaneity, of flow, of vital life. For Winnicott, the truth of the self corresponds to the effective spontaneity of its desires. He writes, "The spontaneous gesture is the True Self in action. Only the True Self can be creative and only the True Self can feel real. Whereas a True Self feels real, the existence of a False Self results in a feeling unreal or a sense of futility. True self is identical to the sense of being alive, being real, having power within one's environment."<sup>390</sup> Spontaneity contrasts here with compliance, autonomy with futility.

Winnicott traced the powerlessness haunting many of his patients not to their present political or cultural circumstances but rather to the failure of their infantile environment to sustain a necessary illusion of omnipotence. By omnipotence, Winnicott refers to the infant's illusory sense that it creates and controls what it encounters in the world, and he associates this illusion of omnipotence with the seeds of living agency within the infant's psyche.<sup>391</sup> Without an illusory omnipotence, the infant was vulnerable to experiences of neglect, on the one hand, and being overwhelmed, on the other. Maintaining this illusion until it was psychically equipped, through transitional phenomena, to handle the ambivalent connection between itself and the caregiver is key to the infant's psychic health and moral development and thus a major concern for healthy parenting.

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<sup>390</sup> D. W Winnicott, *The Maturation Processes and the Facilitating Environment; Studies in the Theory of Emotional Development*, (New York: International Universities Press, 1965), 147.

<sup>391</sup> Winnicott describes omnipotence as a "quality of a feeling". See Winnicott, *Maturation Processes*, 56.

The mother (who, for Winnicott, can be any gender, though Winnicott consistently supposes that this will normally be a "she") serves as the mediator between the infant and the infant's environment. Winnicott puts the matter quite strongly: "It is an essential part of my theory that the True Self does not become a living reality except as a result of the mother's repeated success in meeting the infant's spontaneous gesture or sensory hallucination."<sup>392</sup> In order for the infant to develop and maintain an internalized sense of empowerment within its environment, the mother must be the operative link between the infant's desires and their satisfaction. Through her interactions with the infant, the "good enough mother" makes the infant believe in its own ability to have its needs met. This enlivens a sense of agency which corresponds to the infant's "true self." In contrast, a mother who fails to be "good enough" will substitute her own actions for the actions of the infant, thus failing to preserve the illusion of its omnipotence. Met with the necessity of compliance with its caregiver instead of spontaneous gratification in accordance with its wishes, the infant begins to adapt its expressions to please the caregiver. This adaptation constitutes the first stages of the "false self," whose full development ends in a personality absolutely compliant with the demands of others to the detriment of its own vitality.<sup>393</sup>

### *The False Self*

Winnicott allowed that even healthy adults have need of a "false self," a self not fully in line with the living dynamism of spontaneous desire. In normal conditions, the false self is constructed according to cultural norms governing things like politeness, propriety, social

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<sup>392</sup> Ibid., 144.

<sup>393</sup> Ibid.



conduct. With Freud, Winnicott recognizes that compliance is a necessary part of social existence. Through creative and symbolic expression, however, even the moderately compliant self might allow desire to play itself out. But in pathological cases, the patient's infantile compliance chokes the sense of spontaneity out of the everyday flow of his or her conscious experience, preventing the symbolic world, the world of play, creativity, and illusion, from expressing even in an abbreviated fashion her or his desiring self. The sense of perpetual unreality lingering about the lives of many of Winnicott's adult patients points to the psychic need to protect a vulnerable true self from the possibility of annihilation by constructing a layer, so to speak, in between the true self and a potentially hostile world. Winnicott believed that recreating the early childhood environment could potentially allow spontaneity to emerge once more.<sup>394</sup> The purpose of therapy was thus to provide a "holding environment" in which the adult might reencounter her or his early struggles to maintain a sufficient illusory omnipotence and discover a way to move into a more realistic and thus ambivalent position with respect to the possibility of a neglectful or devouring other.

Ambivalence is an important psychological position here, describing a position of neither needing entirely or rejecting entirely the significant persons in one's life. I will return to it later in my exploration of pre-oedipal guilt. Here I want to highlight the shift toward an understanding of the self that explicitly interiorizes meaning, value, and purpose. Specifically, a significant implication of Winnicott's distinction between the true self and the false self is that meanings, values, and purposes receive their value from within persons, not from social structures.

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<sup>394</sup> Ibid., 144–150. Winnicott discusses the phases of this therapy at length.

Applying the dynamics of Winnicott's psychology of the true and false selves to the American Catholic milieu of the mid-20<sup>th</sup> century, we see that the anti-institutional trends throughout the 1960s and 1970s were not just cultural ideas but psychological realities. The Catholic laity, like much of the wider public, felt the need for more spontaneous expression, for more deeply held values. Whether or not they achieved these deeply held values is a different matter altogether. Here I focus on the desire for the Church's accountability to the needs of the laity, the need for the laity to have a say in how their Church participation matters to them.

Using the terminology of D.W. Winnicott, we might describe this as a need for the Church to respect the laity's need for omnipotence, a need to express some power within their religious worlds and to see it spontaneously take effect. For a long time, the laity obeyed and received from the Church. They showed their obedience by going to confession. What they confessed was determined by what the Church said was sinful, and they confessed these things because of the fear of Hell and the desire for Heaven, not because of a spontaneous desire to live lives of moral perfection. In effect, most of the laity had no idea why certain sins were sinful. Spontaneity, following one's inclinations as they arise, was under held under the greatest suspicion.

The cultural shifts highlight above marked a change to this suspicion. Spontaneity became privileged, conformity questioned. The negative results of conformity became evident politically (U.S. involvement in Vietnam, for instance) and socially, especially with respect to the Civil Rights movement. For our purposes, conformity to the Church's requirement to go to confession, in order to confess actions spontaneously done as intrinsically sinful, was abandoned. The laity simply were not convinced that the Church fully understood what it was teaching. This became especially evident when the Church attempted to exercise its authority over sexuality.

### C. *Humanae vitae* and the Contraception Crisis

Pope Paul VI's *Humanae vitae*, promulgated against the express recommendation of the panel of experts he assigned to study the subject, signaled the death knell of the Roman Catholic hierarchy's authoritative influence on the sexual discourse of the laity. Subsequent attempts to speak meaningfully of the sexual body and its practices garnered predominantly negative attention from the vast majority of Catholics in the United States, evidence of the impressive degree to which Roman bureaucrats (as they were perceived to be) remained completely out of touch with the realities of sexual experience.<sup>395</sup>

With respect to confessional practice, this document's most significant claim is that artificial methods of birth control are “to be absolutely excluded as lawful means of regulating the number of children.”<sup>396</sup> The practical effect of this teaching was to officially recognize contraception as grave material for sin. This means that, according to the theology of sin originating after the Council of Trent discussed in Chapter 3, couples who willingly and knowingly make use of artificial contraceptive methods commit a mortal sin, willingly forsaking the grace that unites them to God in Christ. As we have already seen, for holy communion to be efficacious for them (and not an act of sacrilege), such individuals are obligated to confess their uses of contraception as sins, in number and kind, with a firm commitment to contracept no more.

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<sup>395</sup> I argue only that this state of affairs was understandable, not that it was desirable -- on the contrary, the lack of any meaningful discourse around sexuality prohibited the Catholic laity from any point of view other than the essentializing ethics of sexual identity. This amounted to a virtual capitulation on the parish level to sexuality as depicted in popular culture and the mass media.

<sup>396</sup> Paul VI, *Humane vitae*, 14.

Pope Paul VI's teaching created a devastating obstacle for a generation of practicing Roman Catholics well educated in self-examination according to the moral discourse of the confessional. The laity had three options available to them. They could accept the Church's teaching and use only licit methods of birth regulation, they could ignore the teaching, or they could leave the Church.<sup>397</sup>

Only the smallest minority of Catholics adopted the first approach, and this continues to be the case today.<sup>398</sup> The vast majority chose one of the two remaining options. Some, including members of religious orders and clergy, simply left the Church. But the majority of those who remained permanently adopted a more flexible and admittedly less obedient relationship to Church authorities. As Coffey writes, "Prior to this, official teaching on moral matters was generally accepted without question throughout the Church; after it, and as a result of it, such teaching has often been met with hostility, disagreement, skepticism, or indifference."<sup>399</sup> With respect to contraception, whose moral status vast numbers of Catholics accepted with few reservations, this event represented a visible and scandalous refutation of the Church's claim to infallibility, at least as this claim was represented in popular imagination.<sup>400</sup>

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<sup>397</sup> Abstinence remains the surest and least practical method of birth control. Rhythm or "natural family planning" methods are viable but difficult and complex forms of contraception.

<sup>398</sup> Jerome Baggett reports that the acceptance of most American Catholics of the legitimate use of contraception is easily demonstrated by the fact that Catholic families are no longer significantly larger than non-Catholic American families. Baggett, *Sense of the Faithful*, 72.

<sup>399</sup> Coffey, *Sacrament of Reconciliation*, 95.

<sup>400</sup> In terms of the actual authority of the document, much ink has been spilled. See Richard R. Gaillardetz, *Teaching with Authority: A Theology of the Magisterium in the Church* (Collegetown, Minn.: Liturgical Press, 1997) for a good overview of the controversy.

In her discussion of the relationship between contraception and confessional practice, historian Leslie Woodcock Tentler disagrees with popular contentions that the publication of *Humanae vitae* and the subsequent difficulties of discussing contraception in the confessional enraged Catholics to the point of renouncing the practice altogether. The "resentment" hypothesis, she argues, fails to do justice to the complex issues of Church authority and shifting conceptions of sin facing the laity during the 1960s and 1970s.<sup>401</sup> And not just the laity. As Tentler reports, numerous priests throughout the years preceding the encyclical assured penitents that they were free to consult their own consciences with respect to artificial contraception.<sup>402</sup> At the parish level, then, some space was opened for the faithful to entertain the differing conceptions of moral authority available to American Catholics.

Indeed, the publication of *Humanae vitae* provided a monument signifying a widespread contestation of Church authority over a myriad of issues not seen since the Protestant reformation. Sociologist Jerome Baggett writes that the document "revealed to the laity the intrinsically contested nature of the Church as an institution, and, consequently validated their own ability to dissent."<sup>403</sup> However, perhaps because of the hope and confidence gained across the Church through the Second Vatican Council, this conflict over Church authority did not lead to a repetition of the 16<sup>th</sup> century's many schisms. Instead, many Roman Catholics have opted to "defect in place," a phrase coined to describe this strategy by theologian and activist Sister

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<sup>401</sup> Tentler, "Souls and Bodies: The Birth Control Controversy and the Collapse of Confession," in Michel J Lacey, Francis Oakley, and Oxford University Press, *The Crisis of Authority in Catholic Modernity* (Oxford: Oxford University Press, 2011), 293.

<sup>402</sup> *Ibid.*, 294

<sup>403</sup> Baggett, *Sense of the Faithful*, 66.

Miriam Therese Winter.<sup>404</sup> Such Catholics continue to participate actively in parish liturgies, to contribute to the activities constituting parish life, and to adopt as many of the Church's theological and moral teachings as they deemed appropriate.

*The Sexual Emancipation of the Catholic Body*

*Humanae vitae* was not the first papal document to address family planning and sexual ethics. In 1930, Pope Pius XI published *Casti connubi*, whose focus on the permanence of the marital bond, the importance of chastity within marriage, and the necessity of strengthening the weakness of the wills of married persons tempted to exceed the fundamental laws of the family signaled the opposition of the Catholic Church to the moderate approach adopted by the Anglican Church at the 1930 Lambeth Conference.<sup>405</sup> However, at the parish level, the Church's authority over sexual matters achieved only a precarious balance with respect to the decision-making of the American laity. As indicated in the previous chapter, Catholics were not prudes, nor did they seem prone to excessive sexual restraint. The confessional provided space for penitents to renegotiate their relationship with what they perceived to be the Church's demands on their sexual lives, but it seems unlikely that parishioners experienced undue pressure from pastors or confessors to show enormous interest in their own sexual lives. On the contrary, as

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<sup>404</sup> See Miriam Therese Winter, Adair T Lummis, and Allison Stokes, *Defecting in Place: Women Claiming Responsibility for Their Own Spiritual Lives* (New York: Crossroad, 1994).

<sup>405</sup> This document reiterated the dangers of trusting the "overrated independence of private judgment and that false autonomy of human reason" and pointed out that because marital unchastity begins even with the development of bad inclinations of the will and impure desires in childhood, parents and civic authorities are both responsible, in their respective capacities, for making the home a place of safety, equity, and moral discipline. [close quote?] See Pius XI, *Casti connubii*, [Encyclical Of Pope Pius Xi On Christian Marriage], Vatican Website, December 31, 1930, sec. 104, accessed January 12, 2016, [http://w2.vatican.va/content/pius-xi/en/encyclicals/documents/hf\\_p-xi\\_enc\\_31121930\\_casti-connubii.html](http://w2.vatican.va/content/pius-xi/en/encyclicals/documents/hf_p-xi_enc_31121930_casti-connubii.html).

James O'Toole points out, confessors were rather reticent to bring up sex, for fear that they might inadvertently educate penitents about matters of which they were previously ignorant.<sup>406</sup> Tentler concurs with this judgment, explaining that American parish priests preferred to avoid lengthy discussions of sexual matters in the pulpit and in the confessional.<sup>407</sup>

With the publication of *Casti connubi*, however, came the expectation that priests and laity would affirm in practice the Church's rejection of artificial contraception as a legitimate means of family planning. Tentler provides numerous examples of the difficulty this caused to penitents who "accepted [the] church's right to dictate marital morality, even if that morality failed to square with the realities of modern marriage." No longer able to avoid or displace the issue, many Catholic married persons avoided the confessional and the communion rail. As Tentler continues, "Catholics who practiced contraception prior to the early 1960s typically received the Eucharist infrequently -- at Christmas and Easter, perhaps, or even once a year, in mute acknowledgement of their church's authority. At the same time, their isolated state more or less forced them to begin thinking about the relationship of conscience to authority and experience to the building of moral systems."<sup>408</sup> For many married American Catholics, then, the hierarchical Church was a sign of their unrepentance and disobedience, a constant reminder that their identity as good-enough Catholics was in jeopardy.

Catholics did not stop going to Mass as a result of the massive rejection of *Humanae vitae*, nor did they cease having their babies baptized, participating in the liturgical life of the

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<sup>406</sup> O'Toole, *Habits of Devotion*, 153.

<sup>407</sup> Tentler, "Souls and Bodies: The Birth Control Controversy and the Collapse of Confession," 298.

<sup>408</sup> *Ibid.*, 302.

parish, or, most importantly, receiving communion. On the contrary, Catholic parishes have remained fairly vibrant centers of Catholic religiosity. However, absent from the religiosity afforded by participation in parish life is any discussion of sexuality or the body, especially in the confessional. American Catholics continue to desire the recognition of the Church in terms of its ratification of their desires for a stable life, as orienting them toward some transcendent meaning, and as providing some sense of basic communal identity (in terms of having a church to attend, not in terms of being culturally Catholic in an explicit sense.) This split between public and private was simultaneously a split between the sexualized and the non-sexualized.

Part of the issue at work here, chronicled at length by scholars like Michel Foucault, extends beyond Roman Catholic culture: the medicalization of sexuality and its objectification in discourse and in practice. Drawing on Foucault, as well as the work of historians Peter Brown and John Bossy, Charles Taylor demonstrates that a rift opened between medieval Catholic understandings of sexual pleasure as the scene of potential disorder, which continued in Catholic circles, and the Victorian naturalization of sexual life. Nevertheless, as Roman Catholic culture in the United States became increasingly porous, the provenance of the Roman Catholic teaching authority to issue on sexual matters likewise became increasingly suspect, such that the lower clergy eventually began to avoid discussion of issues like contraception and supposedly immoral sexual practices in the confessional. The necessities of pastoring the Catholic middle class required the recognition that these Catholics were increasingly conversant in non-ecclesial moral discourses. As Tentler points out, "Catholics had so benign an experience of postwar America as to prompt among even the devout a generous appreciation of the society's foundational values. The result was a people increasingly caught between two moral systems -- the one hierarchical



and essentially communal, the other premised on the good of individual autonomy."<sup>409</sup> And structuring this individual autonomy was a discourse of sexuality that identified it as the privileged location of the core self: to be false to one's sexuality was to invite joylessness, frigidity, death. To return to Winnicott's language, sexuality is an essential aspect of one's true self. In attempting to influence the laity's sexual expressions under the strictest possible terms (mortal sin), the leadership of the Church seriously damaged the trust between them that constitutes authentic Church authority.

### *Private Morality and Liturgical Faith*

The laity did not reject the authority of the Church completely, but only its power to authorize the sexual self. On other matters, American Catholics have generally accepted the Church's ability to speak authoritatively. For instance, Catholic researchers have found that when it comes to matters of non-sexual doctrine, Catholics tend to affirm the dogmatic stance of the Church.<sup>410</sup> But even these issues are up for reasonable debate, not only among the laity, but even among Catholic theologians and the faculty at Catholic universities. The sexual has expanded to those areas that are of most significance – where Christological doctrines are meaningful, the

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<sup>409</sup> Leslie Woodcock Tentler and Charles and Margaret Hall, *Catholics and Contraception: An American History* (Ithaca, NY: Cornell University Press, 2004), 136.

<sup>410</sup> In a series of surveys designed to investigate how contemporary Catholics construct and understand their Catholic identities, recent surveys found that, in every assessment, "charity to the poor," "belief in Jesus' resurrection," and "the sacraments" were cited as constitutive of Catholic identity, unlike "a celibate male clergy" and "the teaching authority of the Vatican." They found no differences between Catholics with more and less *Catholic* education, but significant differences with regard to general education level. They conclude that the "core of Catholicism in the minds of laypeople is in the realm of creedal beliefs, sacraments, devotion to Mary the Mother of God, and service to the poor." See William V D'Antonio, *American Catholics Today: New Realities of Their Faith and Their Church* (Lanham, Md.: Rowman & Littlefield Publishers, 2007), 24-35.

laity require their own autonomy. Where matters of public policy are at stake, the Church's authority is questioned.

The locus of the Church's authority, then, is truly its liturgical power, for it is the Church's liturgical rites that continue to confer meaningful identity on the Catholic faithful. But participation in these rites is seldom contingent on the orthodoxy of practical reasoning. Catholics do not go to confession, but nearly everyone present at the Sunday Mass receives communion. Where confession used to confer identity through the authority of the priest to recognize the penitent's recognition of their sins, now communion confers identity through the generally accepted norm of minding one's own business.

The shift to participation in communion as the liturgical act by which Catholics recognize themselves decisively moved the authoritative recognizing gaze from the hybrid Church-God to God, leaving the Church to provide the bare essentials for a liturgical common life. Unlike confession, and even unlike the bulk of the liturgy of the Mass, the reception of communion is a quintessentially private rite, whose meanings are almost solely up to the communicant.<sup>411</sup> My point is that the essential act of recognition occurs when the Eucharistic minister, more often than not an extraordinary minister (i.e. a layperson) makes eye contact with the communicant and says, "The Body of Christ," to which the communicant says, "Amen." She or he takes the host, consumes it, and moves to the pew (or repeats the act with the cup.) Catholics overwhelmingly report the significance and intimacy of the communion rite, a time when they feel close to God, accepted by God, one with God. Indeed, the remaining disciplinary injunctions forbidding non-Catholics from receiving the Eucharist regularly draw the consternation and ire

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<sup>411</sup> See Bruce T. Morrill, "Holy Communion as Public Act: Ethics and Liturgical Participation," *Studia Liturgica* 41:1 (2011): 31-46, here 34-35, 43.

of faithful Catholics who wonder why the Church would get in the way of someone who wanted to communicate with God.

At work here is the division, the split in the Catholic mind between the Church and God alluded to above, so that the Church functions to provide space for individuals to negotiate their relationships with God on their own terms. Even when they do this according to the teaching of the Church, Catholics seek to do it spontaneously and not out of a sense of obligation. Winnicott found in his clinical practice that the truest self must be a spontaneous self. If he is right, the practice of ritual confession from week to week for most Catholics was an exercise of the false self. For confession to work, so to speak, it needs to facilitate the penitent's spontaneous self-expression.

