



# EXCLUSION, PENANCE, AND THE BOX: RETRACING MERCY IN THE BIRTH OF THE CONFESSIONAL

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*It is the concern of this paper to retrace, rather than diachronically expound, some of the events that substantiate the forging of the confessional box within the historicity of confession. It exposes that the birth of the confessional (box) is an issue of how confession evolved from the varying historical instances that project man's yearning for reconciliation and salvation. It thereby retraces the formulations of mercy within such context. Hence, the paper will delve into confession's history vis-à-vis its roots, practices, and evolution from its ancient, medieval, and eventual modern institutionalization in the Council of Trent. The paper runs in two parts: 1) it discusses the art of exclusion and control of penance that is distinctive of the ancient and medieval practices of reconciliation respectively, and 2) it proceeds into a discussion of the crisis of mercy and the eventual forging of the confessional box.*

Keywords: Exclusion, Penance, Mercy, History, Confessional

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## I. THE ARTISTRY AND CONTROL OF CONFESSION WITHIN HISTORY

In setting the scene of the seemingly public penitentiary in Jesus' time, one can spot an imaginative loophole in a gospel narrative at how the atheist-Christian philosopher, Slavoj Žižek, recounts the vulgarity of a Christian joke.<sup>1</sup> In John 8: 1-11, an adulterous woman was brought to Jesus while begging for mercy, aware of the people accusing her. To set a more dramatizing effect, one can well imagine such people as an angry mob, in a gloomy evening, holding torches and shouting for the presence of the woman subject for stoning. Then Jesus' epic punchline made everyone curious as he wrote: "Let him who is without sin among you cast the first stone!" On the one hand, this seems like an entire treatise on the fragility of human nature that is bound not to judge or cast the first stone on a fellow sinner. On the other, it appears that Jesus, who is God-Incarnate and thus became like us except sin, only points to himself as having the sole right to hit her (or not, depending on his judgment). But then a sudden twist of plot took place: Jesus was immediately hit by a stone. As soon as he realized it, he found the culprit and harangued: "Mother! I told you to stay at home!"

At the beginning of the practice of confession, ancient communities depict their practice of penance in the same vulgarity that one exposes for publicity. In such practice, the community is able to know the sinner. This practice in the early ancient Christian communities finds its first Institutionalization of confession in the appointment of the apostles.<sup>2</sup> The apostles received the spirit and acquired the power to forgive sins. In John 19:23, Jesus gave to them the authority to forgive in the words: "Receive

the Holy Spirit. Whose sins you forgive are forgiven them, and whose sins you retain are retained." A further explication of this authority manifests in the power of binding and loosing: "Truly I say to you, whatever you bind on earth shall have been bound in heaven; and whatever you loose on earth shall have been loosed in heaven (Matthew 18:18)." Retained and drawn inspiration from in the consensus building of communitarian formation as early as the third to seventh centuries, the institution brought about by Christ to pardon catered the desire to enter into this renewal of the self where a new life awaits. The main concerns were to submit sins for penance and to realize that the community plays a vital role in conversion. Public as it was, confession tied itself in the fabrics of communitarian living. The community merits itself as the community of believers patterned according to the community of saints.<sup>3</sup>

Entrance in the community presupposes that the Christian rites of initiation be taken seriously, for in the practice of baptism, one finds the principal rite of the forgiveness of sins.<sup>4</sup> Following the norms of the rite of admission, confession came to be understood as the "acknowledgment of the sense of guilt."<sup>5</sup> This public response cleanses the catechumenate and accepts them in the community. The catechumenates, in preparing for membership, submit themselves to long periods of prayer, austere practices and even call out official exorcists to drive their demons away from them.<sup>6</sup> Such a once-in-a-lifetime event portrays a conversion in one's life where everything has to change. The drastic consequences, the severity of practices and melodramatic emotions ascertained in the initiation rite, encompasses the pain in every commitment of change in

<sup>1</sup> Slavoj Žižek, *The Puppet and the Dwarf: The Perverse Core of Christianity* (Cambridge, Mass.: MIT Press, 2003), 182. See also Slavoj Žižek, *Žižek's Jokes* (London: MIT Press, 2014), 77.

<sup>2</sup> Adrienne Von Speyer, *Confession, the Encounter with Christ in Penance* (Frieburg: Herder, 1964), 60.

<sup>3</sup> Von Speyer, *Confession*, 230-235.

<sup>4</sup> John Cornwell, *The Dark Box, A Secret History of Confession*, 1<sup>st</sup> ed. (Cambridge: Basic Books, 2014), 21.

<sup>5</sup> Léonce Hamelin, *Reconciliation in the Church: A Theological and Pastoral Essay on the Sacrament of Penance* (Collegeville, Minnesota: Liturgical Press), 35.

