CHRISTIAN THEOLOGY

Dogmatic and Moral

in Compendium

by Fr. Daniele Concina, of the Order of Preachers

BOOK XI

On the Sacrament of Penance

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Book Eleven — On the Sacrament of Penance

Dissertation I — On the virtue and sacrament of Penance

Chapter I — Propositions condemned by the Holy See

SECTION I — Alexander VII

He condemned the following propositions, which I transcribe in the order observed in the decree.

1. *He satisfies the annual precept of confession who confesses to a religious presented to the bishop but unjustly rejected by him.* [no. 13]

An opinion is probable which says that the Bull "In Coena Domini" forbids absolution from heresy and other crimes only when they are public; and that this does not derogate from the faculty of Trent, in which there is discourse of hidden crimes; which in the year 1629, on the 18th of July, in a Consistory of the Sacred Congregation, was seen and tolerated by the most eminent Cardinals. [no. 3]

4. *Regular prelates can in the forum of conscience absolve any seculars whatsoever from hidden heresy and from the excommunication incurred on account of it.*

5. *Although it be evidently established to you that Peter is a heretic, you are not bound to denounce him if you cannot prove it.*

6. *A confessor who in sacramental confession gives to a penitent a paper to be read afterwards, in which he incites to venery, is not reckoned to have solicited in confession, and consequently is not to be denounced.* [no. 14]

7. *The way of evading the obligation of denouncing a solicitation is that the solicited person confess with the solicitor: the latter can absolve him without the burden of denouncing.*

11. *Sins omitted or forgotten in confession on account of an instant danger of life, or on account of some other cause, we are not bound to express in the following confession.*

12. *Mendicants can absolve from cases reserved to bishops, without having obtained for this the faculty of the bishops.*

13. *He satisfies the precept of annual confession who confesses to a regular presented to the bishop but unjustly rejected by him.*

14. *He who makes a voluntarily null confession satisfies the precept of the Church.*

15. *A penitent can by his own authority substitute for himself another who may fulfil his penance in his stead.*

16. *Those who have a benefice with cure of souls can choose for themselves as confessor a simple priest not approved by the Ordinary.*

24. *Softness, sodomy, and bestiality are sins of the same lowest species; and therefore it suffices to say in confession that one procured pollution.*

25. *He who has had intercourse with an unmarried woman satisfies the precept of confession by saying: I committed with an unmarried woman a grave sin against chastity, without explaining the intercourse.*

38. *The command of Trent made to a priest sacrificing of necessity in mortal sin, that he confess as soon as possible, is a counsel, not a precept.*

39. *That particle "as soon as possible" is understood as when the priest shall confess at his own time.*

41. *A concubinary is not to be obliged to cast out his concubine, if she were exceedingly useful for the concubinary's entertainment — commonly a "treat" — when, she being lacking, he would pass his life too wretchedly, and other food would affect the concubinary with great loathing, and another maidservant would be found with too great difficulty.*

Innocent XI

1. *It is not unlawful in conferring the sacraments to follow a probable opinion concerning the validity of the sacrament, the safer being left aside, unless law, agreement, or the danger of incurring grave loss forbid it. Hence a merely probable opinion is not to be used in the conferring of Baptism, of priestly Orders, or of the episcopate.*

56. *Frequent confession and communion, even in those who live in the manner of the heathen, is a mark of predestination.*

57. *It is probable that a natural attrition suffices, provided it be honourable.*

58. *We are not bound to confess to a confessor questioning us the habit of some sin.*

59. *It is lawful to absolve sacramentally those who have confessed only by halves, by reason of a great concourse of penitents, such as, for example, can occur on the day of some great festival or indulgence.*

60. *To a penitent having a habit of sinning against the law of God, of nature, or of the Church, even though no hope of amendment appear, absolution is neither to be denied nor to be deferred, provided he utter with his mouth that he is sorry and purposes amendment.*

61. *He can sometimes be absolved who is engaged in a proximate occasion of sinning which he can and will not omit; nay, who directly and of set purpose seeks it or thrusts himself into it.*

62. *A proximate occasion of sinning is not to be fled when some useful or honourable cause of not fleeing occurs.*

63. *It is lawful to seek directly a proximate occasion of sinning for our own or a neighbour's spiritual or temporal good.*