#### *Freeing the Sexual, Freeing the Spiritual*

The contraception crisis provides clear evidence of the eviction of Church authority from a domain now marked as private, to be regulated according to "conscience". And yet for most Catholics during the 1960s onward, sexuality was not protected from God, only from the paternal intrusion of the official Church. On the contrary, the Catholic laity embraced what Tentler calls the "gospel of sacralized sex," a positive embrace of sexual expression, albeit within the context of marriage, as a quasi-sacramental and supremely healthy "means of union not just with one's spouse but with God."<sup>412</sup> In question was not the relative goodness of sex, as this had been ratified by Catholic theology for centuries. Rather, their access to a different discourse on sex, and indeed, access to the sexual sphere cordoned off by this discourse, meant that the Catholic laity could speak back to the magisterium from a position of authenticity, using the language of

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<sup>412</sup> Tentler, "Souls and Bodies: The Birth Control Controversy and the Collapse of Confession," 300.

conscience. Prior to the creation of this discursive place, the laity could simply disobey Church teaching, but they were unable to provide an alternative. Obey or disobey, the rules remained the same, and the confessional was the space for negotiating this disobedience. But available to the Catholic laity now was a new space, a space free from the recognition of Church authority, open to the liberating and spontaneous fecundity of God, who is mediated by the hierarchy as a sign but mediated to the people as vitality, growth, open-heartedness and concern for the world. The distancing of the Church of the Father opened up space for God to be received as Mother. And a people becomes the image of the God it receives.

In this context, then, the laity offered the official Church their own terms for access to God: maintain a respectful distance and trust in our own ability to negotiate our difficult and private lives. To the institutional Church still belong the celebration of the Eucharist and the baptizing of children. Official Catholic marriage retains an important place in Catholic parish and family life, as do Catholic funerals. On the local level Catholics continue to treat their priests with dignity and respect, honoring them as sacramental "others" and allowing for their symbolic value to the community as its head.<sup>413</sup>

What has ceased to be recognized by the majority of practicing Catholics is the importance of the priest's obedience to the hierarchy. Charisma and authenticity, not towing the party line, now marks the effective and authoritative pastoral ministry of the Catholic clergy.<sup>414</sup>

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<sup>413</sup> D'Antonio et. al, *American Catholics Today*, 121.

<sup>414</sup> See William A Clark, *A Voice of Their Own: The Authority of the Local Parish* (Collegeville, Minn.: Liturgical Press, 2005) for a practical discussion of intimacy and authority in parish contexts.

And to a great extent this negotiated authority depends on the priesthood's quiet relinquishing of the private sphere to the authority of the laity.

Thus encoded into the authority structure of American Catholicism a bifurcation between two spheres, one governed still by the symbolic and sacramental activity of clergy and, where they are available, those in vowed religious life, and one unmediated by the teaching authority of the Church, perceived to be the dynamic and expressive realm of desire and energy. To be sure, this was to some extent true even before the postwar years of crisis -- never has the Church's authority signified the Catholic subject in her or his entirety. What is significant in the current configuration, however, is that the "private" sphere of the laity confers its own authorizing demands on parish life while rejecting all but a few reciprocal influences. Catholics are free to populate the symbolic structures of the Mass, of the Catholic wedding, and, as we shall shortly see, even the sacrament of penance with their own expressive fantasies, but the Church's incursion into the dynamic roots of these fantasies is an intolerable exercise of judgment.

While these expressions are limited to some degree by the objective ritual form, the most powerful moments are often the most unstructured. Anecdotally, for instance, Catholics from my own parish often say that the two moments during the Mass most commonly reported to be moving and spiritually meaningful are the exchange of peace and the reception of communion together with the time of quiet prayer afterwards. The aesthetic of the Church's liturgical forms possesses its own transcendence, and for many Catholics this evokes and communicates the presence of God: the solemnity of the Easter fire, the conferral of ashes, quiet carols at the midnight Mass.

But the relationship of the unstable and illusive God evoked by the liturgies and the God of spontaneous and life-giving expressional desire is unclear to many. Indeed, this curious

dynamic prompts Monika Hellwig to propose that Catholics who have lived through the years of crises often experience not one God but two. First is a "catechism God" subject of the traditional doctrinal affirmations of God: supreme ruler and judge, three persons, punisher, responsible for heaven and hell, present especially to the holy saints in heaven but mostly present to people alive in this world through the hierarchical Church, the province of the people who have official knowledge and power. The "other God" is "frighteningly impersonal," mostly distant but subtly present "more within self-awareness and interpersonal relationships than over against them, powerful only in a sense that we do not easily recognize as power and even then powerful rather within human freedom than over or alongside of it."<sup>415</sup> The presence of these gods is confusing.

Hellwig does not think that Catholics feel particularly close to this strangely impersonal God. And why would they? For centuries God had been the power and concern of the clergy, and access to God took place through the Church's rituals. A God mediated in the ritual life of Tridentine Catholicism is distant indeed, and powerful. But a God mediated through the private lives of Catholics? Through their marriages, their jobs, their children? It takes time to get to know this God, and a kind of moral imagination that can recognize how God can be present in the midst of failures and sins. As Hellwig suggests, this God is not angry, but neither is this God particularly warm or friendly. The most important aspect of this God is that of accompanying and quiet presence. Until this God is present in the Church's liturgical life, especially in the Church's rituals of penance, the laity will keep their distance.

Catholics continue, however, look to the authority of the Church to provide and maintain the symbolic capital underpinning the liturgical life of the parish. They look elsewhere for

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<sup>415</sup> Hellwig, *Sign of Reconciliation and Conversion*, 6.

guidance into matters of desire: sexuality, but also the use of wealth, political involvement, and matters of health. To return to the dynamics of recognition, American Catholics no longer recognize the Church's recognition of their capacity as desiring subjects. While in its pronouncements and official teachings the Church wishes to cast its authorizing gaze over the laity in their totality, the laity themselves have covered, as it were, their private parts from the hierarchy's private eyes. In privileged moments with trusted clergy, as in confession, these parts might be revealed. But again, what normally is sought is not the priest's authorizing judgment but his understanding and pastoral presence -- and these resources are often found elsewhere.

A Church authority that cannot recognize the sphere of the sexual corresponds to a Catholic subject whose desires are unavailable to the symbolic discourse of the Church. Formal rules remain, but in psychoanalytic terms, the superego of the subject is not constituted according to them. The Church no longer speaks to American Catholics in the name-of-the-Father, and so the words of Church authorities can no longer summon the cooperation of the dynamic powers of the id to enliven its prohibitive "No, not this, not yet." In theological terms, the American Catholic laity no longer understand obedience in terms of a one-sided relationship of dependence on the Church for salvation. Rather, any adherence to the Church's moral teaching takes place on the continuously contested ground of pre-oedipal guilt.

### **III. Mutual Recognition and the Dynamics of Pre-Oedipal Guilt**

I have described at length some of the significant changes to the dynamics of Roman Catholic culture in the years leading up to the Second Vatican Council and the publication of *Humanae vitae*, highlighting especially the shift in the authority of the official Church to recognize key aspects of the lives of the laity, namely, those pertaining to the sexual. I want to focus now on this shift as internal to the laity itself, that is, as a reconfiguration of what it means

to be a Catholic through the shifting of the structure of Catholic subjectivity. The cultural changes during the postwar years of ecclesial crisis did not merely affect American Catholics from without, as external forces. Rather, as with all cultural movements, the proximate locus of this transformation is the structure of the self.

I explored some of the implications of these transformations in the first part of this chapter using Kohut's self-psychological terminology. In this final part, I want to extend my analysis of the shift from oedipal to pre-oedipal guilt. To do this, I will build on Winnicott's discussion of the need for omnipotence by tracing how guilt emerges in early childhood relationships as the need to make reparation. To some extent, the formalism of the old Catholic guilt remains, but emptied of its power.

#### A. Guilt as the Capacity for Restitution

Earlier I discussed the relationship between Winnicott's false self and true self as an instance of a conflict between spontaneity and social pressure. Here I want to follow Winnicott's exploration of the development of guilt in early childhood as a parallel conflict between the infant's power and the mother's power. According to both Winnicott and Kohut, as we saw above, all children need to feel powerful. This feeling of power, however, is challenged when children encounter the seemingly greater power of others, especially their parents. Winnicott reasoned, as a result of long hours of clinical experience, that children often become angry at their caregivers simply for being more powerful, and that this rage concealed a more hidden fear of engulfment, of becoming nothing in the face of the parent's everything. In other words, in the magical worlds of young children, strong experiences of rage threaten to actually destroy the other person.



The ability to negotiate between the need for infantile omnipotence and the need for the caregiver coextends with the development toward what Winnicott, building on Klein, called the "true restitutive gesture."<sup>416</sup> In the face of the danger of having its vitality engulfed by the caregiver, the infant must maintain its sense of omnipotence; but in the face of the danger of destroying the needed caregiver, the infant must develop the ability to make reparation for its destructive impulses. Thus, the caregiving environment must also "hold" the complex mix of aggression and love that constitutes the child's relationship to the caregiver long enough for the child to learn to do so on her or his own.

Winnicott maintains that guilt feelings are a healthy sign of the self's ability to tolerate conflicting impulses of love and hate, and such tolerance is a prerequisite for coming to value one's own self as well as others.<sup>417</sup> For instance, a child throws tantrums, combining the experience of frustrated needs with an anger toward the caregiver, the perceived source of frustration. When the caregiver can survive such tantrums without either capitulating to the child's desires or reacting with complete indifference, the child has the difficult opportunity to move into what Klein calls the "depressive position," the position of being present to two coexisting concerns: "one as to the effect of the attack on the mother, and the other as to the results in the infant's own self according to whether there was a predominance of satisfaction or of frustration and anger."<sup>418</sup> Commenting on Klein's own descriptions of this crisis, moral

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<sup>416</sup> Ibid., 26.

<sup>417</sup> Ibid., 24. "From my personal point of view, the work of Klein has enabled psycho-analytic theory to begin to include the idea of an individual's value, whereas in early psycho-analysis the statement was in terms of health and neurotic ill-health. Value is intimately bound up with the capacity for guilt-feeling."

<sup>418</sup> Ibid., 21.

philosopher Martha Nussbaum writes, "For the child has in a very real sense experienced a profound loss--of the totality of its world of bliss, of the pure goodness of the object of its love, of the full attention and love of that object, and, finally, of its own full goodness and purity. The world is no longer a golden world punctuated by moments of external danger. Danger is now seated at the heart of love, and of oneself."<sup>419</sup> For both Klein and Winnicott, the possibility of a morally responsible stance to the world can only emerge out of a dangerous play of destructiveness and love. If the child can hold on to this ambivalent mixture without rejecting either, it can arrive at an uneasy stance of responsibility and concern, what Winnicott identifies as the "origin of the capacity for a sense of guilt."<sup>420</sup> Thus able to hold its destructive impulses and its love for the caregiver, the child can express its remorse by a gesture of restitution, a creative and symbol act that neither ignores the reality of the child's aggressive wishes nor the reality of the existing and subjective other.

However, the development of a morally significant guilt depends as well on the resolution of the conflict between the true and false self. I say "morally significant," because the false self is clearly able to make a restitutive gesture, but it does so solely out of a compliance fearful of engulfment, not out of the ambiguous mixture of love and aggression that constitutes a healthy concern for the other. Likewise, a self fully taken with its own omnipotence might wield gestures of remorse as a weapon to achieve its own aims, but it does so without a mutual regard for the other. Either case leads to a denial of the other's subjective existence, leaving the self

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<sup>419</sup> Martha Nussbaum, "Emotions and the Origins of Morality," in *Morality in Context*, eds. Wolfgang Edelstein and Gertrud Nunner-Winkler (Amsterdam: Elsevier, 2007), 96.

<sup>420</sup> Winnicott, *The Maturation Processes*, 22.

vulnerable to feeling completely alone.<sup>421</sup> As Winnicott explains, "in some persons, or in a part of some persons, there is a stunting of emotional development in the earliest phases, and consequently an absence of moral sense. Where there is lack of personal moral sense the implanted moral code is necessary, but the resultant socialization is unstable." Without the right environmental factors -- the sensitivity of the child's caregivers and immediate family to the child's true psychic needs -- subjects will at best come to a troubled and compliant relationship to its dominant others. This is precisely the situation described by the emergence of a "false self" whose incapacity to move from a basic illusory omnipotence to a complex and ambiguous stance of value for self and other signals an obstacle to meaningful moral decisions.

#### B. Toward Mutual Recognition and the Articulation of a New Sense of Fault

Capturing in psychoanalytic terms the shift from an institutionally centered moral framework to an individual, therapeutically-informed moral framework, Winnicott's theory rests on certain hidden and culturally-laden assumptions about the relationship of the child to its caregivers, especially to its mother. In becoming identified as psychological values to be regained through therapy, the true self's autonomy, empowerment, and vitalized existence risks being divorced in the popular imagination from the political and cultural web of relationships that make the healthy self possible. Winnicott can be interpreted in such a way as to be vulnerable to criticisms leveled at therapeutic culture of championing a problematic individualism. As discussed above, within the family, the child's first and most local encounter with culture, the mother's role in the mother-infant relationship is to comply in a good-enough

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<sup>421</sup> Jessica Benjamin develops this theme in *The Bond of Love* and shows the gendered dynamics of domination and submission involved. I will discuss her work at greater length below.

way with the infant's illusions of omnipotence, to resist the infant's aggressive and destructive intentions, and to avoid inasmuch as possible imposing her own will on the child, for this might provoke the rapid development of the defensive false self. The child's individuality must flourish within the mother-infant dyad and then, with the help of transitional objects like teddy bears and blankets, break free into a reasonably independent existence.<sup>422</sup> Winnicott, like many psychoanalytic theorists writing throughout the twentieth century, thus brings into his theory a societally-constituted pressure on the mother to perform the caregiving role or else suffer responsibility for her child's defective moral development.

But the development of the "true self" is not just a matter of a child's relationship with its mother. Nor is it a matter significant for individual flourishing but rather a vital political necessity connected to the ability of persons to experience and respond to a healthy sense of guilt. To explore the political and thus most deeply moral ramifications of the contested dimension of guilt, we can consider the emergence of guilt in connection to the capacity for mutual recognition, a theme developed by Jessica Benjamin in her 1988 text *The Bonds of Love*. She offers in this work an analysis of the gendered dynamics of moral development that builds on Winnicott's theory of the destructed and indestructible mother. As I summarized above, Winnicott theorizes that the infant's other -- in most of his cases, the mother -- must survive the infant's aggression. But more is at stake than the infant's sense of omnipotence, which is only a temporary requirement on the way to mature selfhood. Benjamin's account assumes that one of the most important goals of human development is the establishment of the possibility of mutual recognition.

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<sup>422</sup> C.f. D. W Winnicott, *Playing and Reality* (New York: Basic Books, 1971), 1-34.

By mutual recognition, Benjamin means the paradoxical establishment of personal identity that takes place only when I acknowledge the objective existence of another while accepting this other's acknowledgement of my own existence. She writes:

“Establishing *myself*...means winning the recognition of the other, and this, in turn, means I must finally acknowledge the other as existing for *himself* and not just for me. The process we call differentiation proceeds through the movement of recognition, its flow from subject to subject, from self to other and back. The nature of this movement is necessarily contradictory, paradoxical.”<sup>423</sup>

Put more simply, what this means is that people depend on the recognition of others to feel like selves. To recognize myself as a person, I need someone else to recognize me as a person. But for this recognition to matter, I must recognize the person recognizing me as a person. This is the circular and paradoxical sharing of recognition and identity that must take place for us all to regard ourselves as persons.

But political and cultural conditions can make it very difficult for people to achieve recognition. For instance, as Benjamin shows, American society has tended to idealize mothers as "the all-giving, self-contained haven," while perpetuating the complementary notion that "the infant is infinitely fragile in his dependency and insatiable in his need."<sup>424</sup> This encourages a tendency toward what psychoanalysts term "splitting," the identification of an entire set of characteristics -- in this case, omnipotence and dominance -- with one person, and the identification of the opposite set -- non-assertiveness and submission -- with the other.<sup>425</sup> When

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<sup>423</sup> Benjamin, *The Bonds of Love*, 36.

<sup>424</sup> *Ibid.*, 213.

<sup>425</sup> "It is a maxim of psychoanalysis that idealization is a defense against aggression and so emerges when hate cannot be integrated with love; this failure of integration is the essential element in splitting." *Ibid.*, 214.

parenting roles duplicate this splitting, usually through the pattern of the self-sacrificing mother and the distant father, and children identify with "feminine" or "masculine" roles accordingly, the capacity for mutual recognition breaks down into binary relationships of dominance and submission, the unequal exchange of personhood.

For societies in which women operate as the primary caregivers of children, the development of the capacity for mutual recognition takes place when the child can recognize its mother as someone with an independent subjectivity, the bearer of her own wishes, fears, and goals. The infant's participation in the bond with its mother is initially unconscious. When it becomes conscious of this bond, the infant wants to know if it can affect this participation through assertion, even aggression. If it learns that it cannot -- if the conditions for mutuality are closed -- it identifies unconsciously with the other as a submissive and non-mutual partner. If it learns that it can dominate this participation entirely, that the other has no power to resist, it identifies unconsciously with the other as a dominant and non-mutual partner.

Development is not simply about establishing autonomy from those on whom one depends -- caregivers, family, society -- but about maintaining a healthy and balanced connection to those whom one recognizes as others and from whom one receives identity. Benjamin's account demonstrates that the development for the capacity for mutual recognition, or, in Winnicott's language, the capacity to achieve guilt, cannot be framed solely in terms of an individual achievement, or even in terms of the relationship between parents and children. This relationship creates for the child possible positions in the patterns of domination and submission that characterize the parents' own relationship. This relationship is itself informed by the web of relationships of which they are a part, and more broadly by cultural expectations. Rather, cultures which suppress the potential for mutual recognition between men and women in favor of

patterned roles of domination and submission reproduce themselves within the relational logic of the parents, and again in the psychic structure of the child, who comes to discover in culture the very expectations with which it is predisposed to identify. Conscious and unconflicted cooperation with these expectations constitute the essence of the "false self." Without the capacity to hold on to my mixed feelings about the matter, I must either accept entirely the expectations of those to whom I am bound or else reject entirely these expectations and with them the possibility of any relationship. If I am omnipotent, if I am the dominant one, I do not need to pay attention to others' expectations. And if I have been overwhelmed by the dominance of one to whom I am bound, I must accede entirely or risk disappearing entirely.

### C. Pre-Oedipal Guilt, Sin, and Contrition

No longer bound by relational ties of obedience to a father-like Church authority mediated by a constant self-interrogation according to the positive laws of the Church, Catholics were initiated into new discourses on the self that offered the capacity to root them, with their faults, in a world of plurality, multiple lines of authority, and the prospects of unlimited choice. As Benjamin has helped me to show, the emergence of pre-oedipal guilt contains an implicit moral imperative to create environments that can support the development of mutual recognition, in order to overcome relationships characterized by domination and submission. Since these characteristics describe the relationship of the laity to the Church in the years before the Second Vatican council, as this relationship changes, the necessity for a new moral and ethical understanding arises, one based on not submission to a dominating authoritative Other but a shared authority, a mutual recognition.

In pre-oedipal guilt, there is no external, single, public, discursive authoritative framework used to interrogate the self. In a word, while there are guilt feelings, there is rarely

guilt itself in undisguised fashion, where we understand guilt to express the clear sense of having disappointed an Other whose approving and recognizing gaze is central to a manageable experience of the self. There is no ready technology, approved and honored by the ecclesially bound God, to decipher my experience, to render myself visible to myself in a network of relational, symbolic, and material ties. There are, rather, many technologies, with many approvers, but the absence of any overall framework with which to evaluate these technologies -- indeed, the very question of which technology -- makes an authoritative relationship to my self the central, liberative, yet disconcerting fact of my existence.

Winnicott's theories on the necessity of a holding environment capable of handling its subjects' ambivalence provide fodder for pastoral insights into the role of penance in parish life. Sacramental penance must no longer assume that penitents can easily articulate their sins or their guilt in terms of their "number and kind," to use the traditional formula, for these articulations belong to a developmentally-situated religious and moral framework that has largely ceased to exist in the imaginations of Catholics. To conjure them up in most contemporary Catholic imaginations would be an instance of the false self attempting to comply out of a need to protect a threatened sense of agency and spontaneity.