<sup>6</sup> Cornwell, *The Dark Box*, 21.





one's life. The initiation was in itself a basis from which a Christian takes pain in looking back his previous recourse to sin and his confession of it. Baptism was for adult converts, reminding them of an intense recollection of their lives, the sins they have done and the vices they will now struggle to resist. However, because it was not a guarantee that the new member of the community will be perfect in the coming years of his life, an establishment of post-baptismal penance had to take place. The terminology used in "penance" is better understood not only the isolation of individual but as a process that recommences one's baptismal commitment and lifestyle.<sup>7</sup> A way of conversion governed early Christian living – an art was forged.

#### THE ART OF EXCLUSION

During the early third century, the institution of penance established the dynamicity of one's conversion that must govern one's life. This institution, known as the 'order of penitents', was established precisely for the decisive reinitiating of oneself in the community. In this practice, the bishop, representing the line of apostleship, has the power to forgive the sinner. What the practice meant, however, was more severe than the previous rites of initiation. It entailed a more rigorous process.

The process of conversion famously weaved "the Mediterranean pattern of the process of forgiveness", that extended its structures in the first five centuries of history.<sup>8</sup> It was a uniform process. First, and again, the acknowledgment of sin is an imperative inauguration, externally seen in the penitents dressing of a garment from goat's hair.<sup>9</sup> It is important to highlight that

<sup>7</sup> James Dallen, "History and Reform of Penance," in Robert Kennedy (ed.), *Reconciling Embrace: Foundations for the Future of Sacramental Confession* (Illinois: Liturgy Training Publications, 1998), 91.

<sup>8</sup> Ladislav Orsy, *The Evolving Church and the Sacrament of Penance* (Denville, New Jersey: Dimension Books, 1978), 31.

<sup>9</sup> Catherine Dooley OP, "The History of Penance in the Early Church: Implications for the Future", Robert Kennedy (ed.), *Reconciliation: the*

the sense of guilt has always been a necessary condition for the admittance of sin. The sinner submits himself not anymore into a community, but to a group branded as sinners. Because the community of believers patterned itself in the community of saints, this order associate themselves into a community of sinners<sup>10</sup>, excluded and dismantled as if reiterating the fall of Adam and Eve. An indelible mark is attached to the members: "once a penitent, always a penitent."<sup>11</sup> Membership of this order, therefore, meant *exclusion*, and this is taken seriously by inheriting ecclesial and civil disabilities. In the history of the order of penitence, this art is aptly called 'the penance of segregation.'<sup>12</sup>

Second, the penitent during such segregation is given a series of acts for conversion. One can be barred from clerical service or can be forbidden to marry. For married penitents, they lose their marital rights. Any severe practice to be done has to be accorded for the satisfaction of the bishop to reflect a kind of satisfaction one ought to deserve from one's sins. The practice of canonical penance reached its height in this order. Its canonicity defined the structure at that time, labeled by Mortimer as "public penitential system."<sup>13</sup> The penance can go on until the bishop forgives the penitent. There is prayer, fasting, almsgiving, and other works of penance. And this can go on for years. To limit however the number of penitents, who covered only a small fraction of the community, only major offenses were taken into account which principally, for Tertullian, are: adultery, apostasy, and idolatry.<sup>14</sup> Penitents, because of the severity of penance, long for mercy

*Continuing Agenda* (Collegeville, Minnesota: The Liturgical Press, 1987), 85.

<sup>10</sup> Von Speyer, *Confession*, 92.

<sup>11</sup> Catherine Dooley OP, "The History of Penance," 85.

<sup>12</sup> Joseph Favazza, *The Order of Penitents: Historical Roots and Pastoral Future* (Collegeville, Minnesota: The Liturgical Press, 1988).

<sup>13</sup> Chloë Taylor, *The Culture of Confession from Augustine to Foucault: a Genealogy of the 'Confessing Animal'* (New York: Routledge, 2009), 18. See also German Martinez, *Signs of Freedom: Theology of the Christian Sacraments* (New Jersey: Paulist Press, 2003), 203.

<sup>14</sup> Cornwell, *The Dark Box*, 21.





(*indulgentia*) and cry out for it as a way of a petition from the bishop and the community at large. The publicity was in itself a showcase of empathy, repentance and contemplation.

On a period several days before Easter, a harsh narration can be found in the writing of St. Jerome describing Fabiola, a widowed Roman penitent, whose sin was adultery. The community was watching her, the bishop, the priests, the people, emotionally and spiritually with her as she beats her body. Her hands were untidy as much as her hair was messy - her head covered in ashes. She had to beat her naked breasts that served as instruments of sin she used to seduce her lover. Her body revealing her wounds made the whole assembly contemplate.<sup>15</sup>

The public avowal of such sinfulness was to account only the general confession of one's sins. The confession was public so the sins are stated generally. The point was not to be meticulously direct in the listing of offenses but only to acknowledge one's sinfulness.