64. *A man is capable of absolution, however much he labour under ignorance of the mysteries of faith, and even though through negligence, even culpable, he be ignorant of the mystery of the Most Holy Trinity and of the Incarnation of our Lord Jesus Christ.*

Alexander VIII

14. *The fear of hell is not supernatural.*

15. *Attrition which is conceived by the fear of hell and of punishments, without a love of benevolence toward God for his own sake, is not a good and supernatural motion.*

16. *The order of promising satisfaction before absolution was introduced not by the polity or institution of the Church, but by the very law of Christ and the prescription of nature, the thing itself in a manner requiring the same.*

17. *By that practice of absolving at once the order of penance has been inverted.*

18. *The modern custom as regards the administration of the sacrament of Penance, although the authority of very many men uphold it, and a long duration of time confirm it, is nevertheless held by the Church not for a use but for an abuse.*

19. *A man ought throughout his whole life to do penance for original sin.*

20. *Confessions made to religious are for the most part either sacrilegious or invalid.*

21. *A parishioner can suspect of mendicants who live on common alms that they impose too light and incongruous a penance or satisfaction for the sake of gain or profit of temporal support.*

SECTION II — The opinions of several casuists which seem laxer than is equitable

These propositions and all the rest which throughout this whole work I have recounted, I do not assert as a censor of the men who hold them, but I submit them to the judgment of those to whom it belongs. This protestation, although I have made it several times, it has pleased me to renew again. No one therefore can carp at me, as if I anticipated the judgment and censure of superiors: since I brand these opinions with no censure of my own, but merely submit to the judgment of superiors and of readers those things which seem to my feeble reason false and lax.

I. Fr. Dominic Viva in his *Treatise on the Propositions of Innocent XI,* no. 16: "Hence, since it seems to be morally certain that there is not required in the sacrament of Penance a formal purpose of not sinning henceforth, but that a virtual one suffices, as may be seen in Dicastillo, AND THAT THERE SUFFICES ALSO A SUPERNATURAL ATTRITION FROM THE FEAR OF TEMPORAL PUNISHMENTS, AS TO BE INFLICTED BY GOD THE AVENGER, and other things of this kind — therefore we lawfully follow opinions of this kind, THE MOST LAX, the safer being omitted."

II. Fr. Patrick Sporer, *On the Sacraments,* part 3, chapter 2, section 2, § 2, no. 174: "The precept of contrition, even in the article of death, does not oblige a sinful man justified by the use of the sacrament with attrition; but that attrition itself with the sacrament of Baptism or of Penance is universally and always a sufficient disposition for justification, and consequently even in the article of death. So Henríquez, Vásquez, Cano, and Cardinal de Lugo, citing many, here disputation 11, section 15; Dicastillo here disputation 6; Munito, tract 6, chapter 2, no. 7."

III. The same Fr. Sporer in the place cited, no. 175: "The precept of contrition does not oblige those who by the use of the sacrament with attrition are justified, or who wish to be justified. So most commonly the authors to be cited below. The reason is, because Christ in the new law by a singular privilege instituted also another means of justification, namely the sacraments of the dead, Baptism and Penance, so that consequently THE NECESSITY of perfect contrition alone MIGHT CEASE: otherwise assuredly Christ, instituting and commanding sacramental confession, a means in itself hard enough and difficult, IF BESIDES THERE WERE STILL REQUIRED PERFECT CONTRITION, itself difficult enough to a sinner, would not have lightened but much aggravated the burden of the law; and Christians would now be of a worse condition than the ancients of old, who, being obliged to contrition alone, were justified by it."

IV. The same Fr. Sporer in the place cited, § 2, no. 175: "When does it oblige? Per se indeed, probably enough, in the article or peril of death only." Afterwards, no. 177: "That the precept of contrition per se obliges only in the article of death, and never before, most grave Doctors teach — St. Thomas,

Cajetan, Soto, Navarrus, Medina, Adrian, and others heaped together; and Suárez calls it probable; and Dicastillo himself defends it morally. Since this precept is penal and burdensome, it is not to be extended, but rather restricted, to those times only for which its obligation is certainly established to us. But the obligation of this precept is not certainly established to us for any time, except in the article of death. Therefore, and so forth. You see the probability of this opinion."