Winnicott strongly deemphasizes the power of institutional morality -- societal laws, cultural norms, familial rules, all featuring aspects of what Vergote terms the Law -- to facilitate a moral development marked by a true respect for the value of the self and others, by itself. Instead, he highlights the developmental obstacles involved in achieving an ethical stance vis-a-vis the self and other. The ability to articulate guilt is not, according to Winnicott's theory, something that occurs naturally in human development but must be won through the skillful cooperation of the subject and the subject's immediate environment. Without this cooperation,



contemporary selves are left with experiences of fault constituted by a confused and inarticulable mixture of dependence, obligation, and desire. But, as Benjamin argues, this cooperation is not just a matter of interpersonal relationships but depends on the alignment of wider cultural and political structures that foster or inhibit opportunities for mutual recognition.

Thus, for rites of penance to contribute to the social, spiritual and psychic health of parishes, they must both emerge from and return to a commonly understood ethic of mutual recognition that informs the relationships of those who participate in these rituals. Any rituals and practices that involve the articulation of fault must be aware of the tendency to equate sacramental absolution with the disappearance of guilt. Guilt, described here as the ability to tolerate the conflict between the expectations of others and my own desires, is necessary in order to engage in such relationships of mutual recognition. What is sought in penance are the grounds for a new ethical and theological beginning, one that is neither paralyzed by past failures nor liberated by their imaginative erasure.

For the most part, American Catholics are no longer dominated by a hierarchical Church, but this means that the Catholic guilt that once spurred Catholic to go to confession and, to a more limited extent, motivated ethical behavior, has given way to a much more ambiguous web of cultural and social relationships in which temptations to adopt positions of domination and submission continue to play a role. This points to the urgent necessity of what Vergote calls the demythologization of morality: the recognition that the capacity for moral life develops gradually, in the midst of faultiness and guilt, into a precarious balance that must be consistently renewed and renegotiated in the midst of cultural forces and concrete interactions.<sup>426</sup> Any

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<sup>426</sup> Vergote, *Psychoanalysis, Phenomenological Anthropology, and Religion*, 71. Vergote borrows this term from philosopher Ernst Castelli.

considerations of sin and forgiveness must interrogate experiences of fault in light of these dynamics, the psychological substratum of the ethical life toward which Christian conversion is aimed.

#### **IV. Toward a Threefold Model of Penance**

In this and the previous chapter, I chronicled the cultural shift among the Roman Catholic laity from a juridical Catholicism to a therapeutic Catholicism and articulated a parallel change in the predominant sense of fault among Catholics from a focused, measured, and obligating oedipal guilt to an unfocused, inarticulable, and alienating pre-oedipal guilt. The Oedipal model of authority that marked Catholic culture before the years of postwar crisis had as its psychological correlate Catholic subjects who experienced fault according to the psychic structure of guilt. To summarize my argument in Chapter 2, the authority of the Church as communicated through the ritual life of the parish, the discourse of parochial education, and the religious language of the family was reinforced by the importance of maintaining a sense of Catholic identity together with an emphasis on obedience as constitutive of this identity. Appeals to the dangers of hell and separation from God and all good things exaggerated the dangers of ambiguous identity, necessitating a ritual which could dependably mitigate anxiety through the performance of obedience. Confessional practice provided the Catholic laity with a space in which to negotiate the demands made on them by the authority of the Church with their desire for belonging and recognition: by dutifully recognizing themselves as disobedient, Catholics were recognized by the Church as good-enough. Opportunities for disobedience were myriad, and the chief penalty for sin was an anxiety around one's ambiguous status in the eyes of the Church, whose watchful gaze admitted - or not - the good-enough into the forbidden delights of Heaven. The unity of Church-and-God as the distant but always observant father, whose laws

established the grounds and conditions of recognition, constructed the unspoken and obscure space in which all desires might be satisfied in a way pleasing to the Father -- but this space was a transgressive one, allowed only to the most pure who, ironically, were the least likely to actually enjoy it.

The collapse of culturally Catholic communities and moral frameworks centered on notions of obedience signaled the need for new ways of determining what makes life worth living, and worth living well. This signaled the flourishing of individual spirituality that marks much of contemporary religious practice in the United States.<sup>427</sup> Postwar popular religious language among Catholics and Protestants alike identified spontaneity, vitality, and desire with the truest elements of the self, and contrasted them with societal and cultural demands as the basis for development of the self. The religious obligations experienced by previous generations of Catholics as a natural, if uncomfortable and often oppressive, aspect of personal identity became identified instead with a false and depleted self. Catholics began to realize that things like the obligation to go to confession, to go to Sunday Mass and feast days without fail, or to say one's prayers were worthless, perhaps even harmful, if not motivated by one's true self with its spontaneous desires.

Thus, the language about guilt itself shifted from signifying the existence of a threat to one's relationship to God, as mediated by the Church, to *describing* a threat to one's relationship to God. The cultural split between God and Church here reoccurs as a psychic split between a God who blesses and affirms my desires and a Church that demands my compliance for its own sake. By externalizing the obligations affirmed by the Church, Catholics have distanced

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<sup>427</sup> See Jeremy R Carrette, *Religion and Critical Psychology: Religious Experience in the Knowledge Economy* (London; New York: Routledge, 2007).

themselves from the easily accessed punitive guilt that so widely characterized their predecessors. But the absence of this punitive guilt does not, by itself, imply that Catholics have suddenly managed to achieve a hitherto unaccomplishable level of morality. It *does* imply, however, an opportunity to reappropriate the elements of Catholic moral tradition and practice that provide an environment conducive to moral development, theological understanding, and political justice.

As I mentioned at the beginning of this chapter, a tiny minority of adult Roman Catholics still make use of the juridical approach to penance, some quite regularly. Like early American Catholic confessional practices, juridical penance allows Catholics to situate and maintain their Catholic identities with respect to God through a filial religious obedience to the Roman Catholic Church. In the past, the Church made use of strong connections between law, responsibility, and punishment in order to encourage sorrow for sins and the willingness to confess. Where these connections still exist, the sacrament of reconciliation tends toward a juridical approach, with law-breaking as its corresponding theological image of sin. Among self-identifying traditionalist Catholics, juridical penance signals the possibility of revisiting a religious world that has otherwise all but disappeared. In the language of Charles Taylor, then, the choice of juridical penance represents a return to the ancient regime, a "traditional Catholicism" reconstructed to deal with specifically modern problems. As such, this return is marked by ambivalence, cultural and ecclesial tension, and the perpetual threat of disillusionment.

For other Catholics, as I will show in the next chapter, what I term therapeutic and relational approaches to penance offers the opportunity to explore the conflicts of obligation and desire that can contribute to a sense of being at fault. These variations depend on the availability of pastoral contexts for sharing, listening, and counseling -- the practice of what has been often

termed spiritual direction, but also support groups and informal gatherings. Informed by the meeting of psychological culture with Catholic moral teaching, therapeutic approaches to penance combine in a rough-and-ready way the authoritative and intimate aspects of pastoral care to provide penitents with a safe space relatively unstructured by expectations.

However, neither juridical meetings with authoritative representatives of the Church nor informal spaces for sharing exhaust the possibilities of the sacrament of penance. Tying the two together within the wider context of parish life is what I call the communal approach to penance, liturgical rituals in which the community gathers to express its corporate sense of fault in the light of God's mercy. The communal approach thus rests on recognizing that there are various dimensions of sin, both personal and structural, and that the disclosure God's mercy takes differently in these dimensions. Only through an enacted and public theology of penitential mercy do specific approaches to various dimensions of sin make sense. Moreover, through the shared liturgical and Scriptural language of communal ritual, communities can come to identify through their senses of fault the sins in which they all cooperate and to which they must, in a spirit of liturgically articulated contrition, respond.

## CHAPTER 5

### A PRACTICAL THEOLOGY OF PENANCE FROM BELOW

Throughout the history of the Catholic Church, forms of ritual penance have been a source of theological insight for the Church, symbols of the meeting between human desires and obligations, on one hand, and the divine prerogatives of law and mercy on the other. The widespread abandonment of such rituals forms has serious implications for Roman Catholic theology and practice, but these implications are grave only if the "crisis in confession" is misunderstood as a failure rather than a key moment of judgment in the history of the Catholic tradition. As I showed in Chapter 1, moments of crisis punctuated the penitential traditions of the church, signaling the cultural and thus personal shifts that made certain forms inadequate and prepared the way for other forms. To be bound to a single understanding and a single ritual form is to prefer stagnation over growth, death over life. Like the period of the Carolingian reforms, in which public rituals of penance overlapped with less structured opportunities for counsel and conversion, this is a time in which traditions overlap, challenge, and mutually inform one another. The crisis of confession points to an opportunity for growth in the context of Catholic parish life, not to moral decay.

In Chapter 2, I argued that by neglecting the subjective and active aspects of penitents' participation in penance, official Church teaching has continued to support only individual confession to a priest, perpetuating a one-sidedly juridical approach to penance and ignoring how the penitent's active contribution to the sacrament of penance shapes its context and its effects. Then, in Chapter 3, I described the preconiliar world of juridical penance, focusing especially on the prevalence of moral codes and an overemphasis on sexuality, on the centrality of the

clerical priesthood, and on the priority of religious obedience as constituting the good-enough Roman Catholic. I explored on psychoanalytic grounds the attitude engendered among American Roman Catholics through juridical penance, showing that it operated along familial and oedipal lines of authority to provide American Catholics with a way of negotiating a world dominated by a crisis of identity amidst anti-Catholic hostility. Thus sin, at a theological level, was identified in the penitent's psyche with very real behaviors: sin was conceived as a law-breaking activity that moved the religious subject from a state of obedience to disobedience. The confessional served as one of two poles in religious world of preconciliar American Catholics, constituting the good-enough Catholic and controlling access to the other pole, the holy sacrifice of the Mass. Ritual confession thus constituted Catholics according to an oedipal model of religious participation: identifying with authority in order to gain access, however partial, to the desired Other.

In Chapter 4, I described at length some of the significant changes to the dynamics of Roman Catholic culture in the years leading up to the Second Vatican Council and the publication of *Humanae vitae*, highlighting especially the shift in the authority of the official Church to recognize key aspects of the lives of the laity, namely, those pertaining to the sexual. The refusal of the laity to allow the Church to recognize and authorize its sexuality had a psychic counterpart: the splitting of Catholics into two subjectivities, one recognized by the Church, "I" the baptized Catholic, "I" the one married in the Church, "I" the Eucharistic minister; and one exceeding the recognition of the Church, or escaping it, the "I" who survives with or without the Church's official recognition. In addition to myriad changes to the sacramental life of the Church, this shift was internal to the laity itself, a reconfiguration of what it means to be a Catholic through the shifting of the structure of Catholic subjectivity. The cultural changes during the postwar years of ecclesial crisis did not merely affect American Catholics from

without, as external forces. Rather, as with all cultural movements, the proximate locus of this transformation is the psychic body, the world of felt meaning, as new discourses and new configurations of old discourses create new pathways for the dynamic movements of obligation and desire.

From this shift has emerged new ways of conceiving the Catholic subject along the lines of fault. To some extent, the form of the old Catholic guilt remains, but emptied of its power. Older Catholics remember the days before Vatican II, rarely with fondness. The context of old Catholic guilt provides for such Catholics an appreciation for the freedom and flexibility of contemporary church participation. For the generations of Catholics who remember the 60s and before, it is important that the sacrament of penance remains an option in parish life, if only as a sign of their emancipation from the obligation to confess. And yet it is hardly fair to say that Catholics who no longer make use of the confessional no longer struggle with sin, with guilt, with the struggle to take responsibility for their faults. What options remain for those who no longer feel the need to confess according to the old model but still struggle with human questions about responsibility and failure?

In this final chapter, I situate individual and communal ritual opportunities for penance within a wider context of parish penitential practice, arguing that the decline of individual confession has created an opportunity for Catholics to regain a multifaceted vision of sin, guilt, and contrition, but only if ritual practices flow into and are informed by other practices in parish and daily life. Ritual and relational practices of penance contribute to and embody the wider Christian vocation of penitence, the critically reflective willingness to journey together as broken and sinful people for the sake of a future justice.

Borrowing from a model Miller-McLemore uses to examine parenting practices in their



theological context, I envision three concentric rings as constituting the penitential dimensions of Catholic parish life.<sup>428</sup> The centermost ring includes the Catholic Church's official rituals of penance, both individual confession to a priest and public liturgical rites of penance and absolution. I described these rituals in detail in Chapter 1. Individual and communal rituals are surrounded and informed by a second ring, a dimension made up of myriad interpersonal opportunities for exploring and articulating experiences of sin and failure in parish and daily life. I call this the ring of *therapeutic* or *relational penance*. These practices include opportunities for discussing painful or difficult experiences both in sanctioned parish activities and in everyday life. As in practices of counseling and psychotherapy, the personal disclosures involved in such practices often bring about experiences of healing and forgiveness. Moreover, in light of the relational portrait of contemporary selfhood offered in Chapter 4, these opportunities involve spontaneous examples of how attentive and intentional contact makes us feel valued, restoring our depleted stores of self-love when they are low. In therapeutic practices of penance, encouragement and the acceptance of anything said with sincerity and honesty are the structures that mediate God's forgiveness and love.

Finally, unifying and linking relational and therapeutic practices of penance with their ritual counterparts, the third ring points to penance as an integral dimension of Christian vocation, a communal set of attitudes and expectations with respect to responsibility, fault, and sin that informs everyday living and ritual practice. This third and most expansive dimension of penance requires us to move from personal and relational narratives of human failure to a

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<sup>428</sup> Bonnie J Miller-McLemore, *In the Midst of Chaos: Caring for Children as Spiritual Practice* (San Francisco, CA: Jossey-Bass, 2007), 32-37. I explore this model in greater detail below when I examine penitential practices.

structural account of sin.

Relational and therapeutic practices of penance contribute to juridical and liturgical rituals of penance by providing contexts for parishioners to articulate and explore their faults, but this is not enough. Discussing the use of psychotherapeutic practices and theories in Protestant pastoral care and counseling, McClure argues that an emphasis on “intimate, emotional self-disclosure” can prevent pastoral theologians from attending to wider issues of power that influence how selves are constructed socially.<sup>429</sup> Sins that are shared in confidence or in the context of a group tend to be relational and personal sins, just as sins shared in the confessional tend to be violations of Church laws. But some sins are not legal transgression or interpersonal failures but unacknowledged participation in collective acts of oppression, exploitation, and violence. As the collective consciousness of the parish and wider church, the third ring includes the attitudes, commitments, and values that unify Christians as a body. Focusing on the penitential aspect of this consciousness, we can describe this in terms of a common penitential vocation that belongs to all the baptized. It encompasses and informs relational and ritual practices of penance by incorporating them into the ethical and political missions of the parish, so it might serve “as a leaven and as a kind of soul for human society as it is to be renewed in Christ and transformed into God's family.”<sup>430</sup>

With this model in mind, I will discuss individual confession and communal liturgies of penance, considering them from a practical theological stance of critique and suggestion. I begin

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<sup>429</sup> Bonnie J. Miller-McLemore, “Revisiting the Living Document and Web,” *Christian Theology in Practice: Discovering a Discipline* (Grand Rapids, Mich.: W.B. Eerdmans Pub. Co., 2012), 68.

<sup>430</sup> *Gaudium et spes* 40.

with individual confession to a priest, termed *juridical penance* because of the historical and cultural associations with law and punishment explored in Chapter 3. Because the bulk of this dissertation has focused on the primacy given to individual confession, I pay particular attention to its limitations and drawbacks in contemporary Catholic life. I then shift my focus to liturgies of penance celebrated in the parish's common life. I call these opportunities *liturgical penance*, for they are public ritual invitations to begin again, to start over, to try something new. They can, but do not necessarily, provide the Church's official permission to receive all the sacraments in the form of general absolution. They can enable people to mourn common losses and confess common failures. Most significantly, they contribute to a culture in which therapeutic and juridical opportunities for penance can inform one another, the Church inviting people to share more of their lives with one another and to experience how healing and forgiveness come alive in relationship as well as sacrament. As in my treatment of individual confession, I will offer some suggestions for practice after examining the strengths and weaknesses of such liturgies in light of their dominant conceptions of fault, sin, and contrition.

The rest of this chapter is given to a discussion of *relational* and *therapeutic* penitential practices, the second ring of the model articulated above. Interpersonal and non-clerical opportunities for penance in Catholic parishes cultivate contrition, encourage mutuality, and promote relational understandings of sin and forgiveness. Such experiences contribute to the authenticity and expressiveness of individual and communal rituals of penance. Throughout this discussion I will attend to how accounts of sin and penance engendered in therapeutic and relational penitential practices point to and necessitate the third ring of penance, a spirit of communal penitence whose penitential practice is justice.

Informing my approach to parish penitential practice is the medieval insight that

*contrition*, our experiences of fault in light of God's mercy, is the primary theological factor at work in penance, both ritual and practical. Without contrition, a practical sense of God's forgiving activity in our lives, Catholic understandings of sin are simplistic, moralistic, bound to the fear of punishment and the desire to obey Church law. But contrition does not emerge in a vacuum. Without wider practices of penance and the attitudes and commitments flowing out of a penitential vocation, Catholics cannot share an understanding, let alone ritualize a common experience, of the many and multifaceted ways that God heals and redeems our failures and faults.

### **I. Juridical Penance**

As I discussed in Chapter 2, the papacy of Pope John Paul II insisted that the first of the three possible rites of penance, the Rite for Reconciliation of Individual Penitents, constituted the ordinary way by which Catholics were to receive sacramental absolution for their sins. Of all three forms, this form of penance most closely resembles the preconciliar practice of confession, and so it is unsurprising that those very few Catholics who make use of it are most at home in what I describe as a juridical Catholic culture. But, as I explored in Chapter 4, the collapse of this culture means that what the Catholic hierarchy has privileged as normal is in reality abnormal. I do not simply mean that almost no Catholics make regular use of it, but also that those who do find themselves to be aliens relative to contemporary Catholic parish life. Juridical penance has all but disappeared, and yet Catholics are still taught that "going to confession" is a normative practice. Penance, which is actually a pluriform and flexible set of practices, is unfortunately still bound in the Catholic imagination to just a single form of the Rite of Penance, individual confession to a priest.

### A. The Ritual Form of Juridical Penance

The juridical approach to penance makes use of the first of the three rites of penance, individual confession to a priest. As I described in the first chapter, this ritual normally takes place in a designated area of the church at regularly scheduled times. Its focus is on the penitent's verbal confession of sins and on the priest's absolution. In brief, a penitent meets with the priest and confesses her or his sins by kind and by number. After listening to the priest's counsel, the penitent prays a short prayer expressing her or his sorrow for sins committed, and then the priest pronounces the formula of absolution. This ritual typically takes only a few moments, though the duration of its confession and counseling components might be extended in special circumstances: for instance, an adult convert's first confession before joining the communion of the Catholic Church, or the return of a long-time lapsed Catholic to the church of her baptism.

Though most confessionals offer the option of a face-to-face conversation with the confessor, the vast majority of penitents prefer to kneel anonymously behind the screen.<sup>431</sup> First installed in Europe during the Reformation, the screen provides the penitent with a modicum of anonymity; of course, in small parishes, pastors might be able to distinguish regular penitents by their voices (or sins!) alone. The screens were originally built as permanent fixtures in the church's confessionals, but in contemporary confessional spaces they are more often freestanding structures dividing a small room in half.