The point, however, of the art of exclusion is not really on the severity one imposes in physical matters, the way physiological effects are to be seen in the penitent, or the whole sociological dislocations in one's ecclesiastical and civil welfare. The art was precisely the result of a spiritual matter, emphasizing the distance a penitent created for himself due to sin. The exclusion in the community was one thing. The exclusion to the Eucharist as a sign of communion with the people and the Lord meant much more.

<sup>15</sup> See Louis Duchesne, *Christian Worship: Its Origin and Evolution* (London, 1904), 435–443; John Mahoney, *The Making of Moral Theology: A Study of the Roman Catholic Tradition* (Oxford, 1989), 2–5; Robin Lane Fox, *Pagans and Christians in the Mediterranean World from the Second Century AD to the Conversion of Constantine* (London, 1986), 336. For quotations from the clergy and laity, see Duchesne, *Christian Worship*, 443. For quotation from St. Jerome, see Michel Foucault, 'Christianity and Confession' (lecture), in Foucault, *The Politics of Truth* (Los Angeles, 1997), 207; see also Chloë Taylor, *The Culture of Confession from Augustine to Foucault: A Genealogy of the 'Confessing Animal'*, 18–19.

The third process is the readmission to the community. Reconciliation then “restores access to the Eucharist.”<sup>16</sup> The bishop, in order to complete the reconciling process, imposes his hands on the penitent. Reconciliation meant that the bishop as representative not just of the community but also of the Lord already forgives the sins of the penitent. This was all to realize the importance of communion patterned in the community of saints. Following the pattern of this community, special arrangements of private confessions are exercised only for extreme conditional reasons. Whereas penances might take a long time to be forgiven, those who were dying are especially forgiven by virtue of pastoral compassion and flexible adaption as the *only* private confession in antiquity.<sup>17</sup>

This was the early elaboration of mercy, taken into consideration as a communitarian living where exclusion, as it were, pictures a life away from the communion of the Lord and his community of believers. Until the so-called *Absolutio* or the completion of the Lord's blessing is attained, the penitent continues his way of conversion. Hence, the art of exclusion was not a series of penitential practices to drive the sinner further away but to establish in himself a way of life where one strives to be one and nearer to the Lord. Back then, it was not called the 'sacrament' of penance, but a “virtue” of penance, emphasizing its artful way of life patterned according to a community.<sup>18</sup>

#### THE CONTROL OF PENANCE

The restored penitent in antiquity acquires, after reconciliation, a “second baptism.”<sup>19</sup> Mercy was imposed on him by the bishop and the community issuing from his sense of guilt. Over the next centuries, the shift from ancient

<sup>16</sup> Hamelin, *Reconciliation in the Church*, 37.

<sup>17</sup> Dallen, “History and Reform of Penance,” 82.

<sup>18</sup> Dallen, “History and Reform of Penance,” 83.

<sup>19</sup> Hamelin, *Reconciliation in the Church*, 38.





penance to medieval penance dramatized this guilt using one's conscience. Conscience entered the discourse, which led to a "greater sensitivity to mercy".<sup>20</sup> The complex forces surrounding the emergence of a new form of penance eluded medieval history. Even if there were lineages of political, societal, philosophical and religious continuity since antiquity,<sup>21</sup> the eventual systematization in the way monasteries operate regarding penances was of a different pattern and lifestyle. The Irish Church for instance from the beginning of its fifth-century practice of semiology did not inherit the Mediterranean 'order of penitents', but mercy was given in the form of *private confession*.<sup>22</sup> This was not a line of privatization involving a direct shift from ancient penance. The latter slowly declined because of its increasing rigidity in the imposition of penances.<sup>23</sup> People deviated rather from this way of life, and the art excluded itself from its usage – it became irrelevant especially in the delay it took for some guilt to be satisfied. A major transition in this disposition is the immediacy one aspires to make peace with a troubled conscience, the sensationalizing of itself as satisfaction of mercy.

Therefrom, the satisfaction formulated forgiveness without delay in the form of absolution. This *absolution*, however, differs from the ancient one because this is more immediate: "absolution was given right after the confession of sins."<sup>24</sup> Its medieval understanding influenced the way the heart of confession centered. The way of life in the art of exclusion as a virtue of conversion dissipated in absolution's ritualized form. The penances were less rigid than the ancient practice, unless if it weighs a greater amount of burden in one's conscience. In which case, the bulks of penitential books arrived, a

<sup>20</sup> Hamelin, *Reconciliation in the Church*, 39.

<sup>21</sup> Norman Cantor, *Civilization of the Middle Ages* (New York: HarperCollins Publishing, 1993), 1-28.

<sup>22</sup> Orsy, *The Evolving Church*, 35.

<sup>23</sup> Bernhard Poschmann, *Penance and the Anointing of the Sick*, trans. Francis Courtney (New York: Herder and Herder, 1964), 106.