While anonymity was originally provided in order to prevent clergymen from close proximity to female penitents, it also instrumentalized the presence of the priest: the confessional

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<sup>431</sup> There is no statistical data of which I am aware that can support this claim. Rather, I base it anecdotally on conversations with a number of priests who regularly hear confessions and who invariably come to remark on the rarity of face-to-face conversations in the confessional. I will discuss the significance of face-to-face confession below.

was a place for penitents to confess their sins to God by way of the priest as a mediator.<sup>432</sup> Catholics initially were disinclined to make use of the anonymous confessional, but the practice caught on -- and it was the only option available for much of the history of Catholicism in the United States. The promise of anonymity assumedly frees penitents to confess their sins with less shame, but it also emphasizes the degree to which penitent and priest both have parts to play that do not depend on personality and human connection. The use of the screen embodies a particular ritual logic: the priest need not see penitents to absolve them; penitents need not be personally recognized by the priest in order to be forgiven. Anonymous juridical penance is mechanical, running on a series of moving parts whose cooperation produces an intended super-natural effect. The juridical ritual promises this effect to the penitent, but the penitent must believe in the mechanism for it to work.

#### B. Guilt and the Obligation to Confess in Juridical Penance

As I showed in Chapter 3, preconiliar Catholic culture constructed the experience of fault along the lines of obedience and disobedience to the authoritative teachings of the Church. The cultural shifts leading up to the Second Vatican council led to a situation in which this discourse no longer shapes the Catholic experience of fault at a cultural, widespread level. But while the rhetoric of obedience and disobedience fails to describe the experience of fault of

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<sup>432</sup> Prior to the invention of the confessional in the 16<sup>th</sup> century, it was common practice for laypersons to confess to a priest in quiet areas of the church or even in private homes if necessary. Concerned about the possibility of scandal or outright abuse of this privacy, various synods gradually enforced the use of the confessional structure. See Patrick J. O'Banion, *The Sacrament of Penance and Religious Life in Golden Age Spain* (University Park, Pa: Pennsylvania State University Press, 2013), p. 12-13. O'Banion surveys theoretical reflections on the significance of the confessional in early modernity and concludes, contrary the contentions of Michel Foucault, that in early Tridentine confessional practices the screen did not impede the communal dimensions of the sacrament.

Catholics in a general way, it remains powerfully attractive for a minority -- the same few Catholics who regularly make use of the juridical approach to penance. Thus, if we frame the juridical approach to a penance as an authoritative solution to a particular problem, the problem that juridical penance "solves" is the penitent's guilt before God. This guilt is characterized by the feeling of indebtedness, of an obligation to God. But this obligation is not merely a vague feeling; rather, it comes intertwined with the assurance that it can be met, that the debt incurred through sin can be paid off. In other words, if the juridical approach to penance rests on the assumption that ritual confession to a priest can forgive all sins, sins themselves come to be experienced within that framework as the things that one ought to confess. And while the pressure to confess no longer characterizes the Catholic experience of fault in general, a minority of Catholics do experience their failures just in this way: as what they owe to God to confess to a priest.

Penitents who make use of the juridical approach to penance typically recognize it as the authoritative and hierarchically mandated means by which sins are forgiven. The attraction of juridical penance consists not primarily in any of its constitutive elements but in its perceived theo-mechanical power. Confession confers assurance of forgiveness, provided that the penitent recognizes the priest's authority as a minister of the Church to absolve. I want to suggest that the promise of assurance is the key to understanding why penitents might make use of juridical penance, more so than the possible benefits of confessing one's sins, receiving counsel from a member of the clergy, or committing not to sin again in the future. Penitents who participate in juridical penance seek assurance that their sins are forgiven, and they are unable to come to this assurance except by means of the priest's authoritative ratification of their confession.

### C. The Theological Parts of Juridical Penance

How does juridical penance work for such penitents? Of central importance to this approach to the ritual are the penitent's confession and the priest's absolution. As we saw in Chapter 3, verbal confession within a juridical culture serves to express the penitent's guilt before God and the Church. The content of the confession -- the specific sins -- is thus less important than the act of confessing itself. *That* the penitent confesses before the priest reestablishes her or him as acceptable to God. The priest's words of absolution provide the formal ratification of the penitent's confessing act.

Contrition in the juridical approach thus involves a newfound respect for the Church's authority to forgive sins, a gratitude to God for providing such instruments as the sacrament of penance, and a certainty that one's sins have been overlooked or no longer count against one. Contrition is the restoration of a relationship with God according to obedience, and one of the hallmarks (and perennial temptations) of religious obedience is the reassuring knowledge that one is obedient. Juridical penance answers a self-doubt created in the midst of guilt with a divinely sanctioned assurance that depends only on the penitent's willingness to accept it through confessing any sins of which he or she is aware and promising to avoid them in the future.

In the juridical approach to penance, the penitent's contrition and subsequent act of penance are undervalued in comparison to an emphasis on confession and absolution. With respect to contrition, juridical penance asks nothing but the willingness to confess. Debates over the degree of sorrow necessary for the sacrament of penance had been long since abandoned in favor of silence about the matter. The mysteries of sin and repentance were closed to theological examination, and the laity have come to know very little about them, at least where parish instruction and practice are concerned. Close examination of the conflicting attitudes bound up in



any sinful act are bound to reveal some inherent ambivalence with respect to God, but this sort of self-knowledge was not part of the sacrament of penance. To pay close attention to one's sins is to attend to desire and its objects, and the suspicion of desire is at the heart of juridical penance. Desire for anything but God was suspect, and the proximity of these desires to the Church signaled danger.

As I have argued throughout this dissertation, contrition itself does not describe a simple emotion but rather a complex and religiously laden attitude toward God and the self. To put it another way, to emphasize contrition is to emphasize the significance of questions like, "Why am I sorry for doing these things? Why do I think that doing them is wrong? What do I really want?" For most people, these reasons are multiple, overlapping, and even contradictory. In answering them, penitents might discover that they are less sorry than afraid. Or they might find that they have no actual feelings about the sins they are confessing, one way or another. But the juridical approach to penance prefers to keep things simple, to assume that complexity is evidence of sinfulness and to urge the penitent merely to confess specific acts in number and kind in the assurance that God forgives all sins so confessed. When we confess the fact of our guilt, absolution confers the fact of our innocence. The personal content involved in applying these terms to the actual condition of our lives seems not to matter at all.

Like contrition, the minimalist act of penance after the juridical ritual has little significance. It serves as a mere token, an afterthought that must be routinely dealt with. In most confessions, the priest asks the penitent to say a few prayers. While confessors might recommend changes in lifestyle, these words are given as advice and not as obligation. Only rarely do confessors find it advisable to give any penance that could not be performed in the space of a few minutes after the rite.

In this the juridical approach to penance is far removed from the penitential practices of Christians prior to the Council of Trent, in which penitents' overt actions both signified and effected their ongoing conversion. The power of God in the acts of the penitent diminished as the power of God in the singular act of the priest increased. Where penitents once shared the power of forgiveness with priests, knowing that ritual flows into action and personal conversion calls down mercy just as the church's liturgies do, the domination of juridical penance in the imagination of Catholics has long overshadowed the necessity of their conversion. Sin is removed by the power of the clergy, and life as envisioned by juridical penance is dedicated to the avoidance, not the overcoming, of sin.

#### D. God, Church, and Juridical Penance

I have argued here that the juridical approach to penance in contemporary Catholic culture answers the suffering of the guilty self by providing an authoritative and ritually mediated assurance. The efficacy of this approach may be partially explained with respect to psychological dynamics of domination and submission as articulated by Benjamin in the previous chapter. A juridical "confession" model makes sense for penitents whose images of God emphasize dominance and deemphasize participation, cooperation, and mutuality. Such a God retains all rights to all pleasures.<sup>433</sup> He (and this God is always a "he") is intimately associated with matters of law, of purity, of ruthless expectations. This God is the unapproachable Other, whose distance from us often serves not to accentuate the glory and mystery of God's being so much as our creaturely wretchedness. Because of this God's position of absolute dominance, the

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<sup>433</sup> For a psychoanalytic examination of this conception of God, see Antoine Vergote, *Guilt and Desire*, 61-63.

only assurance the penitent can receive must be mediated by the ritual, specifically granted in the words of the priest. Intimate discourse with such a God is unthinkable; his proximity would completely annihilate the penitent -- and, following Benjamin's argument, the threat of annihilation is what those in the position of submission both love and fear.<sup>434</sup> By effacing themselves through confession, penitents paradoxically attain the recognition of God.

The juridical approach to penance also requires images of church that maintain the dominating-submitting split along clerical lines. The confessional structure as highlighted above illustrates this split. The priest belongs to the hierarchy, what was until recently described as the teaching, governing, and sanctifying Church. The penitent belongs, conversely, to the laity: the church taught, governed, and sanctified. Belief in clerical power drives the juridical model. Confession can be brief and anonymous because the human connection between penitent and confessor is merely an accidental feature. What matters is that the words of confession and absolution take place within the mechanism of hierarchically-mediated sacramental power. It is this power, as mediated through images of the hierarchical Church as God's instrument, which grants the assurance of the forgiveness of sins. And it is this power that invites penitents, however few, to experience their faults in terms of an obligation to confess.

The primary benefit to the juridical approach to penance remains the same as it was at its inception: it is simple and repeatable. We recall from Chapter 1 that the earliest forms of the juridical approach in medieval Europe gradually replaced a "tariff penance" that required

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<sup>434</sup> Benjamin, *Bonds of Love*, 55-68. This is the thrust of Benjamin's retelling of Pauline Réage's sadomasochistic fantasy *Story of O*. Within the dialectic of submission and domination, the only way that "O," the one dominated, can achieve a sense of personhood is to win the recognition of Roissy, dominating other. Paradoxically, "O is actually willing to risk complete annihilation of her person in order to continue to be the object of her love's desire – to be recognized (60).

penitents to demonstrate their conversion by means of specific and lengthy penitential acts. By including the words of priestly absolution within the initial ritual of confession, securing the assurance of the forgiveness of sins through the ministry of the Church became a much less complicated affair. And while to some Protestant criticisms juridical penance seems to rely too heavily on human activity, it bears remembering that juridical penance involves fewer "works" than earlier forms. Penitents need not worry whether they have done enough to merit forgiveness or even whether they are truly sorry. The willingness to confess is evidence enough, within the juridical approach, of one's obedience to God. And when personal sins are conceived as the primary obstacle to human flourishing, as in the juridical Catholic attitude, the ready availability of ritual penance serves as a reminder of God's abundant mercy.

However, as I showed in the second chapter, abundant confessions do not necessarily signify a vibrant and healthy religious culture. As I will argue in my analysis of therapeutic and relational opportunities for penance below, viewing the goal of the Christian life solely in terms of overcoming personal sins overlooks more serious structural injustices that prevent human flourishing and the construction of a more just social order. Moreover, as Vergote points out, obsession with sin on a cultural level never fails to increase individual neurosis.<sup>435</sup> Thus, as I showed in chapter three, all of these factors led to the widespread rejection of the culture that made individual confession a viable option for the masses. While the simplicity and availability of individual auricular confession once served a Catholic culture in which obedience was linked to a positive sense of self, most Catholics no longer experience their faults within the matrix of Church authority. For those few who do, the juridical approach to penance might make sense.

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<sup>435</sup> Vergote, *Guilt and Desire*, 72.

But, as I will argue in more detail below, even for those who are attracted to juridical penance, its viability as a healthy religious practice depends on the wider ecclesial and political context in which it is situated. When individual confession serves only to perpetuate a seemingly endless individual battle with a limited set of personal sins, it becomes difficult for penitents to be open to a wider, less individualistic moral vision.

Theoretically, however, the juridical approach to penance might serve as one possible practice within a well-developed penitential communal culture. In communities dedicated to fostering relationships of mutual recognition, the availability of flexible and healthy ways of taking responsibility for one's own failures might foster a needed sense of inclusion and demonstrate that the moral life is a matter of pedagogy in community, of learning from one's failures. While the two other approaches to penance discussed below contribute the bulk of a parish's resources for reconciliation and penance, it is feasible that individuals still might wish to receive an assurance of forgiveness for some serious wrongdoing from an authoritative representative of the community. I anticipate that such occasions will be rare in the life of any given individual, but when they do occur, a juridical confirmation of a movement toward repentance that begins in the heart and expresses itself through restitutionary actions within the community might serve as a valuable ritual expression.

#### E. The Limitations of Juridical Penance

It appears to be the case that many people who make use of the juridical approach derive little benefit from it. Here my argument relies on anecdotal conversations with various priests who serve as confessors in contemporary parish contexts, supplemented by insights of theologians and priests who have written about confession over the past fifty years. Because information about specific confessions is highly confidential, priests tend only to offer general

descriptions of widespread tendencies. These descriptions indicate that the majority of penitents who make use of individual auricular confession tend to confess the same actions from week to week.<sup>436</sup> Many of these penitents appear to have an overly simplified notion of what constitutes sin.<sup>437</sup> Many of them frequently confess habitual actions of a sexual nature, returning to the confessional even days after their last confession.<sup>438</sup> Such penitents are haunted by a sense of their own fault, and I am convinced that the juridical approach to penance provides little support for their struggles. At best it provides some temporary relief, but I am concerned that this approach to penance may actually perpetuate their struggle.

The problem confronting such penitents and driving them to confession is a sense of fault affectively ridden with feelings of unworthiness and impurity. Unable to achieve a distanced and modulated stance with respect to certain unacceptable aspects of themselves, these penitents rigorously search their actions for evidence of the evils of which they are convinced they must be guilty. And certain presentations of the Catholic Church's moral teachings, the same presentations that populated the texts and sermons of preconiliar juridical Catholic culture, provide a ready means for these accusations. Such penitents must carefully avoid the nuanced and moderate approaches to morality that characterize contemporary moral theology, for these only complexify the issues at hand with considerations of psychological and cultural influences on agency.<sup>439</sup> Armed with a list of sins that proves their own moral decrepitude, these penitents

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<sup>436</sup> James O'Toole provides numerous examples of penitents going to confession with little to confess out of a desire to cultivate grace. See O'Toole, *Habits of Devotion*, 162-165.

<sup>437</sup> Hellwig, *Sign of Reconciliation and Conversion*, 3.

<sup>438</sup> One priest recently described the necessity of forbidding such individuals from going to confession, limiting them to celebrating the sacrament once a month or even more rarely.

<sup>439</sup> Recall from Chapter 2 that John Paul II was explicitly critical of these influences for tempting

form anxious lines at the confessionals of parishes not their own. These penitents do not want the familiar faces of their pastors -- they want the disembodied and anonymous voice of authority.

Here we can return to Jessica Benjamin's exploration of the dialectic between domination and submission and use it to describe the juridical approach to penance. Many of the penitents who regularly make use of juridical penance seek to submit themselves to an all-powerful, perfectly acceptable Other whose authoritative word temporarily effaces their own internal badness. The relationship envisioned between such penitents and God as represented by the confessor seems strikingly similar to the relationship between the submitting and dominating selves analyzed by Benjamin. To expand briefly on the last chapter's discussion, Benjamin argues that the patriarchal structure of society prevents women from achieving full ownership over their own desires by refusing to recognize their agency, or by only recognizing it within strictly gendered categories.<sup>440</sup> According to Benjamin, "The gender division that now exists does not allow for reconciliation of agency and desire with femininity. Any vision of change must challenge the fundamental structure of heterosexuality in which the father supplies the missing excitement...and denies the mother's subjectivity because it is too dangerous."<sup>441</sup> Idealizing the father as the only one who gets to wield his desires freely, women are trapped within a position of submission where desire can only be achieved, paradoxically, by identifying with what they can never be.

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the faithful to reduce their sins to matters determined by cultural or psychological forces. He does not appreciate that in discussing cultural and psychological forces, we are recognizing the complex mixture of freedom and determination that constitutes any human activity.

<sup>440</sup> Benjamin, *Bonds of Love*, 130.

<sup>441</sup> *Ibid.*, 123.

Crucial here for those in the position of submission is the absence of a space in which they are free to experience and identify with their desires before submitting them to the judgment of the one in the position of dominance. Benjamin calls this the “intersubjective mode of desire,” the condition for the achievement of mutual recognition from desiring subject to desiring subject, and not just from desiring subject to desired object.<sup>442</sup> But the danger of juridical penance is that it can appeal to those who are not responsible agents, who are not able to accept themselves as desiring subjects. Trapped in positions of submission, such penitents are invited to reproduce their own entrapment within the cycle of idealization and repression. Verbal confession can serve as the means by which the penitent submits to the authority of God, of whom the clergy is the proxy. Such submission offers the only possible opportunity for union with the omnipotent and desirable God. There is no question here of the penitent's power or the penitent's desire; these are to be defended against, for they are the source of sin. It is thus no surprise that theologies emphasizing submission to -- and not participation or cooperation with -- the will of God are popular among the self-proclaiming traditionalist Catholics who urge frequent confession.

Thus, from a pastoral perspective, the primary weakness of the juridical approach to penance is that it can inhibit the development of deep personal insights and the challenge to harmful relational patterns that can facilitate authentic conversion. When God's forgiveness is understood through the lens of the assurance of absolution provided in the confessional, penitents are limited to an overly individualistic moral understanding. Such forgiveness absolves the past but does little to prepare for the future. Some might argue that the removal of a crippling guilt is a necessary step to a healthier attitude toward self and other. This seems to be Vergote's

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<sup>442</sup> Ibid., 126.



approach. Writing in the context of his analysis of guilt, he describes a healthy penance that “dissipates the vague representation of an almighty divinity that would refuse men and women the right to their weakness and would betray them by not warding off their faults.”<sup>443</sup> He describes the sacrament of penance as a religious avowal of personal guilt before a representative of God, an intentional and performative act, motivated by a religious faith, situating the penitent’s guilt properly within a moral and religious context. Such a penitent must be able to recognize her or himself *as* a recognized, spontaneous, and desiring body whose moral development necessarily occurs in the midst of faultiness.

In this context, God, as represented by the presence of another, represents in turn the Other as the focus of an ethical and religious prerogative. The failure of confession to address the suffering of the God-haunted, guilt obsessed sinner demonstrates that a religious obsession with personal guilt, besides being a source of profound suffering, constitutes an impasse in the ethical becoming of the religious subject. Someone who cannot tolerate the ambivalences of aggression and desire will have difficulty encountering persons as similarly ambivalent, ambiguous Others deserving of respect.<sup>444</sup>

Vergote highlights an important difference between working through a crippling guilt toward a healthier stance of mutual regard for self and Other and attaining a temporary relief

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<sup>443</sup> Ibid., 96.

<sup>444</sup> Vergote’s depiction of the relationship between confession and ethics brings to mind Freud’s instructive critique of the commandment to love one’s neighbor in his *Civilization and Its Discontents*. According to Freud, the impossibility of fulfilling this command only exacerbates the aggressive impulses it is meant to curb, leaving unhappiness in its wake, devaluing the notion of love, and offending justice. When the chief end of religious practice and discourse is to defend against aggression, happiness becomes impossible. Sigmund Freud and Sigmund Freud Collection (Library of Congress), *Civilization and Its Discontents* (New York: W.W. Norton, 1962), 56-63.

within a system that perpetuates a sense of religious obligation that has no apparent constructive purpose. In most cases, I think that juridical confession, by itself, has tended toward the latter. Penitents remain caught in a perpetual struggle between dominance and submission, unable to attain a more modulated attitude toward the self and the God who loves this self. Hence Hellwig's concern that most people who still operate within the juridical mindset possess the moral formation of children, or rather, reflect the moral formation that many adults believe children to have.<sup>445</sup> Such persons seem to believe that God cannot understand human frailty and failure, that this God takes with upmost and overly solemn seriousness the most petty of offenses.

Dallen, as we recall, makes a distinction between guilt, which “can leave people passive and powerless in the face of evil,” and culpability, “an experience of the Spirit that is powerful within the community of faith to assure victory and make resistance possible.”<sup>446</sup> Dallen’s terminology is unhelpful, but his insight captures something of what I am trying to say. The presence of guilt, in to Dallen’s usage, signifies a kind of psychological domination, an entrapment within a system in which accusations of sin and failure, reproduced in personal and communal narratives, serve to objectify and debase penitents. Culpability, however, signifies a situation in which accusations of sin and failure serve as a new beginning, demonstrating the presence of agency and responsibility.

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<sup>445</sup> Hellwig, *Sign of Reconciliation and Conversion*, 3. I am appreciative of Bonnie Miller-McLemore’s argument that the moral lives of children are not, as we so often think, simple. Rather, an impoverished moral pedagogy prevents adults from teaching children how to communicate their complex and sometimes frightening experiences of morality and conscience. See Bonnie J Miller-McLemore, *Let the Children Come: Reimagining Childhood from a Christian Perspective* (San Francisco, CA: Jossey-Bass, 2003), 66-68.

<sup>446</sup> Dallen, *The Reconciling Community*, 274.

The important difference between the two stances, as I argued in Chapter 2, is not on the level of the emotions but in the deeper structural issues at play. Specifically, the presence or absence of mutual recognition, together with the social conditions that make it possible, determines whether someone is trapped within their faults by in an unhelpful guilt or liberated from them through culpability. Thus, while I argued against Dallen's dismissal of guilt in the second chapter, I do want to affirm here that his concerns might be legitimately applied to the practice of juridical penance outside of wider moral formation, as is the case in the majority of Catholic parishes in the United States. With rare exceptions, juridical penance is not the place to work through these issues. If it is to be used well, it must be used by penitents who do not encounter in the ritual a transposition of their own position within the dialectic of domination and submission.

I will note here a second and specifically political weakness. The juridical approach to penance requires that penitents confess their sins to a priest, who, according to Roman Catholic canon law, can only be a man. While the sensibility of feminist criticisms has yet to make inroads into Roman Catholic canon law, feminism is alive and well in many American Catholic parishes.<sup>447</sup> One of the chief consequences of taking gender equality seriously is the difficulty of believing that absolution for sins must come through men. This poses no problem for many self-identifying Roman Catholic traditionalists, and according to the ritual logic specified above, it would seem to matter not at all whether the disembodied voice in the confessional were that of

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<sup>447</sup> See, for instance, Elizabeth M Bucar, *Creative Conformity: The Feminist Politics of U.S. Catholic and Iranian Shi'i Women* (Washington, D.C.: Georgetown University Press, 2011); Mary J Henold, *Catholic and Feminist: The Surprising History of the American Catholic Feminist Movement* (Chapel Hill: University of North Carolina Press, 2008); Sandra Marie Schneiders, *Beyond Patching: Faith and Feminism in the Catholic Church* (New York: Paulist Press, 1991).

any particular gender. But it remains the case that a good number of faithful Roman Catholic women find it difficult to articulate their moral failures before a man who demonstrates little capacity for understanding them, let alone to rely on his ministry for the assurance of the forgiveness of sins.

This is a tremendous problem for Catholic pastoral care, and it is rarely discussed in the context of parish life, at least in my experience. Even while David Coffey criticizes confessors for being overly paternalistic, preferring a more fraternal relationship between Christian brothers and sisters<sup>448</sup>, I think that such a relationship would have to be demonstrated within the wider parish before it can overcome the problems associated with the confessional. In other words, so long as Catholics are calling their priests "Father," "fraternity" will continue to give way to the patriarchal assumptions underlying all of the Roman Catholic sacraments. A deeper analysis of these assumptions and the hierarchy's conflicted views of women in the Church falls beyond the limits of this dissertation, but the political implications of the participation of women in Catholic approaches to penance remains a critical area for future research.

#### G. Two Pragmatic Approaches to Juridical Penance

Realistically, the hopes of the papacy since John Paul II have not come to fruition and show no signs of doing so. Individual auricular confession to a priest, though it is canonically the only ordinary means by which individual sins can be forgiven, remains an extraordinary practice among the Catholic faithful.<sup>449</sup> The choice to "go to confession" embodies a larger set of assumptions, motivations, and beliefs that together constitute what we might term a juridical

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<sup>448</sup> Coffey, *Sacrament of Reconciliation*, 96-99.

<sup>449</sup> John Paul II, *Reconciliation and Penance*, n. 32.

Catholic imaginary. It stands in contrast to the dominant imaginary, which is more widely variegated, secularized, and open to influences from other faith traditions -- and less concerned with personal sin.<sup>450</sup> It is not the case, I suggest, that American Catholics deliberately choose not to go to confession. For most Catholics, rather, the thought rarely occurs to them after their initial formation.

### *Children, Confession, and Sin*

Two opportunities present themselves for confession in the Catholic world. Children are trained to confess once before their first communion in the second grade. They are also expected to practice the ritual once before their confirmation, which normally takes place in eighth grade. Sardonicly referred to as "graduation" by religious educators, confirmation marks the point at which many Catholic youth cease regular attendance at Mass. Likewise, it marks the second and final time at which most of them will make use of the sacrament of penance. But in both cases, their approach to the sacrament is almost always a juridical one, for ease of use and pedagogy.

Preconciliar religious formation was devoted to teaching Catholics how to identify their mortal sins and to distinguish them from lesser, venial sins. As every Catholic school child trained under the Baltimore Catechism knew, "Besides depriving the sinner of sanctifying grace, mortal sin makes the soul an enemy of God, takes away the merit of all its good actions, deprives it of the right to everlasting happiness in heaven, and *makes it deserving of everlasting punishment in hell.*"<sup>451</sup> Thus, part and parcel of the education of each Catholic child in the

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<sup>450</sup> I mean by "secular" the recognition that one's own religious practice exists as one possible option among many other options and is mostly a matter of personal preference rather than a deliberate commitment to one tradition to the exclusion of other traditions. See Charles Taylor, *A Secular Age*, 14-22.

<sup>451</sup> *New Saint Joseph Baltimore Catechism* (Catholic Book Publishing Company, 1991), 40.

preconciliar world involved teaching them the very real and terrifying dangers of mortal sin and giving them the tools to identify it and submit it to penance. But in the contemporary American Roman Catholic Church, except in a minority of parishes, the dangers of sin and the reality of Hell is much less emphasized than it was in the past.

The primary ritual education around the practice of penance thus takes place with children. Parish school systems and religious education programs around the country teach young children, usually around the age of 9, to make their first confession before they make their first communion. In this, Church practice has not changed. What has changed, however, is that these children are being trained to practice a ritual that the wider community, generally speaking, never itself practices. On a developmental level, juridical attitudes toward confession are much easier to teach than alternatives. Nine year olds are hard pressed to communicate the nuances of relational failure, the tension between obligation and desire, and the gray areas that mark the moral life of adults, a task that adults themselves find difficult. They do, however, understand the benefits (and costs) of following rules backed by the authority of a parent or a parental figure.<sup>452</sup> As these children grow older, the helpfulness of this approach becomes less and less clear. But in a way, this does not matter, for few children continue to make use of penance after their first

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Emphasis mine.

<sup>452</sup> This is confirmed by the studies of various developmental psychologists: concrete standards only gradually give way to more abstract moral thinking. See Lawrence Kohlberg, *The Psychology of Moral Development: The Nature and Validity of Moral Stages* (San Francisco: Harper & Row, 1984). Carol Gilligan provides an important corrective to Kohlberg's approach, demonstrating that theories of moral development have ignored women's voices and have interpreted differences in moral reasoning associated with women as divergences from the norm, a norm constructed entirely on masculine lines. See Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge, Mass.: Harvard University Press, 1982).

confession. Why would they? Their parents do not, and their parish probably affords few significant models for practice.<sup>453</sup>

Thus, maybe the best thing that might be done for juridical penance is for parishes to stop training children to make use of it. Juridical penance makes sense chiefly for personal failures that are so devastating that an individual needs the assurance of the Church, as represented by the ministry of the priest, in order to find her or his way again. I return here to fuller, dramatic meaning of "mortal sin" envisioned by the early churches' penitential rituals. These sins were so serious that the individual could no longer participate regularly in the life of the community. To put the matter plainly, it seems absurd to think that children are capable of such sins. If we are to take the juridical approach to penance at all seriously, we must recognize that it is, in a sense, a "grown-up" matter to have deliberately harmed others in the way intended by the term mortal sin.

Instead of initiating children into the complex and needlessly terrifying world of mortal sin, the juridical approach should be reserved for crises in which adults feel the need to begin again, so to speak. The penitential practices considered in the final section of this chapter provides the context for negotiating these crises, inviting individuals to come to the realization of moral freedom and its misuse. Such individuals might then find it helpful to ritualize such a realization. Coming in contact with God's mercy as the possibility of a new beginning, those who discern their own, possibly mortal, sins also experience in contrition a profound freedom, a heartfelt sadness for mistakes made in the tangle of desire and obligation, and the willingness to

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<sup>453</sup> Thus, even if children are developmentally capable of complex relational modes of moral reasoning and introspection, the failure of adults to model such modes in communication and practice only encourages children to ignore what they understand, for the sake of participation in a more "adult" world.

make amends.

Here I agree with Coffey that one of the most significant obstacles to the practice of juridical penance in parish life concerns the absence of a more sophisticated understanding of sin.<sup>454</sup> While part of this is due to poor spiritual formation in parish and educational circles of the Church, Coffey argues that the official teachings of the Church concerning sin simply have not kept pace with advances in theology and the social sciences. While Catholics sense that current teaching makes little sense in light of their experience, they have yet to be presented with a more mature understanding. Parishes have effectively employed few resources for allowing adult parishioners to come to a deeper lived and embodied understanding of the realities of sin, growth, and healing that constitute the process of Christian conversion. The problem of catechizing adults is beyond the scope of the current work, but it is important to note that the sin is just one among many theological areas in need of a more robust pedagogy on the part of parish pastoral staff. I would include here the baptism of children, adult conversion, marriage, and healing – all moments of individual and communal crisis that point to the need for deeper understanding of sin and God’s mercy.

### *Face to Face Confession*

As one of the most significant innovations on the practice of individual auricular confession produced by the Vatican II reforms, individual celebration of the sacrament of penance involves the opportunity for a face-to-face encounter with the priest. The reversal of the tradition of anonymity that had enclosed the sacrament since the Council of Trent best expresses the relationship between the practical, liturgical, and juridical approaches to penance in

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<sup>454</sup> Coffey, *The Sacrament of Reconciliation*, xiv.



contemporary Catholic parish life. Francis Sottocornola, commenting on the shift from the confessional box to settings more suitable for authentic dialogue, contrasted the negative experience of the old confessionals, "old, dusty, and dark, which oblige us to whisper, and which convey no sense of the presence of an interlocutor" with the more theologically accurate "meeting with a brother in whom Christ makes himself visible and humanly present for us."<sup>455</sup> More than any other ritual detail, the image of the face-to-face encounter best expresses the opportunities and challenges of the practical approach to penance.

Coffey argues for the necessity of such a revolution in the pastoral care done by parish priests in the confessional.<sup>456</sup> Face-to-face encounters shift the priest's role from a ministry of office constituted by the delegated power of the institution to a ministry of presence constituted by, in a word, authenticity. For the penitent, a face-to-face encounter creates new opportunities and challenges in the expression of contrition. Emotional and interpersonal dynamics that were truncated or disregarded in the preconciliar rite of confession find a greater significance in a ritual opened up to gesture, implication, and other embodied forms of communication.

With an opening toward face-to-face encounters in the context of the rite of penance also comes the possibility of extending the duration of penitential rite itself. No longer limited to a brief statement of specified sins, penitents seek the benefit of a space in which they might explore the range of issues connected to sin as a compact theological symbol. Not only issues of personal and communal sin but also the relevance of past struggles to present difficulties emerge as valuable ways to guide the exploratory work that might be done in the confessional. Here the

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<sup>455</sup> Coffey, *The Sacrament of Reconciliation*, 108.

<sup>456</sup> *Ibid.*

resemblances to pastoral counseling and clinical psychotherapy become clearer: approaches to penance focus the space and time shared by the penitent and confessor on the tasks of working through and articulation of faults.

Coffey's depiction of the interpersonal approach to individual auricular confession to a priest is theologically sound and even liturgically appealing. However, it is overly optimistic about the willingness of Catholics to participate in such a ritual. However beneficial opportunities for face-to-face confession might seem, there are no signs that Catholics are likely to take advantage of them. As I have repeatedly argued, since the changes to Catholic culture and participation that occurred in the mid-twentieth century, most would-be penitents have no desire to disclose their faults within a relationship structured by Church authority or patriarchy, and so they seek out instead a safe space with someone understood to have the relevant experience, pastoral or otherwise, to provide it.

Because face-to-face confession is structurally quite similar to practices of psychotherapy and counseling, it would seem to offer the best opportunity for penance, conjoining the interpersonal dimensions of wider penitential practice with the juridical ritual to provide a space in which individuals work through their issues, discern their sins, confess them, and experience forgiveness. However, the possibility for such an encounter are rare. What is envisioned here is the relationship, not between a normal layperson and a parish priest, but between a spiritual director who is also a priest and his directee. Moreover, in light of the dynamics of guilt and domination explored above, such priests would also be expected to be somewhat conversant in matters of human psychology. Frankly, this is a tall order for contemporary seminary formation. As Dallen asks in his discussion of the limitations of the individual rite of penance, "Is it fair to the presider to expect competence as spiritual director and pastoral counselor? Is this a proper

use of the sacramental setting or detrimental to both the sacrament and spiritual direction or counseling?”<sup>457</sup> Using the face-to-face model to achieve the communal and practical ends of penance along with its juridical aims would seem, in most cases, to be trying to do too much.

Furthermore, such usage continues to perpetuate a model of penance that remains fixated on the clergy as the dispenser of God’s forgiveness, rather than one tool among many in the search for reconciliation and conversion. Again, to quote Dallen, the model of individual confession “has had to carry the full weight of what an earlier age distributed over time and throughout the community.”<sup>458</sup> Because practices of penance, as discussed in the first section of this chapter, are intended to facilitate just this kind of distribution, I conclude that face-to-face confession to a priest provides the most appropriate juridical conclusion to the process of discernment and conversion that takes place in wider parish life, and it ought to be preferred wherever the individual ritual is used.

Considering the strengths and weaknesses surveyed above, the juridical approach to penance only makes sense within a more robust penitential culture in which individual confession tends to be a rare option among many other practical penitential opportunities for taking responsibility toward one's faults. These other opportunities ought to be explored before penitents make recourse to the juridical approach. Indeed, the juridical approach requires penitents to confess specific and personal sins, and yet concretely appropriated knowledge of such sins is precisely what contemporary Catholics lack. Before we can judge whether we ought to confess our sins to a sacramental representative of the Church, we must recover the language

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<sup>457</sup> Dallen, *The Reconciling Community*, 369.

<sup>458</sup> *Ibid.*, 365.

of sin and forgiveness in light of experiences of failure and fault, in a way that does not mask patterns of domination and submission that prevent us from flourishing as persons in community.

Juridical confession provides Catholics with the option of sharing specific instances of failure to meet obligations to God and Church. If they are afraid that God does not love them, the ritual reminds them that God never ceases loving them. If they have specific questions, and if the confessor is a competent pastor, they might gain clarity. And if they feel like they are not worthy to receive communion, their worthiness is legally restored and the sacrament is theirs to share. These opportunities for penance, which I will refer to as instances of juridical penance, let the few Catholics who believe in the assurance of the Church's ministers be assured that their sins are forgiven. For the rest, practices of penance and the Church's public liturgies suffice to nourish contrition, the spirit of penitence, responsibility, and justice, that is at the heart of Christian penance and conversion.

## **II. Communal Liturgies of Penance**

The Eucharistic celebration is reconciliatory. Hearing the Word in common addresses us as one people, gathered together in peace. We lift our prayers and our bread and wine to God with just one pair of hands: our hands, the celebrant's hands, Jesus' hands, all one. Sacramental theologian Bernard Cooke identifies six different opportunities during the liturgy for moments of forgiveness, peace, and reconciliation.<sup>459</sup> What need have we of another ritual?

If our celebrations of the Eucharist effect what they signify, we need no other rituals. But where there are division in our community, wounds that have not healed, wounds that we are

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<sup>459</sup> C.f. Bernard J Cooke, *Reconciled Sinners: Healing Human Brokenness* (Mystic, Conn.: Twenty-Third Publications, 1986), 85-96.

inflicting, hurt, rejection, alienation, shame, or indifference, true Eucharist is within our sight but beyond our grasp. To bring ourselves closer, we need to acknowledge our faults together as a community, specifically and locally.

Communal rituals of penance remind us of our sins. They do remind us generally, by calling us all together as sinners seeking God's mercy. They usually provide opportunities for us to tell a priest our most private sins. And they remind us of the sins we have in common as an assembly. Before the assembly is dismissed to individual confession, someone typically reads an "examination of conscience," lists of sins or groups of sins. Silence follows the naming of each sin. It is a moment for us to appropriate together the ways we have caused others to suffer, the fractures in our community, and our obligation to work together. We then admit our faults in common, committing ourselves to work of penance, that is, to the work of reconciliation and justice. The communal admission of fault lets us see a community in need of healing, cooperation, wisdom. This is the ethical vision implicated in our Sunday Eucharists, the vision of a reconciled and reconciling people. Communal liturgies of penance complement the Eucharistic proclamation of the mercy of a God who feeds a people hungry for justice with an invitation to admit this hunger through the public recognition and articulation of our faults.

#### A. The Liturgical Form of Communal Penance

What I am terming the communal rituals of penance describe the ritualization of conversion and reconciliation through participation in the liturgies outlined in the Rite of Penance. These liturgies include two of the official rites of penance, the Rite of Reconciliation of Several Penitents with Individual Confession and Absolution and the Rite of Reconciliation of Several Penitents with General Absolution, but also the various non-sacramental penance services provided by the ritual text. As detailed in the first chapter of this dissertation, unlike the

practice of individual auricular confession to a priest, the two official sacramental rituals named above each place the penitential drama within a liturgical service modeled on the Eucharistic gathering. These rituals include prayerful acts of gathering and preparation, proclamation of relevant passages of Scripture, and a corporate examination of conscience, all able to be creatively adapted to the needs of the local community.

The structure of communal penance is roughly the same across its variations. The assembly begins with songs of praise and collects itself by means of a corporate prayer of contrition and an opening prayer offered by the celebrant. Scripture readings draw the assembled community into the paschal mystery, helping them to encounter the revelation of God's mercy in Christ. Common prayers offered for the Church and the world link the penitential gathering to the wider mission of the community. An examination of conscience, usually offered in the form of a series of question or a litany, helps those assembled to begin to articulate their experiences of personal or corporate fault as contrition. Once they express their contrition and receive, in whatever form suitable to the particular ritual, the assurance of the forgiveness of their sins, the assembly responds in gratitude and praise.

The rituals differ with respect to their treatment of official absolution. Rite B dismisses the assembly to confess individually to the priests available. Once all who wish to confess specific sins and receive absolution have done so, the assembly gathers once more. Their final act is a corporate avowal of gratitude and praise to the God of mercy. In Rite C, all who wish to receive absolution are instead directed to make a common sign of their intention, for example, remaining standing while the others sit. The celebrant then pronounces the words of absolution without requiring any verbal confession of sins. The ritual ends in the same way as Rite B. Penance services, however, offer no words of absolution, leaving the question of the forgiveness

of sins somewhat more open ended. This gives penance services a flexibility that their more juridical counterparts lack, and may make them a better approach for most parishes than the clergy-bound Rite B.

### B. Liturgical Penance, Guilt, and Social Fragmentation

Liturgical rites serve as a means by which the assembled body places itself knowingly before God's gaze. But liturgical rites of penance do this while simultaneously inviting the members of the ritual body to be conscious of their own faults and the fault of all in common. The more conscious the members of their faults, the more significant the realization that God stands in the presence of these faults, that God has neither disappeared nor overwhelmed humanity -- that God's subjective presence is compatible with the subjective presence of human persons. Both "I"s can exist at the same time, our moral mistakes notwithstanding.

Liturgical rites of penance place us as a social body within a relationship of mutual recognition with God. The elements of the ritual that arouse and express our awareness of our faults serve as an expression of our fears of abandonment, on the one hand, or engulfment, on the other. And the elements of the ritual that convey to us a promise of mercy and of forgiveness answer these fears with assurance. God comes to us, not as individuals, but as members standing with one another. Prayers for forgiveness, together with words of absolution pronounced generally to all who wish to receive them, convey to the body that God implicitly acknowledges and accepts us as we are. But the ritual comes to an end, and the body of the faithful dissipates. Just as God comes to us, God leaves us, and this growing absence implies a responsibility to follow our desires for the now absent God as they follow God's retreat not out of the world but into it. Communal penance thus points to the link between an ecclesially mediated forgiveness of human faults and the ethical praxis for the sake of which forgiveness occurs.