<sup>24</sup> Orsy, *The Evolving Church*, 35.

set of penitential tariffs in association with the sins of a penitent. The more serious the sin, the more severe the penance. The books contain specific penances for specific sins in all possible circumstances. This specification provided *control* over the sinful lifestyle, especially in the number of occurrence one can confess one's sins in a private manner. The private move was, in the making, a formation of auricular confession, that is, "confession 'into the ear of the confessor'."<sup>25</sup>

Both the privatization and utilization of penitential books counteracted the processes of ancient penance when, in the invasion of the now Christianized barbarians by the conversion of their leaders, medieval penance was imposed but certainly not by force. The decline of public penance surely hastened its welcoming of the new form. The emergence of the books became avenues for control mechanisms in the spirituality of one's person, setting fixed penances for sins and engaging him into the practice by way of privacy and the significant repeatable opportunities it opened.

The Irish practice of penance assumed control. The power to forgive did not limit itself anymore on the bishop but it also contained itself in the priest who hears and forgives sins in confession. One's conscience became an evangelizing factor when it has received the status of a rite, a sacramental effect: "what had begun as a manifestation of conscience for the sake of spiritual guidance on continuing conversion and spiritual growth came to have a ritual value of its own right."<sup>26</sup> Under the priest's supervision, the process of canonical penance became privatized.

With this, the aspect of communitarian living slowly deviated from the practices of penance. An individualization of personal piety spread

<sup>25</sup> Cornwell, *The Dark Box*, 22.

<sup>26</sup> Dallen, "History and Reform of Penance," 84.





rapidly in that the responsibility of conversion did not depend anymore on the art of exclusion but on the personal control of oneself. The control of penance with oneself depended on the means of the person's undergoing of conversion in any available time he needed the confession. Mercy became a personal thing so that the power of binding and loosing of the community diminished by the lessening number of adherents. The penitent needed to make of himself a conversion of his own, a private moralization.

It is to be taken note that there was no monopoly of private confession. In medieval penance, there was also the practice of general absolutions.<sup>27</sup> The practice is integrated and used in the Liturgy of the Hours and the Mass. It was commonplace during the 9<sup>th</sup> century until the late middle ages that especially during Lent and communion days, general absolution was practiced.

The conflicting practices, however, created differing standpoints, that is, the opposing practices of public and private penance. The difficulty and practice of variation in penitential systems in the 9<sup>th</sup> century convoked the Council of Tours (813) in the resolve "to decide precisely which of the ancient penitentials it would be better to follow."<sup>28</sup> In fact, the conflict was noticed even before. On 589, the Third Council of Toledo speaks of penance in the eleventh of its dogmatic statements, condemning the new practice of privatization of penance: "the faithful are doing penance not according to the canonical rule but in another detestable way."<sup>29</sup> The Irish practice in a way was seen as detestable. To counter, a council held at Chalon-sur-Saone in the province of Lyons in the 7<sup>th</sup> century, on the other hand, positively recommended the practice: "All priests agree

that once the penitent has confessed his sins to the priest, he should be given his penance. (*Concillium Cabilonense*, canon 8, Mansi, vol. 10, col. 1191)."<sup>30</sup> Private penance hence prevailed. It was then a transitional event when the evolution of canonical penance came to a definitive dead-end.<sup>31</sup> A repercussion nonetheless rippled. While the practice of private penance gained liberal grounds, the practice of associating sins to penitential books dissipated. The Council of Chalon (813) ordered the elimination of the books and the Council of Paris (829) called for their burning. The production of these books nonetheless continued and so did its usage. As ultimatum, Gregory VII in the eleventh century got rid of them completely.<sup>32</sup> With this, the private rite came to define the practice of penance in the middle ages. The height of control ultimately manifested during the 13<sup>th</sup> Century, in 1215, when the Lateral Council IV obliged everyone in the age of discretion, an indefinite elaboration, to confess at least once annually.

Each faithful, of either sex, once having reached the age of discretion, must confess, sincerely, alone, once a year at least, all his sins, to his own priest. He should then fulfill, as his strength allows, the penance that has been imposed, and receive reverently, at Easter at least, the sacrament of the Eucharist... (*Concilium Lateranense IV, cap. 21*)

Mercy in this state mutated in a form that gave control both of the penitent's power "as his strength allows," but ultimately by the church's in her mandate of obligatory confession. It was a duty and the same time a manner by which one regains the mercy of God in one's works. From the line garnered against what was once publicly shameful, the resort to private penance inculcated in one's mind a control over the melodramatic impulses of one's conscience. It was mercy at the hands of the penitent that can be granted by the Church.

<sup>27</sup> Dallen, "History and Reform of Penance," 85.

<sup>28</sup> Hamelin, *Reconciliation in the Church*, 42.

<sup>29</sup> Orsy, *The Evolving Church*, 39.

<sup>30</sup> Orsy, *The Evolving Church*, 40.

<sup>31</sup> Poschmann, *Penance and the Anointing of the Sick*, 123.

<sup>32</sup> Hamelin, *Reconciliation in the Church*, 42.