The juridical approach to penance responds to the problem of guilt, a sense of fault constituted by a person's awareness that she or he has personally failed to meet an obligation that links her or him to God and the Church. By making an avowal of sinfulness before a representative of God and Church, the broken link is restored. As I will explore in the next section, therapeutic approaches to penance responds to personal senses of fault not as explicitly structured according to specific and nameable moral obligations. By exploring and articulating these senses of fault in the presence of others, penitents can experience a healing intimacy that answers a lingering and unarticulated sense of shame with acceptance. But left to themselves, these approaches are limited in their ability to provide a community with the moral vision and accompanying sense of responsibility that can ground them in a shared ethical and political praxis.

The liturgical approach to penance supports social and ecclesial context in which these approaches find a home. Communal liturgies of penance respond to the problems of individual sin, guilt, and shame by responding more primordially to the problem of sin in the social body, the chief manifestation of which is moral alienation and indifference to structural forms of oppression. Within the juridical approach, individuals can still remain fixated within their own set of problems, according to their individual theologies and practices. Therapeutic and relational approaches, even with their intentional inclusion of relationships that provide space for articulation of moral responsibility, offer fragmented and periodic opportunities for working through experiences of fault. Only through a public theology enacted in liturgies of penance can other approaches to penance begin to respond to sin, communal fault before God, on a social level.

By remaining fixated on individual confession and absolution with a priest, the



theological legacy of John Paul II continues to uphold an understanding of penance limited to the individual working out her or his own salvation within the context of a largely imaginary church. God's mercy is encountered individually, an assurance given through the clerical mechanism. It is rarely encountered corporately, an assurance mediated through the community summoned together by God's Word. But this is a backwards state of affairs, for the confession of personal sin loses its symbolic power when it is disconnected from an effectively communal confession of sin. In attempts to articulate this, many theologians have argued that the sacramental reality given in the sacrament of penance, the *sacramentum et res* in the language of the Scholastics, is reconciliation with the Church itself, through which a personal reconciliation with God through God's forgiveness of sins can then occur. According to this conception, the minister of the sacrament is more fully a representative of the sacramental power of the Church and less fully the functionary of a personal and quasi-mystical power of absolution.

Such an understanding fits with a liturgical approach to penance. By participating in the liturgical activity of the community, penitents symbolically perform their reconciliation with one another, without which no reconciliation with God is possible. As Louis-Marie Chauvet puts it, "In short, the celebrating community, as the concrete realization of the Ecclesia is not only the receiver of forgiveness, it plays an *active "ministerial" role* in the reconciliation. It is *by the Church* that one is reconciled to God."<sup>460</sup> The liturgical approach to penance thus collects all other approaches to penance within its liturgical effectiveness, inviting penitents to consider all of the ways in which they have begun to celebrate penance as moments in the one activity of the ever reconciling and reconciled Church.

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<sup>460</sup> Chauvet, *Symbol and Sacrament*, 434. Italics are in the original.

Thus, in addition to responding generally to the experiences of faults treated more specifically by juridical and practical approaches to penance, liturgies of penance respond to fault at an ecclesial and cultural level. Experiences of fault that are unarticulated and unreconciled are problematic in terms of the community. Left unchecked, they can form obstacles to relationships of equality and mutual regard because the sense of personal fault is major point around which persons doubt their value, their capacity for friendship, their ability to be understood. Shame, especially, describes the sense of not being able to share a given pain with anyone: "No one will understand." But perhaps more importantly, a culture in which faults cannot be articulated safely cannot promote flourishing and healthy relationships. Liturgical approaches to penance symbolize for the community the realities of dependence, vulnerability, and faultiness and conveys God's blessing upon what would otherwise be liabilities. In some sense, liturgical approaches to penance tell us that we are allowed to fail. This message addresses counterclaims so prevalent in contemporary culture that we are not enough, that we dare not fail.<sup>461</sup> By addressing our moral vulnerability from the perspective of God's mercy, liturgies of penance challenges the rigid binary of sin-holiness with the more ambivalent reality of sinners-in-conversion described by the theological symbol Church.

### C. Social Sin and Communal Contrition in Liturgies of Penance

Liturgical rites of penance are bound to the moral and emotional pedagogy of the penitents who make use of it, a pedagogy of the heart that reaches beyond presentations of the Church's teachings on this or that matter to invite Catholics to examine their reasons for loving

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<sup>461</sup> The current popularity of Brené Brown's *Daring Greatly: How the Courage to Be Vulnerable Transforms the Way We Live, Love, Parent, and Lead* (New York, NY: Gotham Books, 2012) testifies to the widespread tendency for people to feel "not enough."

and hoping or failing and harming, in everyday life. Attentiveness to the ways in which we hurt others and ourselves is a significant aspect of simple moral discernment, an ethical attunement to our influences and effects on other people. Communal liturgies of penance can invite reflection on the wider political and social ramifications of our actions, attending to structural issues like racism and sexism, but liturgies are not pedagogical in nature. Indeed, the symbolic effectiveness of rituals of penance fades in proportion to the specificity of their rhetoric, and so they must be supplemented by outside opportunities for Catholics to reflect on their sins in common.

In other words, communal liturgies of penance express the community's shared contrition, but a shared contrition implies that we feel sorry for the same things. Monika Hellwig writes:

The one dimension that is more pressing than any other in the striving for the authenticity of a continuing Christian conversion in our times is the dimension of public responsibility, of responsibility to take a critical stance in relation to value and structures we take for granted, which make or mar the lives and happiness of great segments of the human population.<sup>462</sup>

A liturgy made up of individuals privately thinking about their secret sins might offer time for personal reflection, but it is not a communal action. Rather, communal liturgies of penance require intentional preparation, shared reflection on the sins the community shares and must confess.

Discussing the necessity and implications of moral discourse in church contexts, Browning developed a practical fundamental theological approach that allows local congregations to engage critically their practices and problems.<sup>463</sup> Following a modified version

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<sup>462</sup> Hellwig, *Sign of Reconciliation and Conversion*, 146.

<sup>463</sup> See Don S Browning, *A Fundamental Practical Theology: Descriptive and Strategic Proposals* (Minneapolis: Fortress Press, 1991).

of his model, Catholic parishes might develop more robust understandings of sin and injustice by constructing thick descriptions of the suffering faced by members of the congregation. From these descriptions would emerge images and “deep metaphors” conveying a corporate sense of fault and responsibility.<sup>464</sup> Critical analysis of such faults, especially in light of insights from the psychological and social sciences, can reveal causal factors at play, providing possibilities for advocacy and social action. Thus, parishes develop ways to *feel* the suffering of their members and strategies for *responding* to it, linking contrition to sincere repentance. Employing such insights in liturgies of penance at key times throughout the year, parishes might bring attention to the social and structural injustices faced by their members, offering space for individual and communal conversion. However, such an approach has never, to my knowledge, been applied in a Catholic parish setting.

A community that reflects on the sins that it might confess in common must attend to those who suffer within in it, providing room for the marginalized to articulate their needs, needs that the community has failed to recognize and meet. We are aware of the great and pressing issues of injustice portrayed in the media, but we can achieve a safe distance if we have no encounters with those who suffer them. We can offer prayers for the victims of wars far away, but it is far more difficult to offer prayers for the victims of child and domestic abuse in our own congregations, especially when such victims are invited to speak out. As pastoral theologian James Poling points out, naming local abuse and harm of any kind always raises questions of local power, for abuse does not occur in a vacuum but in communities that explicitly or

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<sup>464</sup> The various images of sin developed by sacramental theologian Bernard Cooke in his short but penetrating text *Reconciled Sinners* offer a fruitful resource for parishes to develop their own understandings of sin.

implicitly sanction abuse of power.<sup>465</sup>

Parishes must learn to exercise judgment, not necessarily in terms of the individual lives of its members, but rather with regard to the forces that make life hard for the most vulnerable. Though pastoral theologian Barbara J. McClure writes in the context of practices of pastoral care and counseling, her conclusion should also be applied to parishes: “The field of pastoral theology needs a stronger, more complex notion of sin, and its practitioners need to find ways to build an analysis of, and resistance to, sin into their work. *Pastoral caregivers need more, not less, judgment.*”<sup>466</sup> Again, this judgment is not rendered to persons, but addresses and resists the wider systems of oppression and domination whose effects are most visible in those without wealth, status, or power.

Thus, the contrition of the community in response to its sins can take the form of grief and anger. In grief, the victims of structural oppression articulate and respond to their experiences of suffering, and in grief, the assembled parish makes space to listen. In anger, the marginalized are given voice to call for change, and in anger, the assembled parish makes plans to act. Liturgically, grief can be ritualized in any number of ways: in psalm, song, corporate prayer, dance, silence. But the dimension proper to anger and its resistance to sin is less liturgical than it is ethical. Grief unites a community wounded by its own sins and the sins of others, and anger drives the community forward. Admitting its fault in common, the whole assembly shoulders the burdens of the sinner and the sinned-against, in union with a God who continuously extends compassion and healing to all. And the guilt of those who truly come to

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<sup>465</sup> James Newton Poling, *The Abuse of Power: A Theological Problem* (Nashville, TN: Abingdon Press, 1991), 121-152.

<sup>466</sup> McClure, *Moving Beyond Individualism*, 240. Emphasis in original.

recognize how they contribute to the suffering and harm of others does not merely disappear in an ecclesial act of absolution or a corporate act of confession, but is ritualized into a commitment to conversion, reconciliation, and justice.

#### D. A Pragmatic Approach to Communal Liturgies of Penance

Liturgies of penance offer an opportunity to embody the mercy of God as community appropriates and responds to its own political and cultural context, unifying all of the parish's penitential practices in symbol and rite. But few contemporary Catholic parishes in America integrate liturgical approaches to penance into their liturgical culture. Once or twice a year, usually during Advent and Lent, parishes might host a penance service. Even when they are well attended, these services do little more than tack some Scripture readings on to the space and time given to individual confessions and absolutions. As Coffey points out, Rite B is best suited to smaller and more focused gatherings like retreats which have ample time.<sup>467</sup> In a parish setting, the amount of time it takes for 300 people to confess to 3 or 4 confessors is somewhat oppressive, halting the flow of the liturgy and dissipating its energy.

Because of this, I think that the liturgical approach to penance is best served either by penance services, which include no individual confession and no absolution, or by Rite C, the rite of reconciliation of several penitents with general absolution. But because of hierarchical restrictions on the conditions under which it may be used, general absolution remains an impossibility for the great majority of American Catholics. This leaves us with communal liturgies of penance that offer no official absolution. This presents little problem, for if official absolution were sought by the faithful, individual confession would be far more popular than it is

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<sup>467</sup> Coffey, *Sacrament of Reconciliation*, 152.

now.

The limitations to the liturgical approach to penance are rather severe and come from two directions. On one side stands a hierarchy that has remained entrenched in the mindset that individual confessions ought to be flourishing. In terms of penance, generations of seminarians are equipped to do little else than hear confessions and provide some simple moral theological counsel. And parishes are rarely aware of the practical possibilities within the Rite of Penance itself for developing penitential rituals for specific contexts and reasons. Despite a lively movement in the 1970s and early 1980s that organized well attended penance services to tremendous success, Catholic social memory remains fixated on individual confession as the ritual norm. While I believe that widespread celebrations of general absolution offer an immensely powerful ritualization of God's mercy to a people who need to believe in it, I have no idea how we might challenge the hierarchy's firm and legally binding restrictions on it.

On the other side stands the difficulty of cultivating at the parish level a practical discourse of ethical practice and emotional discernment. Without opportunities for the kind of discourse explored above in my consideration of Browning's fundamental practical theology, a commonly understood practical vision of sin and conversion that can ground liturgies of penance remains out of reach. Reshaping the Catholic imagination around ideas of sin, guilt, and forgiveness is a weighty endeavor, hampered by both pedagogical challenges and resistant clergy.

The realities of sin and guilt still remain specific to individuals, bound to their respective desires and obligations. The language of sin in the liturgical approach to penance is highly generalized, reflecting the predominance of harmful tendencies and structural evils in world in general. It falls to particular individuals to apply this language to their own contexts, and here is

where therapeutic approaches to penance play a role. But people can grasp in general the need to repent and experience the beginnings of a penitential response. Here I emphasize the need for the Church hierarchy and leadership to trust in the embodied and emotional lives of its members, to envision a theology of practice and imagination in conversation with dogmatic theology.

Thus, the best place to begin with the liturgical approach to penance is to build on its current presence in the Catholic imagination. As I discussed above, Morrill names Ash Wednesday as perhaps the most popular Catholic celebration during the church year.<sup>468</sup> I will discuss this celebration below, but I first suggest that similar services might be offered at other appropriate times, for example, on Good Friday, during Advent, or before communal rituals of Christian initiation. Recalling that the Catholic Church used to set aside three days for penance four times a year, during each of the major liturgical seasons, sacramental theologian Julia Upton recommends that parishes return to this liturgical and penitential practice. Communal rituals of penance might be paired during these times with opportunities for more focused sharing and even for individual confession for those who desired it, but the focus would remain on the parish's communal recommitment to overcoming the structural and systemic obstacles to justice and flourishing discerned through careful and critical reflection. One of the most popular opportunities for such an endeavor is the Ash Wednesday liturgy inaugurating the season of Lent.

### *Ash Wednesday*

On Ash Wednesday, churches cannot hold the numbers of people who show up. These services include people who rarely if ever go to Sunday Mass, adding to the usual number of

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<sup>468</sup> Morrill, "Sign of Reconciliation," 609ff.



regular worshippers the presence of those on the margins of the community. As Morrill notes, "the penitential character of the day finds many people present whose need for sacramental reconciliation with God, Church, and self prohibits their participating fully in the communion rite (a discipline John Paul II reiterated in his apostolic letters)."<sup>469</sup> Liturgical services of penance like Ash Wednesday offer an opportunity to those on the margins on the community to participate in what all Catholics, those on the inside and those nearer to the outside, share in common: a need for ongoing conversion on the basis of God's patient mercy. Even in the most traditionalist of churches, those in which the obstacles to full communion with the Church are many and visible (e.g. the right forms of vocal participation, the correct head coverings, the proper method of receiving communion), communal opportunities for penance place the most pious and holy on equal footing with the people who have not been to church in years.

Ash Wednesday is a bleak day, but one marked with solemnity and purpose. The community gathers to affirm its own need for mercy, not just for individual members, but as a people who find themselves bound together by a hope in mercy. The ashes they wear are a kind of visible promise to begin again, to recognize the finite and precarious human situation as somehow willed by God because God, in embodying this condition, has accepted it and made it God's own. If the realities of fault and sin, whose wages are death, come into the liturgy's focus, this focus is only temporary. Sin and evil pass into the background, placing into the foreground the smudged face of someone who recognizes a desire for God in the midst of finitude, who has articulated it by joining with others and affirming the realities of faultiness and responsibility.

Morrill argues persuasively that the character of the day requires not a mass, with its

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<sup>469</sup> Ibid., 610.

tangible assurance of God's presence to the community, but a celebration of the Rite of Penance. Specifically, he advocates for a penitential celebration taken from the appendix from the *Rite of Penance*, which would include "key traditional practices: communal song, preached word, examination of conscience, act of repentance (in this case, the reception of ashes), general intercessions, and dismissal exhorting all to mutual support, prayer, and individual penance (as needed and celebrated at some point in the 40 days)."<sup>470</sup> What this approach omits is the Church's official act of absolution. This marks the distinction between what parishes term "penance services" and the sacrament of penance itself in its individual and communal forms. Ideally, the practice of Rite C and the bestowal of general absolution would be better suited to the commencement of the Lenten journey toward the Easter resurrection, but as I have indicated above, the ban on this fruitful ritual shows no signs of being lifted by the Catholic hierarchy.

Morrill's approach avoids the problems with Rite B that I discussed above, namely the disruption caused by time given to individual penance during the celebration itself. This approach highlights what throughout this dissertation I have termed the subjective elements of penance, what individuals bring to the ritual. Given that Catholics no longer experience their faults according to the juridical model, it makes sense that non-judicial celebrations of penance leave much up to individual Catholics, letting the bodily togetherness of those seeking, in one way or another, God's mercy within the ritual tie them together more than a specifically shared

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<sup>470</sup> Ibid. Morrill goes on to explain that "Appendix II outlines two sample 'Penitential Celebrations during Lent,'" one emphasizing "penance as strengthening or restoring baptismal grace" and the other showing "penance as a preparation for a fuller sharing in the Easter mystery of Christ and his Church." Adapted and combined with the proper readings and collects for Ash Wednesday and the imposition of ashes as the communal act of repentance, either version offers the structure and content of a pastorally beneficial liturgy for setting the people on their personal courses toward Easter. The quotations are drawn from the Rite of Penance, Appendix II, no. 7, in *The Rites*, p.593.

experience of fault.

The Ash Wednesday penance service exemplifies the liturgical approach to penance precisely because it symbolizes the interconnection of practical and juridical approaches to penance within the community. Following the dismissal, the ritual's penitents must follow their own penitential inclinations, some perhaps to juridical confession, others to relationships of spiritual direction or other sorts of support. With reference to one of his two primary interlocutors, Morrill says, "The promotion and fostering of such practices would meet the popular desire, which Hellwig had already identified among the faithful a few decades ago, for communally hearing the word of God concerning conversion together in liturgical assembly while leaving open personal deliberation and discernment about how to respond."<sup>471</sup> Discerning parishes might provide a number of resources following such services throughout the 40 days of Lent in anticipation of the stirrings toward conversion motivated by contrition that such a ritual might prompt. These resources would tend toward the practical, including opportunities for discussing harmful or problematic marital relationships, addiction recovery forums, or focus groups around family of origin issues -- all areas in which guilt, shame, fault, and responsibility tend to converge. If feasible, members of the clergy with the suitable skills might make themselves available for extended times of individual confession and spiritual direction.

#### E. Communal Liturgies and Penance in Daily Life

By providing regular and well-constructed liturgies of penance, parishes provide a shared starting point for the work of repentance and change. The greatest strength of the liturgical approach to penance is its ability to reach a larger number of parishioners than the other two

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<sup>471</sup> Ibid., 612.

approaches combined. Not only is it practically unfeasible to pair every parishioner with a suitable director or trusted listener, but many believing Catholics are not prepared for intimate encounters such as these. Nor are they prepared to confess their sins anonymously, according to their number and kind, according to the juridical model. If the dwindling practice of individual confession is any indicator, many Catholics simply prefer to avoid religious one-on-one encounters. Because juridical and practical penance are currently the only approaches fostered in Catholic parishes -- and barely any Catholics make use of either of them -- a great majority of practicing Catholics experience little of the Church's penitential tradition.

Juridical and practical approaches to penance take some sort of ongoing conversion for granted, but liturgies of penance provide a setting for those whose baptismal conversion has either halted or never actually taken place. Liturgical approaches to penance scatter the seeds of God's mercy widely and without careful discrimination. Granted, parishioners must still choose to attend liturgies separated from main Sunday Eucharists, and American Catholics are not accustomed to "going to church" more than once a week.<sup>472</sup> Those who show up typically will have reasons, even if these are reasons which have not yet emerged in consciousness. Here the Church relies on the sensitivity of human psyches more than on calculated moral reasoning, aware that people can become spontaneously aware of the need to make a new start, to fix something, to be better or happier without being explicitly told to do so. When there are opportunities to explore these feelings ritually and liturgically, without the pressure of individual confession in its juridical or practical dimensions, Catholics who go to Mass will attend them. So

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<sup>472</sup> There is currently no approved way of incorporating a communal rite of penance within the Sunday Eucharist. However, there are various penitential acts within the Mass that might be made salient for purposes of liturgical penance. These acts include sprinkling rites, renewal of baptismal vows, and the praying of the Lord's Prayer.

might Catholics who rarely show up on Sundays.

While they provide a wider context for experiences of the beginnings of baptismal conversion, liturgical approaches to penance are best seen as points of departure. The work of repentance which the liturgies of penance try to symbolize involves more than a general desire for change. It involves more than the articulation of specific failures. Repentance involves taking a new approach to oneself and others, allowing the mistakes of the past to provide insight into the tendencies and attitudes underlying them. These tendencies and attitudes themselves must be rethought in the light of the love of God made available to us in the Church's liturgical rituals.

Liturgical approaches to penance manifest this love, but penitents must sustain it within the contours of their lives outside of the liturgies. Other approaches to penance provide contexts for penitents to refine emotionally and theologically their self-understandings, but the ethical fabric of daily life is where the conversion work of penance must take place. Liturgical approaches to penance can broadly symbolize this, but a more profound moral conversion of American Catholic parish life must occur for these symbols to be widely effective. The sacrament of penance based on a practical theology of baptismal conversion must undergird the moral vision of parishes as a whole, from clergy to parish ministries to religious education, by speaking about membership in the Church as a process and not as a static reality. Communal liturgies of penance only make sense in an account of life that does not just point to an otherworldly heaven but that truly grows and develops according to articulable and tangible experiences of hoping, loving, connecting-to, and responsibility-for. Liturgical approaches to penance require us to work through issues reconciliation and connection in our own lives so that the sacrament can effect what it signifies.

### **III. Therapeutic and Relational Practices of Penance**

Penance extends beyond of the three official rites in the Rite of Penance. Therapeutic and relational of penance might be seen as an alternative to such rites or, perhaps better, as a necessary complement to their successful celebration in a parish context. In describing the therapeutic dimension of penance, I am attempting to identify how the traditional theological elements involved in the sacrament of penance are present in the more encompassing struggles of persons to articulate and respond to their experience of being at fault. By naming some, but by no means all, of the contexts in which this important work occurs, I am claiming that penitential ministries are happening without its being named or claimed by Church authorities. They occur behind the scenes, as it were. The dance of confession, contrition, absolution, and penance in the friendships, mentorships, and group relationships in which experiences of fault are expressed and explored provide the psychological and social underpinnings of all of the parish's penitential rituals.

Relational practices of penance share a great deal with practices of spiritual direction and pastoral counseling. On the sacramental end, it opens into the Church's authoritative ministry of reconciliation. Those who desire recognition within the context of the authority of the local community use individual and communal rituals of penance to reestablish and maintain their relationship to the local community via the symbolically effective interaction with that community's authoritative representative. Here the juridical aspects of penance, even in its practical form, still play a role, insofar as communities are constituted by shared values and commitments.

But those for whom the authority of the local community is of less significance, and who find themselves on the margins of the values and commitments shared by the dominant majority,

may still find in such encounters space for healing and clarity. What distinguishes, without entirely separating, therapeutic and relational practices of penance from spiritual direction or pastoral counseling, generally speaking, is their concern for and focus on issues of guilt, sin, and remorse. When these issues become salient, the purpose of the penitential space is given to supporting the penitent's efforts to accomplish what the juridical approach tends to oversimplify: taking responsibility for one's cooperation with the dominating powers of sin.

Penance achieves a wider scope, but with this scope comes the difficulty of remaining within the bounds of what the Church properly recognizes as the sacrament of penance and the myriad of interactions that facilitate the penitent's conversion without necessarily involving the full sacramental sign. I argue that this is a helpful challenge, as it invites us to recognize that the sacrament of penance ritualizes a process that is itself continuous. Relational practices of penance, whether or not they involve completion through priestly absolution, testify to the essential role of the penitent in achieving a responsible and authentic stance, before God, toward failures of obligation and desire. Moreover, such practices testify to the importance of the whole community in the work of penance: much that the priest does, a willing and gifted layperson can and perhaps ought to do. Though this seems to threaten the traditional office of the priest as the only one with faculties to forgive sins, I argue that the possibility of non-sacramental penance reestablishes the connection between the forgiveness of sins extended by Christ to all penitents, the role of the community in mediating the divine authority that undergirds the forgiveness of sins, and the particular role of the priest as a personal representative of this authority.

#### A. Penance Through Personal Encounter

Relational penance takes place through formal and informal conversations that bring experiences of failure, moral confusion, and shame into dialogue with others' experiences of

healing. Such practices offer the opportunity to explore the conflicts of obligation and desire that can contribute to a messy sense of somehow being at fault for the situation in which one finds oneself. This approach encompasses a wide variety of pastoral encounters, depending on the availability of pastoral contexts for sharing, listening, and counseling -- the practice of what has been often termed spiritual direction. Informed in part by the meeting of psychological culture with Catholic moral teaching, therapeutic approaches to penance combine in a rough-and-ready way the authoritative and intimate aspects of pastoral care to provide penitents with safe spaces relatively unstructured by external obligations. Here I follow Hellwig's insightful discussion of two routes by which people today work toward reconciliation and conversion in the midst of life's difficulties: through peer group relationships and through informal conversations.<sup>473</sup>

As significant within the life of Catholic parishes as its opportunities for ritual worship are the smaller gatherings and groups around specific issues, activities, and experiences. In my own parish, for instance, I am thinking of the group for young mothers to share their experiences, the men's reading group, the relationship recovery group, and the adult education group -- all the local opportunities for people to gather around common experiences.<sup>474</sup> Such groups and gatherings can foster a sense of belonging and intimacy that more regular and formal experiences of corporate worship can rarely sustain. Because of this, these groups can create opportunities for people to express to trusted others their experiences of fault and difficult life choices. As Hellwig

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<sup>473</sup> Hellwig, *Sign of Reconciliation*, 105-120.

<sup>474</sup> In reviewing this list, it strikes me that many of these groups are constructed around gender lines. In some cases, for instance, the young mothers' group, this makes good sense. Because of the cultural and political divisions that continue to perpetuate unjust relationships between men and women, the existence of safe spaces to explore gendered experiences should be promoted in parish life, along with ways of communicating the insights that arise in such discussions to the wider public.



writes:

What frequently happens in such groups is that by common prayer, meditation, friendship and action, a level of trust and common faith is built up in the context of which people are able to confide their unanswered questions, their anxieties, their frustrations and resentments and sufferings to one another. In a good atmosphere, this leads to confessions of personal failure and sinfulness, sometimes of specific sins, either to the group or to some helpful member of the group.<sup>475</sup>

What makes these experiences powerful is that they are often unsolicited and unprogrammed, taking place within a wider context concerned not only with matters of sin and forgiveness but with broader goods of relationships as such. Matters of reconciliation emerge, but are not the point -- the point is connection, community, belonging. In this way, relational practices of penance respond to the vast variety of contemporary experiences of fault by offering a context in which these are allowed to emerge spontaneously.

Similar experiences can occur with a single trusted other, either in a formal meeting, as with a spiritual director or a mentor, or in informal conversation, as with a friend. Hellwig describes such meetings as a kind of "mutual confession that takes place over the kitchen table between neighbors and friends used to giving one another support and encouragement."<sup>476</sup> She links these kinds of conversations historically to the early penitential practices of the desert mothers and fathers, whose quiet and attentive presence in solitude provided seekers with the space in which they might unveil their longings and failures.

Envisioning this within a contemporary milieu, Hellwig writes:

She is there, she has time, the coffee pot is usually on and her whole being speaks welcome. And people come, as they did to the elders in the desert, with their troubles, their anger, their hurt and their shame. She hears them out with compassion, she counsels them from her experience and prayer, sometimes she effects by her unpretentious

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<sup>475</sup> Ibid., 111.

<sup>476</sup> Ibid., 111-112.

mediation of grace a conversion of heart that mends a marriage, saves a family, changes a life. Always she lets them know by her own response that God loves them and that they are welcome back. Always she accompanies them with her prayers when they have left.<sup>477</sup>

It is no accident that Hellwig depicts this ministry as carried out by a woman. Despite the Church's insistence that only a man can receive the sacramental power to officially absolve sins, the actual work of repairing and reconciling persons has been a continual and seemingly natural ministry of women socialized within a structure of patriarchy to value connection and care for others.<sup>478</sup> Thus, Hellwig concludes, "She would be startled if told that she is ministering a sacrament of reconciliation and conversion, but in the broad sense of the word that is what she does, and the Church is built and maintained by ministries such as these."<sup>479</sup> What the priest attempts to symbolize within the confessional is made manifest in such conversations as these.

Relational penance seeks not the fulfillment of a religious duty nor the relief provided by the assurance from a duly authorized representative of the Church but a concrete context for the healing that only takes place through mutuality. I argue that this context must be fundamentally relational in nature, allowing for expression, support, and accountability. As Hellwig points out, "One of the ways one knows most clearly whether a conversion is real or only a matter of self-delusion is by the way it bears fruit in changing life-style, changing relationships and changing behavior. It would seem, therefore, that the emphasis cannot be placed solely on the confession,

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<sup>477</sup> Ibid., 112.

<sup>478</sup> See, for instance, Nancy Chodorow, *The Reproduction of Mothering: Psychoanalysis and the Sociology of Gender* (University of California Press, 1999); Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge, Mass.: Harvard University Press, 1982); Bonnie J Miller-McLemore, *Also a Mother: Work and Family as Theological Dilemma* (Nashville: Abingdon Press, 1994).

<sup>479</sup> Hellwig, *Sign of Reconciliation*, 112.

as though that completed the turning to God."<sup>480</sup> To this I would add that the fruit of this conversion can only be seen through concrete shifts in one's emotional and material relationships to others, and that the ongoing support of some community or individual is absolutely necessary for evaluating such shifts.

In contrast to deliberate rituals of penance, which set before penitents the expectation that they have sinned and the obligation to confess, the practical approach of therapeutic penance describes the spontaneous emergence of the theological elements found in the Rite of Penance -- contrition, confession, absolution, penance -- within attempts to foster communities and relationships of mutual regard. Therapeutic practices of penance are more comfortable than their juridical counterpart with the gestalt of sin, the mess it makes in everyday life, and the challenge of untangling the faults for which one is responsible from both the faults for which one is not and the active contributions toward the good of oneself and others. Whereas juridical penance offers assurance in the context of a specificity already attained before the ritual begins, therapeutic practice offers accompaniment in the midst of moral confusion. In the juridical approach the penitent's confession serves chiefly to specify the sinful acts that are the object of the priest's absolution. By way of contrast, for practical penance any confessional activity of the penitent's, with its words, tone, silences, is the medium through which the penitent, with the help of another, deciphers the hidden tangle of desires and obligations that make it so difficult to point to *that sin, that specific action, that one thing*. In other words, the confession itself is less important than the penitent's *contrition*, the complex, religiously laden attitude that constitutes the penitent's desire to work through her or his experiences of fault toward a new beginning. For this

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<sup>480</sup> Ibid., 118.

reason, contrition's partner in practical penance is the work of penance itself, the concrete changes within the penitents' lives that enable them to achieve a clearer sense of agency and a fuller participation in the life of God and others.

### B. Relational Penance, Fault, and Sin

Whereas the juridical approach to penance popular in preconciliar American Catholicism focuses on a religiously laden and ecclesially situated guilt, the relational dimension of penance considers a wider and more ambiguous range of potential experiences of faults. These might include a nagging sense that one has dealt poorly with an important situation, a crippling sense of shame centering on childhood trauma, or a quite specific conflict with a coworker. In all of these cases, penitential practices attempt to disentangle *sin*, the primary focus of penance, from wider experiences of moral confusion and shame.

The theological term sin is not particularly illuminating for most contemporary Catholics. Miller-McLemore argues that the obsession with identifying a monolithic definition of sin has prevented generations of Christians from fruitfully using it to describe a host of messy and interconnected issues: fault, shame, responsibility, guilt, obligation, desire for reparation, to name only a few.<sup>481</sup> In Catholic circles, sin still tends to convey disobedience to Church teaching.<sup>482</sup> Catholics today struggle to work out to how their values and actions align with the

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<sup>481</sup> Herbert Anderson and Bonnie J Miller-McLemore, *Faith's Wisdom for Daily Living* (Minneapolis, MN: Augsburg Fortress Books, 2008), 47-49.

<sup>482</sup> Citing a study document commissioned by the U.S. Conference of Catholic Bishops, Julia Upton demonstrates that Catholics still associate the term "sin" almost exclusively with disobedience of God, Church, and the ecclesial laws that mediate divine grace. See Julia Upton, *A Time for Embracing: Reclaiming Reconciliation* (Collegeville, Minn: The Liturgical Press, 1999), 4-5.

numerous and overlapping values and actions found within the larger community and those expressed by official teaching. As Hellwig suggests:

Sin as sin is not directly accessible to experience, though Bible and tradition teach us to identify it as the disorientation that leaves our lives turned away from God and therefore lacking in focus and integration. What is directly accessible to experience is the restlessness, the discontent, the fear and diffuse anxiety, the inability to live in harmony and community with others, the inability to accept our own dependency, poverty and limitations. And these things come into direct observation in particular encounters, particular happenings, particular failures and tragedies.<sup>483</sup>

Hellwig is not arguing that we do not experience our sins, merely that such experiences are already bound up in what is not sin. Recognizing the aspect of sin in our experience requires a prior advertence to goodness, justice, God – all that is not sin. In the dark, so to speak, everything looks the same. Only in the light of alternative courses of action, desires, and goals do we recognize the reality of sin.

Feminist theologian Rosemary Radford Ruether makes a similar argument in her classic *Sexism and God-Talk*. Situating the discourse of sin against a background of Christian conversion, Ruether bemoans the separation of the two symbolic terms within Christian theology as traditionally presented. “Consciousness of evil, in fact, originates in the process of conversion itself,” she counters.<sup>484</sup> “To locate and identify certain realities as “evil” means to already have taken the fundamental existential turn of disaffiliating oneself from them.” However, recognizing the relationship of sin and evil to the process of overcoming them does not entail a rejection of the reality of these important concepts. Rather, it places the theological center of gravity squarely on “the human person situating itself in opposition to perceived falsifications of its own being in

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<sup>483</sup> Hellwig, *Sign of Reconciliation*, 108.

<sup>484</sup> Rosemary Radford Ruether, *Sexism and God-Talk: Toward a Feminist Theology* (Boston: Beacon Press, 1983), 159.

the name of a transcendent possibility of a good self.”<sup>485</sup> An adequate theology of sin requires a morally fecund notion of conversion, the vision of a more vibrant, fruitful, and freeing life in the midst of others. Without such a theology, the confession of sins looks only backward and never forward, and it loses its capacity for healing.

Thus, an understanding of therapeutic penance begins from the assumption that issues of sin and guilt are complicated, situational, and enmeshed in relational dynamics. It recognizes that individuals take part in multiple and competing moral frameworks and must often negotiate between them without clear rules and principles. And it understands that a person's sense of fault, be it tangled up in issues of guilt, shame, or social exclusion, is not a univocal indicator of personal sin but a more ambiguous signal of something going wrong, something out of place. Until this signal is clarified, a healthy response to one's particular situation is difficult to achieve.<sup>486</sup>

As I discussed in Chapter 4, pastoral theologian Donald Capps argues that shame, and not guilt, best describes the predominant experience of fault of such selves.<sup>487</sup> Psychologists largely agree that the primary distinguishing factor between guilt and shame involves a difference between attributing badness to an action versus attributing badness to a global self.<sup>488</sup> In his

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<sup>485</sup> Ibid., 159.

<sup>486</sup> Don Browning argues in *A Fundamental Practical Theology* for an exploration of this sort as part of the task of descriptive theology, one of the four movements of his fundamental practical theology.

<sup>487</sup> Capps, *The Depleted Self*, 72ff.

<sup>488</sup> For psychodynamic accounts of shame, see Helen Block Lewis, *Shame and Guilt in Neurosis*, (New York: International Universities Press, 1971); Michael Lewis, *Shame: The Exposed Self* (New York: Maxwell Macmillan International, 1992). For an overview of shame as an interdisciplinary focus, see Melvin R Lansky and Andrew P Morrison, *The Widening Scope of*

synthesis of the contemporary literature on guilt and shame, pastoral theologian Stephen Pattison writes, "In guilt, the object of attention lies outside the self, in the person damaged or the act committed. In shame, on the other hand, the self is the object of concern. Indeed, one of the effects of shame is to exclude the outside world of other persons, events and actions and to fix attention firmly within the self."<sup>489</sup> Whereas feelings of guilt tend to be articulable, experiences of shame often leave their subject without a way of describing their suffering.

Thus, rather than feeling as though they had violated some external and authoritative norm, contemporary Catholics tend to experience their faults as a lack, a vulnerability, a failure to be enough. Moreover, though the range of potential moral choices is perhaps broader for Catholics than it was in the preconciliar Church with its so-called Catholic guilt, Catholics lack the resources to articulate a reason for their suffering. In other words, preconciliar Catholics could more readily fall back on categories of sin and its ensuing guilt to articulate their experience of being at fault. Bereft of such an authoritative framework, contemporary Catholics are left feeling at fault without being able to precisely explain why. Juridical rites of penance are unhelpful here, for they concern discrete actions for which penitents feel responsible. Opportunities for therapeutic or relational penance, however, describe those interpersonal spaces in which persons who feel ambiguously and confusingly at fault might come to articulate and work through their experiences.

Opportunities for the exploration of faults and failures outside of the confessional can provide a more flexible environment for coming to a more authentic knowledge of oneself and

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*Shame* (Hillsdale, NJ: Analytic Press, 1997).

<sup>489</sup> Pattison, *Shame: Theory, Therapy, Theology*, 73.

one's sins, precisely because of the presence of what traditional confession specifically omits: context. When forced to measure ourselves according to a standardized list of sins, we risk painting any uncomfortable feelings or attitudes with a broad brush, labelling as sin anything that strikes us, or those around us, as unacceptable, disagreeable, or threatening. But not all such internal signals are necessarily sins. As I showed in Chapter 3, the languages and practices of religiously influenced cultures can encourage their members to question behaviors and attitudes that threaten the structures of the community. Early American Catholic parish culture evinced a strong suspicion of sexuality and aggressiveness, for fear that they might erode the obedience that supported clerical authority. Sin language can provide spiritual insight into the forces that keep us from flourishing, but it can also cooperate with these forces.

Aware of the possibilities for harm involved in the use of sin language, many theologians have questioned traditional definitions of sin. Feminist theologian Valerie Saiving provides a classic example of this critique in her discussion of pride. Saiving shows how theological discussions of pride have historically relied on the assumptions of a power-laden, male-centered experience. Prideful hubris might be the root of sin for those who misuse their power to exploit others, but sin takes a rather different appearance for those on the other end of exploitation and power.<sup>490</sup>

Writing decades later, theologian Rita Nakashima Brock applies the same reasoning to the multivalent experience of anger. Like pride, anger has been condemned by much of Christian theology as sinful, particularly with respect to women. But Brock contends that “anger that we integrate, rather than vent on others, leads us to self-assertion and self-acceptance. It allows us to

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<sup>490</sup> Valerie Saiving, “The Human Situation: A Feminine View”, *Journal of Religion* 40 (1960): 100-112.



perceive ourselves as distinct, to claim our own feelings, to heal our pain, and to find our own centered existence. Hence anger is a way to intimacy and loving, if it is understood to contain clues to our own pain...It is the healthy response of a self to violation and a crucial avenue to self-acceptance and acceptance of others.”<sup>491</sup> She is not the first to make this argument with respect to anger. Ruether’s *Sexism and God-Talk*, already mentioned above discusses the rejection of anger as a key patriarchal tool used to prevent women from questioning issues of inequality. The possibilities of its misuse notwithstanding, the presence of anger testifies no more to the presence of personal sin than the presence of hunger shows someone to be a glutton. Indeed, womanist theologian Audre Lourde calls anger a “spotlight” that pairs with the fears of anger’s recipients to illuminate opportunities for growth.<sup>492</sup> Without these relational interactions, the realities of injustice stagnate in our unwillingness to draw attention to them.

Indeed, if the mysterious presence of sin is to be found anywhere, it is to be found in our unwillingness to face the realities of suffering in our lives and the lives of others. In such cases, the suppression of anger, not its expression, can constitute sin. The goal of sin, so to speak, is to distort human relationships and thereby undercut the possibility of healing and growth. But, as Brock eloquently asserts, "We begin to heal, in remembrance and forgiveness, by allowing anger to surface, by reconnecting to our deepest, most passionate feelings, feelings grounded in the rich complexities of our full embodied experience, and by actively reclaiming memory, memory grounded in our relationships.”<sup>493</sup> Brock goes on to talk about the importance of consciousness-

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<sup>491</sup> Rita Nakashima Brock, *Journeys by Heart: A Christology of Erotic Power* (Eugene, OR: Wipf & Stock, 2008), 7.