## II. CHANGE OF HEART: FROM CRISIS TO THE CONFESSIONAL

In a preliminary form of change in one's heart, the absolution in medieval penance meant a direct appeasement of one's conscience. The change of heart was ritualized. In order to cope up with the continuing formation of this conscience, the priest, the confessor, needed to assess the penitent in a one-on-one spiritual direction, especially in religious communities. The penances, due to the abolition of the penitential books, depended on the priest, including the degree of rigidity. Most however were less severe. Back in the ancient public practice, the sins were not the focal points of analysis and were confessed generally, but during the private practice, a further inquiry into the sins commenced. There was a refocus to sin, so "within sacramental confession, confessors were being taught to *quiz* their penitents rather than simply listen."<sup>33</sup> It is in this cross-examination that an obsession to sins, particularly those involving the flesh, emerged. The manner of confession was as if managed forensically. The practice was not anymore on the expiation of sin but an emersion of it, a fascination of its "hierarchies, divisions, and subdivisions."<sup>34</sup> Whereas before, the confession was simply to say lust, in this period one has to compose a rather definitive point of closure, the degree of sinfulness one has and its gravity with regard to conscience. The penitent in this manner has to state a particular manner of ascending lustful acts, 'from kissing, to touching, from rape to abduction of a nun.' The rigidity of penance then did not matter that much. But while it provided control and a more examined life, it also instilled an attitude of scrupulosity, which Thomas à Kempis tends both to encourage and repudiate depending its positive effects in

<sup>33</sup> Cornwell, *The Dark Box*, 29.

<sup>34</sup> Cornwell, *The Dark Box*, 29.

his *The Imitation of Christ*.<sup>35</sup> In the less rigid scheme and power distributed to the clergy due to the refocus to sin, a crisis pervaded in the late medieval practice of penance. The transitional process of conversion to absolution perverted the act of giving mercy. The immediacy of effects was prone to abuses.

### THE CRISIS OF MERCY

An outright statement of St. Pope John Paul II exposed, although particular in his time, the crisis in the sacrament of penance.<sup>36</sup> The exposition traces the whole gamut of predicaments the Church experienced. By the turn of the fifteenth century, modern penance faced the problems posed by the medieval practice of private confession. The decline of confession evident even to this date<sup>37</sup> instigated a cynicism towards its structure, a crisis both in the lay and clergy panel. One of which is significant in the discussion of scrupulosity.

On the one hand, on the part of the penitent, the control of penance implied that obedience to the obligatory confession and the confessor may provide less demand to oneself. Catherine of Genoa, for example, has control of her confessor Fra Marabotto. For over twenty-five years she has not confessed to him even for once. The insistence of personal conscience over canon law was for her enough justification, telling Marabotto that for those years she has not sinned.<sup>38</sup> Her discipline for herself in an austere manner shaped her attitude. One can draw from this that such control indicated that the privatization movement managed to reach a peak in a diversion of the Church's dogmas.

<sup>35</sup> Cornwell, *The Dark Box*, 30.

<sup>36</sup> Pope John Paul II, "Apostolic Exhortation on Reconciliation and Penance," no. 28, in *Origins*, 14:25 (1984), 449.

<sup>37</sup> Perry Butler, "Introduction: Confession Today," in Martin Dudley (ed.), *Confession and Absolution*, (Collegeville, Minnesota: The Liturgical Press, 1990), 1-12.

<sup>38</sup> Cornwell, *The Dark Box*, 33.





On the other hand, on the part of the priest, the control of penance spawned criminality in the confession. John Cornwell reiterates the priests who belong to this list of confessor-criminals.<sup>39</sup> First is the case of Chaucer's Friar Huberd. The confessor-rascal, as he characterizes it, exercises both the practice of preaching and sexual seduction in confession. The friar then is a hypocrite who uses confession only to satisfy his personal interests of money and sex. The friar has a history of marrying many women he impregnated. In a rather commercial manner of stating it, he advertises himself as a priest who has a greater power of healing than others. Tied to such healing also is a higher amount to compensate his services. The forgiveness one received depended in the money paid to him. The amount of money he collected is then used to buy trinkets for her young wives. A good amount goes to his lifestyle of fine vestments, rich food, and alcoholism. Another case is the confessor Alonso de Valdelomar of Almodovar del Campo in Spain who faced a trial in the ecclesiastical tribunal of Alcala de Henares for rape, consorting of prostitutes, and gambling. Fra Alonso is a self-proclaimed high-paid confessor who takes a hold of the penitent's penance until the required amount is paid. Another confessor, by the name of Antonio de Pareja Cienpozuelos, solicited his women penitents for sex. One of them who got pregnant and bore him a child was thrown in the streets after giving birth. Statements of Pareja's witnesses labeled him as 'evil and unscrupulous.'<sup>40</sup> The list could go on. A priest in Gorgonzola solicited sex from two female penitents at the same time. Fr. Geronimo Di Luciani, a parish priest in Limido, was a lazy priest that he declines to the penitents of his parish, even in their deathbeds.