<sup>492</sup> Audre Lourde, “The Uses of Anger,” *Women’s Studies Quarterly* 25, no. 1/2 (1997): 278–85.

<sup>493</sup> Brock, *Journeys by Heart*, 23.

raising groups that support such healing, and I want to draw a parallel between such groups and the opportunities for penance discussed above. Such opportunities can have a penitential aspect to them. They allow us to safely express what we fear to be sins in order to see the lines of pain, fear, anger, and injustice that constitute them.

If I find, for instance, that in an outburst of anger I caused another to suffer, I need not immediately repudiate myself for being angry. I ought not rush to confession, eager to deny my conflicted self, to see my discomfort absolved away. Rather, I need to seek a relational space through which to decipher the experience, to trace out the boundaries whose violation prompted an angry response. I might talk through the problematic event with a friend, or share it in a group setting. The questions of others might prompt deeper reflection, helping me to identify the different desires threading through my anger: the desire to be powerful and not dominated, the desire to be admired and not disliked, the desire to be connected and not lonely. Patient listeners might help me recognize my outburst as an attempt to achieve things that are worth having while validating my regret that it was an unskillful and possibly damaging attempt. Through encounters such as these, practices of penance facilitate an increase in emotional and psychic flexibility, creating space for me to regret harmful acts without regretting myself, for the regret of oneself is the essence of shame. In relational and therapeutic practices of penance, we are held by those in whom we confide our failures, freed, if only temporarily, from the self-accusations and doubts that keep us from moving forward, from making reparation, and from beginning again.

Writing about the uses and misuses of sin language with special attention to parenting and childhood, Miller-McLemore supports such reasoning. “Failures are not occasions for despair or unrelenting guilt, shame, and punishment. They instead are cause for deeper

awakening, remorse, reparation, compassion, and formation.”<sup>494</sup> When failure is given the label sin and surrounded with the language of threat, punishment, and condemnation, such opportunities are foreclosed, both for children and for adults. This is not an argument for leniency or moral laxism. Indeed, in my own experience, parenting without the use of threats and yelling requires more intelligence, more sensitivity, and more attentiveness. Jumping too quickly to strong language of sin and evil is a shortcut that rarely pays off. If we are to employ such language, we must recognize with Miller-McLemore that there exists no “one-to-one correlation between Christian ideas of sin and harsh punishment. In other words, saying children are sinful does not inevitably lead to their punishment, even if this is how some Christians have mistakenly interpreted the tradition.” Extending this argument to adults as well, the task of recovering the penitential dimensions of parish life requires us to complicate our notions of sin, morality, and selfhood.

Penitential practices can facilitate the recognition of specific ways that we harmed ourselves or others, and we can label these as sins. But more importantly, the atmosphere of practical penance focuses our attention on the fragile context of our sins, a human situation that make it difficult to do what is best and easy to do what is temporarily convenient. Miller-McLemore introduces as a synonym for sin the term *frailty*, suggesting that it might provide a needed corrective to dominant conceptions of sin as cause rather than effect.<sup>495</sup> This term provides an especially fruitful image of sin with respect to penance. Drawing on Luther’s insight that we are simultaneously sinful and righteous, Miller-McLemore situates frailty in the

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<sup>494</sup> Herbert Anderson and Bonnie J Miller-McLemore, *Faith’s Wisdom for Daily Living* (Minneapolis, MN: Augsburg Fortress Books, 2008), 43.

<sup>495</sup> *Ibid.*, 46.

“precarious balance between helplessness and responsibility at the heart of Christian life.”<sup>496</sup> Sin as frailty demands not wrath or punishment but restoration, support, and reassurance. Indeed, reflecting on sin as frailty reminds us of the strong ritual connections that once existed between penance and healing, before the juridical aspect of sin and forgiveness overshadowed all other aspects. Recovering a sense of sin as an inherent human frailty invites us to abandon strategies of conquering sin once and for all in favor of learning to work with and in our sinful condition with attitudes of trust and understanding. Opportunities for relational penance can arise whenever we recognize and respect the sheer necessity of failure, of moral fault, and of human error with respect to the human situation. Respect for our moral frailty invites us to anticipate the need for confessing our faults to one another, for providing support in the midst of failure, and for working through the tangle of sin and holiness that constitutes the Christian moral life.

### C. Theological Dynamics of Therapeutic and Relational Penance

The relational or therapeutic approach to penance embodies a theological vision that is far less hierarchical in nature than its juridical counterpart. Because of its emphasis on allowing contrition to spontaneously emerge in contexts not specifically dedicated to penance itself, this dimension of penance envisions the church as a place of hospitality, whose members contribute toward an atmosphere of collegiality and respect. Relevant too are the images drawn from the Second Vatican Council's document *Lumen gentium* that depict the Church as a pilgrim people of God traveling together toward some new distant, hoped-for home.<sup>497</sup>

One of the important questions raised in therapeutic practices of penance is the question

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<sup>496</sup> Ibid.

<sup>497</sup> *Lumen gentium*, 9-17.

of God's presence or absence during difficult times in our lives. As people recall and share their faults, their sins, their failures, they may not experience particularly warm images of God. God might appear as a strange intervention, or a cruel set of circumstances, or the one who could have helped but did not. Penitential practices create space for the gods of our experiences to emerge, so that we can confront them together with our sins.<sup>498</sup> God then appears in our ability to share with others, in the warm and listening attentiveness of a confidant, of a group quiet and eager to hear our stories. The presence of spiritual direction through a trusted facilitator or advisor in such opportunities can help us learn to questions our gods along with our sins. To discern in our various experiences the presence of God, of sin, of hope, of despair, and all the other spiritual threads sewing our lives together is the ultimate goal of relational and therapeutic practices of penance.

Unlike the juridical approach, whose images of God and Church belong to a small minority of Catholics, this approach allows for multiple and overlapping theologies to emerge in a shared space. Because it is not confined to a single ritual or ministry, the practical approach allows the elements of penance to emerge as needed. This respects the vulnerability and dignity of persons who might find it difficult to disclose the experiences of fault with which they are struggling. And because the context of this approach is the relational bonds of a group gathered around some particular issue, or alternately, a friendship between trusted partners, the setting

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<sup>498</sup> I am influenced here by Rizzuto's psychoanalytic study of children's religious lives in *The Birth of the Living God*. She explores the relationship between our images of God and other dominant and primary psychic influences, especially the internalized images of our parents. According to Rizzuto, our God images emerge as responses to our psychological context and develop, consciously or unconsciously, with our changing sense of self and its conditions. Discerning the presence and/or absence of influential God images might be a significant dimension of therapeutic penance.

itself provides resources for healing and accountability that would not be available to people confessing their sins to a priest.

Here we can make reference to the four traditional and theological component parts making up the sacrament of penance. Penitents manifest *contrition*, an attitude of heartfelt sorrow, in their verbal *confession* of sins. The Church, through the ministry of the priest, declares these sins forgiven in the mercy of God through his act of *absolution*, and the penitent responds to the work of mercy after the ritual through acts of *penance*. These four movements capture the passive and active participation of penitent and confessor as they symbolize and bring about the divine drama of forgiveness. Sacramental rituals of penance bring these elements together, but rituals do not create them. Rather, Catholics experience the theological elements at work in sacrament of penance in other places in their lives, and it is through referring to these places and drawing them together ritually that the sacrament signifies what it effects. In other words, the official rites of penance express and make effective the same movements of grace to which all experiences of contrition and absolution, together with acts of confession and penance testify.

Indeed, as I pointed out above, because practices of penance are not associated with a single person or ministry, this approach allows for the theological elements that belong to penance to emerge in a variety of settings, in no particular order, if and when they need to. For example, an individual might find it helpful to "confess" some misgivings about her behavior during a recent conflict with a coworker to a friend over coffee. This friend might help her to explore the meaning of these misgivings (her contrition), leading the penitent (I use the term here informally) to reevaluate the relationship and determine some changes (penance) needed for the relationship to continue in a healthy way. Finally, the penitent might make up her mind to apologize to her coworker (another confessing sign of contrition). If the coworker acknowledges

and accepts this apology (absolution), the two might seek some way to express their own desires and needs with respect to their working relationship (penance). Later, while attending Sunday Mass with her family, when the assembly is directed to call to mind their sins, the penitent recalls the conflict with her coworker, her own responsibility for her behavior, and her desire for the relationship to improve (confession). "Lord, have mercy," becomes for her a personal prayer for help in changing the relationship (penance), while the celebrant's "May Almighty God have mercy on us, forgive us our sins, and lead us to everlasting life" offers her the assurance of God's presence and acceptance of her prayer (absolution). Thus, all the parts of penance participate together in the unfolding of the drama of repentance, conversion, and reconciliation, to which the Church stands as a witness.

Supporting therapeutic and relational approaches to penance in parish life would involve creating opportunities for participants of support groups, spiritual direction relationships, and even psychotherapy and counseling to share their experiences of fault and reconciliation. These communal opportunities might make use of the ritual resources found in the Rite of Penance, and thus they would flow into my final and third model below. But by expressing the various ways in which people come to recognize, articulate, and respond to their experiences of fault, parishes as a whole might develop ways of speaking and acting that accept the necessity of fault and frailty in the midst of moral development instead of perpetuating silence and shame around the serious mistakes that people make in the course of human living.

To summarize, the relational dimension of penance describes the varied and non-authoritative ways in which people come to articulate and express their experiences of fault to one another. These experiences are beneficial for their own sake; thus, they are, in a sense, therapeutic. But by relating them to the penitential tradition of the Church, parishes can extend

and deepen their benefits. Penitential practices demonstrate how God is active in and through our experiences of faultiness even before we encounter God ritually, sacramentally, and liturgically. Bringing together in shared conversations and pedagogy the many ways in which people accept and work through their guilt, their shame, and their alienation reveals a depth of shared experiences that might be a powerful source of communal healing for those unable to find solace in the Church's official rites and practices. In this way, the opportunities for conversion and reconciliation available in the Church's sacramental system spill over its barriers to the full and just participation of the faithful in the renewing life of God.

Through relational and therapeutic practices of penance, parishes become better equipped to challenge the dominating-submitting dialectic of a clerically driven model of conversion and reconciliation. The relationships and groups envisioned here allow for the equal participation of all in the work of reconciliation. The contrition from which arises disclosure and conversion is not, in the practical approach, shot through with issues of fear and dominance, a sorrow for sins motivated largely by the fear of an omnipotent God's wrath. Rather, contrition is a sorrow cultivated by exposure and connection to the experiences and sufferings of others, an authentic regret for the damage that one has caused to others or to oneself, especially through participation in harmful patterns of domination and submission.

Insights into these harmful patterns have emerged primarily out of the social sciences, and while a great deal of fruitful theological work continues to be done to draw out important implications of such research for churches and individuals from perspectives in the Christian tradition, Catholic parishes have yet to integrate psychodynamic and sociological insights into their communal discourse, pedagogy, and practice. Parishes engaging in the therapeutic and relational approach to penance would be more likely to build interactions with non-ecclesial



developmental resources into their normal understandings of what it means to participate in the penitential life of the Church. By non-ecclesial developmental resources, I mean the broad variety of secular resources that address with psychological and social issues, including practitioners of individual, group, and family therapies, but also advocacy organizations dedicated to helping specific and vulnerable groups. Many churches already do this by hosting groups like Alcoholics Anonymous and Al-Anon, or by cooperating in wider civic and ecumenical social justice ventures. As normally involving the admission of fault and the need for reconciliation, support groups of all kinds and groups that advocate and work for justice are implicitly participating penitential practice. What remains is to integrate these activities into a communal understanding of church's penitential mission as celebrated in the liturgies of penance discussed above. While Catholics may understand the benefits to such resources in a pragmatic sense, they do not always grasp the theological dimensions of the healing that goes on in practices of confession and reconciliation. Without these links, liturgical and ritual elements of penance remain disconnected from the ongoing work of conversion that they are intended to nourish and sustain.

#### **IV. Conclusion: Towards Penitence as a Communal Vocation**

Throughout history, Christians have adapted a variety of penitential forms to their own culturally constituted needs. And yet under the influence of what is arguably the most authoritative teaching on penance in our time, John Paul II's *Reconciliation and Penance*, the penitential vision of the Catholic hierarchy remains fixated on individual confession, ignoring any argument that the disease it once cured – an infamous “Catholic guilt” -- no longer predominates, and ignoring any argument that the penitential tradition of the Church might not be limited to individual meetings with clergy.

Catholics now feel at liberty to pay little attention to Church teaching, especially with respect to what they have subsequently come to see as private issues. This freedom exists in the spaces of the moral and psychic framework that comes with assenting to Church teaching, a framework that was once articulated in explicitly juridical language throughout universities, churches, and parochial schools alike.

In preconciliar American Catholicism, the psychological dynamics of emotionality, unconscious desire, and unconscious aggression did not enter into the discussion or presentation of the morality of human acts. Rather, morality was always discussed in the foreground of a culture of Church power and lay obedience. Consistent and universal teaching on good acts and sinful acts, together with the psychic cost of betraying one's conscience and the conscience of the community, nourished a felt sense of being good enough. Loss of this felt sense made life difficult, but it could be restored through a short, fairly anonymous, but uncomfortable meeting with a priest.

The cracks that appeared in this moral framework ran through the Church and its wider American context. Priests no longer preached with a single moral voice, the voice of the Church, and Catholics discovered that the Church itself has more than one voice. Some Catholic women and men no longer felt an obligation to listen, and so they gradually came to care less and less about what Church officials were saying – but this did not necessarily stop them from participating in parish life. Many Catholic men and women continued to listen, and they learned how to make up their own minds in the face of considerable moral confusion. And almost all Catholic men and women stopped going to confession.

The Church continues to teach that Catholics must confess their sins to a priest to be forgiven, but few Catholics are confessing. Those who do are able to find assurance in the

priest's words of authority, in the official restoration of their connection to the Church. Others find assurance in different venues, both in the parish and outside of it. Opportunities like therapy, support groups, and spiritual direction offer spaces in which people might take a deeper look at their misgivings and failures, but in the light of possibilities for growth and starting over.

Parishes must support these ventures, for in them people learn how to accept their feelings and their conflicts, how to relate to other people through them and not around them. In so doing, they learn to identify the movements of God's willingness to forgive and desire for healing.

Perhaps if these movements are celebrated regularly in the Church's liturgies, Catholics can learn better to imagine a relationship between the story of our lives and the story of God's people. We can learn to admit our failures with those who have failed and celebrate our joys with those who are joyful. And we search together for a way to belong to God through belonging to people, a way to belong to other people through belonging to God.

However, without explicit work done by persons responsible for spiritual and religious formation in parish contexts, the many ways in which people articulate and work through their experiences of fault will remain unnoticed by the parish at large, as will the important theological connections between interpersonal reconciliation, ongoing conversion, and the liturgical and sacramental life of the parish. As I indicated above in my treatment of juridical penance, the benefit to a single ritual of reconciliation is that it is easily recognizable. While therapeutic approaches to penance can better meet the diverse needs of contemporary Catholics than their abandoned juridical counterpart, it may be difficult to adequately identify these resources within a penitential context. Integrating practical approaches into the wider culture of the parish will require widespread catechetical efforts, and these efforts themselves must be supported by a more adequate theology of sin and forgiveness hitherto unfamiliar to most Catholic parishioners.

Related to this is the possibility that therapeutic and relational practices of penance, by themselves, might eschew the problem of sin altogether in favor of other ways of conceptualizing human faultiness. Put more generally, there is a risk that people might use cultural or psychological explanations to justify, rather than provide insight into, their harmful actions. For instance, if we are including some psychotherapeutic settings as legitimate extensions of church's penitential ministries, it is likely that an emphasis on unconscious motivations might come into conflict with the sense of responsibility necessary in discussions and articulations of personal sin. As I showed in my last chapter, such concerns led Pope John Paul II to issue a strong warning against psychological and social reductionism. He feared that these frameworks for understanding human fault might lead to a flight away from responsibility and agency rather than seeking out the moral space in which these potencies do occur.

These are serious issues, and I cannot pretend to solve them here. Instead, I would argue that only through conversation across theological, psychological, and cultural understandings of human fault can we work toward creating spaces in which the tangle of human freedom and determinism might be explored and articulated. In other words, Catholic parishes need to understand how societal forces make certain patterns of domination -- racism, sexism, classism -- more likely. They need to understand how early childhood trauma might prevent people from trusting their own sense of agency. And they need to bring all of these understandings together under the general desire to alleviate human suffering, both in terms of evils suffered and in terms of evils committed. Penance, the articulation and conversion that arises out of an experience of fault in light of God's mercy, chiefly involves the latter. But insofar as conversion involves reconciliation and reparation, relational and therapeutic penitential practices, supported by rituals of penance will equip Catholics to more creatively and constructively name and respond to the

multifaceted power of sin in the world.

In other words, parishes ought to move away from supporting a hidden sense of shame around the reality of sinfulness. In too many churches people are too afraid and ashamed to ask for help. In between the poles of an unreasonable perfectionism and a despairing moral nihilism is a shape of contrition that, drawing on the earliest experiences of Christians, I want to call penitence. Like the notion of guilt as found in the psychoanalytic theories of Klein and Winnicott, penitence involves the ability to recognize and accept the mixture of love and hatred involved in all human relationships and endeavors. Like the theological notion of contrition, penitence regards past sins in the light of God's mercy, but unlike contrition, penitence extends not only to the sins of one's own past but to those of the community as a whole. Penitence is the willingness to put up with broken and sinful people for the sake of a future justice. Ritualizing personal contrition by means of the various forms of the Rite of Penance makes little sense if contrite, converted, and reconciled penitents have no community in which their experiences are somewhat familiar and able to be shared.

In penitence we cultivate an awareness of the multidimensional reality of sin in the midst of God's mercy. We become accustomed to feeling sorrow for the suffering and harm done to ourselves and others, and we share this sorrow together in the hope that God will hear our cries. We need juridical penance so that we can share a private sorrow in a trusted space, assured of God's presence. We need therapeutic and relational penance so we can explore with others and articulate our faults, our failures, our needs to start over. We need communal liturgies of penance to awaken our commitments to one another as members of one body, the body of the suffering Christ whose wounds are the cries of the marginalized, the hungry, the oppressed.

The widest ring of penance, surrounding penitential rituals and practices, is thus the most

challenging, because it extends into the communal heart of Christian practices with all of their political, social, and cultural implications. A practical theological investigation of this ring overlaps with the inquiries of moral theologians, theological ethicists, and theological anthropologists. Developing an understanding of this ring requires deeper engagement with the insights of feminist and womanist theologians into the gendered and racial forces that shape the construction of self and community, and also the contribution of liberation theologians, such as Gustavo Gutierrez and Juan Segundo, to theorizing the links between individual and social sin.<sup>499</sup> Communal penance, in its practical theological essence, reflects how God is healing the world specifically through the ministry of the Church. In communal penance, the forces of sin and death are most strongly linked together, as are the links between forgiveness and healing. The culmination of juridical penance is the priest's act of absolution, in which the confessed sins are rendered null and void. The culmination of relational practices of penance are more ambiguous: a needed insight into one's life and situation, a reconciled relationship, a radical life change. But communal penance has no foreseeable culmination, for its end goal is justice and life for all persons.

The Catholic Church's practices and rituals of penance, if they are to be a source of healing, must provide a cathartic and self-reconciling context in which mercy and tolerance cooperate with law and restitution. Whether it can evolve to accomplish these tasks is a different question altogether, but this much is clear. Approaches to penance can only "work" if they provide a sound basis for the renewed and revalued attempt to pursue the hard work of ethics: to

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<sup>499</sup> E.g. Gustavo Gutiérrez and James B Nickoloff, *Essential Writings* (Maryknoll, N.Y.: Orbis Books, 1996); Juan Luis Segundo, *Liberation of theology* (Maryknoll, N.Y.: Orbis Books, 1976).

balance the quest for personal satisfaction with the obligation to the Other in the midst of work and love.

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