At this instance, the abuses and corruption of the sacrament characterized a further dissent in the church. The meaning and essence of the sacrament seem to dissipate. Mercy was commercialized. A further explication on this commercialization is the selling of indulgences, not to mention the Basilica of St. Peter that was built from its proceeds. Humanist thinking arose from such meaninglessness of spiritual practices. In this line, the medieval mindset paved the way for the modern configurations of ideas. Desiderius Erasmus in his *Pietas Puerilis* pointed out that confession was just a human and legal construct.<sup>41</sup> There is no need for a priest to absolve one's sins – only faith mattered. This kind of thinking became one of the fuels of Protestant reforms against the early modern Church. For the Protestants, the notion of sola scriptura not only implied the fundamental adherence to scriptures, but it also protracted itself in the notion of *sola fidei*, and this curtailed their understanding of the faith. In such case, confession too was, for them, not a matter of penance but a matter of faith. John Calvin and Martin Luther explicated this, especially on the latter's book *On Confession: Whither the Pope Has Power to Command It*. Confession for Luther is a kind of rape and the pope is the Antichrist who deforms the Christian soul into a whore.<sup>42</sup> The growing general awareness of these abuses reflected the larger stark situation of the church at that time. It was in the medieval era that the advent of pornocracy and the birth of the brothels within churches erected. The Church was ruled, politically, by harlots and mercy indeed was sanctioned by sinners.

#### THE FORGING OF THE BOX

In the course of this critical instance in history, confession needed a revival. The Church

<sup>39</sup> Cornwell, *The Dark Box*, 33-35.

<sup>40</sup> Cornwell, *The Dark Box*, 35.

<sup>41</sup> Stephen Haliczzer, *Sexuality in the Confessional: A Sacrament Profaned* (Oxford, 1996), 12.

<sup>42</sup> Chloë Taylor, *The Culture of Confession*, 63ff.







strategized on how to revitalize the essence of the sacrament. Critiques toward the scandal of the clergy became rampant and the age of the renaissance attempted even in its meanderings to ornamentation using the arts. The attempt, like modernity itself, went in vain and led to the demise of the Enlightenment project in general. The turn of the sixteenth century slowly established the physiognomies of modern penance against the Protestant reformers. The stratagem, however, was not to compose another form of penance but only to regain its lost meaning.

The Church started to reform its meaning firstly from its own members. Central to this move was that the fortification of confession became institutionalized in modernity by the Council of Trent (1545). In it one can find the venerable French Cardinal Jean de Lorraine who stood up to regain awareness of the reality they are facing: “Whom shall we accuse my fellow bishops? Whom shall we declare to be the authors of such great misfortune? Ourselves; we must admit that much with shame and with repentance for our past lives.” From such interrogative statement, Cardinal Pole replied, “We ourselves are largely responsible for the misfortune that has occurred – because we have failed to cultivate the field that was entrusted to us.”<sup>43</sup> On the outset, modernity struggled to find meaning from its human institutions. The rise and upheavals of scientific specifications rapidly increased that it threatened religion’s core. Secularity embedded itself in the fabrics of culture, effecting a lessening in the sense of the spiritual. The cause of modern penance finds strength from its very essence: reconciliation. The modern church sought to reconcile itself from its faults. This very reconciliation aptly describes “the confession of

<sup>43</sup> See Henri Daniel-Rops, *History of the Church of Christ*, vol. 5, *The Catholic Reformation*, trans. John Warrington (London, 1962), 80; see also Hubert Jedin, *A History of the Council of Trent*, trans. Dom Ernest Graf, vol. 2 (St. Louis, 1961), 26; John W. O’Malley, *Trent: What Happened at the Council* (Cambridge, MA, 2013), 107.

history” where the premise stands in the church’s reconciliation of itself.

The motion to do this was not easy. Even the council took years to conduct its meetings seriously. The major move they sought to attend to was the return to the canonical statements and reverberation of its message of conversion and mercy. The doctrine of penance, during this period, “took a fixed form.”<sup>44</sup> The Council upon reviewing the lapses they made, found that the fault was from the clergy and not the law itself. The Council then “did not change the rite of pardon any further. It ratified, again, what had been done by the Fathers of Lateran IV.”<sup>45</sup>

Against the propositions laid by the Protestants, the Council rebutted them one by one. But perhaps the glaring opposition was the critique of the nature of the Church as a human institution who must not have the right and power to forgive sins. In chapter 5 of the document, the council responded generally to the critique:

...the Lord instituted the sacrament of penance, principally when after his Resurrection he breathed upon his disciples and said: ‘Receive the Holy Spirit. If you forgive the sins of any, they are forgiven; if you retain the sins of any, they are retained’ [Jn 20:22f.]. The **universal consensus of the Fathers has always acknowledged** that by so sublime an action and such clear words the power of forgiving and retaining sins was given to the apostles and their lawful successors for reconciling the faithful who have fallen after baptism...

The matter on ‘faith’ was took up. The Council argued that one’s faith is not enough if the Church is not involved. The privatization attitude of the medieval era may have created the independence of its members from the concept of communitarian living, but the Church maintained that the ‘serenity of conscience’ can only be given by a God who reconciles. This

<sup>44</sup> Hamelin, *Reconciliation in the Church*, 44.

<sup>45</sup> Orsy, *The Evolving Church*, 47.





substance of the church to pardon had never changed throughout time and is an indispensable mark that can be drawn strength from.<sup>46</sup> It has preserved the sanctity of the priesthood and vowed for its effective training. The Council “stood fast on the *juridical* character and *ex opera operato* effectiveness of the priest’s action in the sacrament.”<sup>47</sup> The abuse in the sacrament too was taken into careful considerations. The problem, as has been pointed out by the strategizing discernment of the Fathers, is the space of intimacy and the number of occurrences the confession tied with continuing spiritual direction. Undeniably, “the physical, potentially tactile, face-to-face proximity of the confessional relationship had offered ample opportunity for intimacy, and therefore ‘occasions of sin’.”<sup>48</sup> Most cases of sexual solicitations that led even to mutual masturbation succumbed to the temptation arising from this closure.<sup>49</sup> It was not a matter of time that the priest, human as he is in the exercise of a ministry he himself was entrusted, gave in to this frequency introduced by medieval penance. This gender-related casuistry, however, from the male perspective would eventually turn itself around in the arrival of the box.

To counteract the space that the occasions of sin invite led to the “thoroughgoing reform of confessional practice throughout Roman Christendom,” presented by Cardinal Charles Borromeo who “has been credited with inventing the confessional box—an iconic piece of church furnishing to this day.”<sup>50</sup> Borromeo believed that the priest should ‘have the souls in their hands, as it were, and ‘speak to Jerusalem’s heart.’”<sup>51</sup> He believed that confession showed open the soul as a window towards one’s conscience. He,

moreover, commissioned the Jesuits in Milan to compose the treatise *On the Examination of Confessors* where an apology counter-acting the protestant claims can be found. The issue on the efficacy of the sacrament was counter-discoursed by the notion of *ex opere operato* and the formation of priests towards leading a holy life was to be intensified. With Charles Borromeo, the box arrived, and the space of intimacy found a barrier.

The confessional box is a booth-like piece of furniture containing a dividing panel. This panel physically separates the penitent, who kneels in the dark, from the confessor, who sits in the light. There is a grille set in the panel that allows for verbal communication; in theory, it obscures the faces of penitent and confessor from each other.<sup>52</sup>

The attitude toward the box was a positive one. It ideally set the space with a blockage. However, within this dark box, the fragility of the human person still abounds and temptations continue to creep in. While historians emphasized its significance on the idea of soul-searching,<sup>53</sup> a mindset that empties the soul to find itself in resonance to John Locke’s concept of *tabula rasa*, it also resulted to a provocation of a much more serious and willed sin inside the confessional.

The gender issue reverted from the male perspective to the female. During this further institutionalization of modern penance, women communities and nuns were the frequent confessors. For the most part, this instance in history proved the cases that lead to the discoveries of Freud in psychoanalysis, particularly in hysteria found in women. A new situation emerged: “the friars had extensive access to convents of nuns, whose numbers in Spain increased from 25,000 in 1591 to 33,000 in 1747. Nuns, being obliged to make their

<sup>46</sup> Orsy, *The Evolving Church*, 51.

<sup>47</sup> Hamelin, *Reconciliation in the Church*, 44.

<sup>48</sup> Cornwell, *The Dark Box*, 42.

<sup>49</sup> Haliczzer, *Sexuality in the Confessional*, 100.

<sup>50</sup> Cornwell, *The Dark Box*, 40.

<sup>51</sup> See Wietse de Boer, *The Conquest of the Soul: Confession, Discipline, and Public Order in Counter-Reformation Milan* (Leiden, 2001), 43.

<sup>52</sup> Cornwell, *The Dark Box*, 12.

<sup>53</sup> See John Bossy, ‘The Social History of Confession’, *Transactions of the Royal Historical Society*, 5th series, 25 (1975): 30; John Bossy, *Christianity in the West, 1400–1700* (Oxford, 1985), 45–50, 127ff.





confessions monthly, now had more frequent contact with Confessors.”<sup>54</sup> In fact, not only nuns but also married women, notably widows, were addicted to this scene. The confessional box, as Jonathan Swift satirically pictures it in his *Tale of a Tub*, became a ‘whispering office’ with the effect of evocation.<sup>55</sup> Whispered sins inflamed the imagination of the confessor and the women took the bits of advice more often as though it were an intimate relationship which provided a lot of avenues for mutual understanding. Troubled women took the confessional as a place of consolation. Further solicitations were made once and again, and no doubt, the birth of the confessional inherited from its history the mark ‘the order of penitents’ had for themselves. However, adjustments were made and the culture of this form of confession, despite its critiques and subjection to cynicism, survived.

### III. CONCLUSION

More than just a piece of furniture, the birth of the confessional box can be traced by the

medieval notion of private penance, which further has juxtapositions from its ancient public practice. The box was a testament to a fortified strategy from the Church. The forging of it took years in so far as its history is concerned. What is crucial in the birth of the box is that the historical instances of its inception can well represent the Lord’s mercy throughout history. In it, we find that the confessional coalesced in itself the mercy that is only properly accorded to, and can only be given by, God. Within its dark corners of the box, there is a God who lightens the way. The birth of the confessional is as complex as the forces of history that gave rise to it. What is positive in such account is that the forms of

mercy accorded in each era revealed themselves for a greater grasp of God’s unbounded mercy for humankind.

### BIBLIOGRAPHY

- Bossy, John. “The Social History of Confession,” in *Transactions of the Royal Historical Society*, 5<sup>th</sup> series, 25 (1975): 30.
- \_\_\_\_\_. *Christianity in the West, 1400–1700*, Oxford, 1985.
- Butler, Perry. “Introduction: Confession Today,” in Martin Dudley (ed.), *Confession and Absolution*. Collegeville, Minnesota: The Liturgical Press, 1990.
- Cantor, Norman. *Civilization of the Middle Ages*. New York: HarperCollins Publishing, 1993.
- Cornwell, John. *The Dark Box, A Secret History of Confession*, 1<sup>st</sup> ed. Cambridge: Basic Books, 2014.
- Dallen, James. “History and Reform of Penance,” in Robert Kennedy (ed.), *Reconciling Embrace: Foundations for the Future of Sacramental Confession*. Illinois: Liturgy Training Publications, 1998.
- Daniel-Rops, Henri. *History of the Church of Christ*, vol. 5, *The Catholic Reformation*, trans. John Warrington. London, 1962.
- de Boer, Wietse. *The Conquest of the Soul: Confession, Discipline, and Public Order in Counter-Reformation Milan*. Leiden, 2001.
- Dooley, Catherine OP. “The History of Penance in the Early Church: Implications for the Future,” in Robert Kennedy (ed.), *Reconciliation: the Continuing Agenda*. Collegeville, Minnesota: The Liturgical Press, 1987.
- Duchesne, Louis. *Christian Worship: Its Origin and Evolution*. London, 1904.
- Favazza, Joseph. *The Order of Penitents: Historical Roots and Pastoral Future*. Collegeville, Minnesota: The Liturgical Press, 1988.
- Foucault, Michel. “Christianity and Confession’ (lecture),” in Foucault, *The Politics of Truth*. Los Angeles, 1997.
- Fox, Robin Lane. *Pagans and Christians in the Mediterranean World from the Second Century AD to the Conversion of Constantine*. London, 1986.
- Hamelin, Léonce. *Reconciliation in the Church: A Theological and Pastoral Essay on the Sacrament of Penance*. Collegeville, Minnesota: Liturgical Press.
- Jedin, Hubert. *A History of the Council of Trent*, trans. Dom Ernest Graf, vol. 2. St. Louis, 1961.

<sup>54</sup> Cornwell, *The Dark Box*, 43.

<sup>55</sup> Cornwell, *The Dark Box*, 43.





- Mahoney, John. *The Making of Moral Theology: A Study of the Roman Catholic Tradition*. Oxford, 1989.
- Martinez, German. *Signs of Freedom: Theology of the Christian Sacraments*. New Jersey: Paulist Press, 2003.
- O'Malley, John. *Trent: What Happened at the Council*. Cambridge, MA, 2013.
- Orsy, Ladislav. *The Evolving Church and the Sacrament of Penance*. Denville, New Jersey: Dimension Books, 1978.
- Pope John Paul II, "Apostolic Exhortation on Reconciliation and Penance," no. 28, in *Origins*, 14:25 (1984).
- Poschmann, Bernhard. *Penance and the Anointing of the Sick*, trans. Francis Courtney. New York: Herder and Herder, 1964.
- Haliczer, Stephen. *Sexuality in the Confessional: A Sacrament Profaned*. Oxford, 1996.
- Taylor, Chloë. *The Culture of Confession from Augustine to Foucault: a Genealogy of the 'Confessing Animal'*. New York: Routledge, 2009.
- Von Speyer, Adrienne. *Confession, the Encounter with Christ in Penance*. Freiburg: Herder, 1964.
- Žižek, Slavoj. *The Puppet and the Dwarf: The Perverse Core of Christianity*. Cambridge, Mass.: MIT Press, 2003.
- \_\_\_\_\_. *Žižek's Jokes*. London: MIT Press, 2014.