V. Fr. George Gobat, tract 6, no. 159: "I say sixthly: It is probable indeed that no precept exists concerning perfect contrition, speaking per se, to be elicited before the article of death; the contrary opinion nevertheless (abstracting from the reception of the sacrament) is more likely, and in practice to be followed. The first part is proved by the authority and the reasons which Suárez, disputation 15, section 6, and Dicastillo, in the cited disputation, part 3, last doubt, adduce for it. Which Dicastillo tooth and nail defends that former part, Suárez holding it only for probable."

VI. Fr. Dominic Viva, chapter 3, article 3, no. 8, proposes this question: "Whether a sinner who cannot in some year confess for want of a confessor is bound to contrition before the year elapse?" Thus he answers: "Dominic Soto affirms it … because the divine precept of doing penance, which of itself is indeterminate, has already been determined by the Church to individual years … according to that rule, "He who cannot as much as he ought, let him pay as much as he can"; and according to that other, "He who cannot the whole, let him render the part which he can." … I answer indeed with others commonly in the negative. For it is false that the Church determined that indeterminate time of doing penance in general, to which we are obliged by divine precept. For she only determined the indeterminate time of confessing. But since in such a case confession is impossible, the sinner does not seem bound to contrition. And the further reason is, because since to be contrite is something merely internal, it does not fall under the precept of the Church, neither by reason of itself and directly, as is plain, nor by reason of another and indirectly, that is, by reason of the sacrament, and so forth. To the rules adduced — "He who cannot the whole," and so forth — I answer that they hold good when the parts of the whole are homogeneous … but not when they are heterogeneous."

VII. The same Fr. Viva in the same place: "It is true indeed that the divine precept of contrition obliges sinners not to defer penitence long and up to death. To this nevertheless it does not follow that one unable in some year to receive the sacrament of Penance is bound at least to be contrite."

VIII. De Lugo, *On Penance,* disputation 7, section 13, no. 261: "Whether in the article of death it suffices to have known attrition? The fifth doubt is more difficult: whether he who receives the sacrament of Penance with known attrition ought still under mortal sin to have contrition at least in the article of death. Many affirm it — Suárez, Nuño, Sánchez, Granado, Valentia, and so forth. The contrary opinion nevertheless many others teach — Coninck, Becanus, Layman, Fagundez, Faber, Diana, Turrianus, Salas, and other more recent men. No. 262: This latter opinion has always seemed to me the truer."

IX. The same de Lugo in the place cited, no. 271: "You will say: Neither can it be denied that the contrary opinion is probable, which teaches that there is an obligation of eliciting contrition on account of that danger. One cannot therefore in a matter of so great moment conform oneself practically to our opinion, although it be more probable. Because although in other matters we can follow probable opinions and have a practical judgment according to them for acting lawfully, this nevertheless has no place when it would turn to the detriment of one's own or others' salvation. And therefore we cannot use Baptism with a more probable matter or form, the more certain being left

aside, because we should expose eternal salvation to danger, if perchance that opinion were false. Since therefore the opinion which we now impugn is probable, and it is safer, we cannot practically embrace ours, although, speaking speculatively, it be more probable. No. 273: I answer that one must speak otherwise of the opinion which denies that attrition with the sacrament suffices, and otherwise of that which lays down an obligation of having contrition on account of the uncertainty of this remedy. The former indeed is not probable after Trent, as we have said, nor has it foundations which suffice for probability; nay, it is branded with censure by many of the graver men. But the latter is probable. But its probability does not hinder a practical judgment by which someone can in acting embrace our opinion. For that rule, that in acting it is lawful to follow a probable opinion, IS TRUE UNIVERSALLY, if the discourse be of the last judgment concerning what is lawful or unlawful here and now. Nor is that rule an objection which says that concerning the matter and form of the sacrament of Baptism and of Order, at least of the priesthood, it is not lawful to follow a probable opinion. For there the discourse is not concerning the lawful, but concerning validity — for example, of the matter or of the form."

X. Henry Henríquez, Book 4 of his *Summa,* chapter 6, no. 5: "He who with attrition is justified through absolution is not bound to the connatural precept of formal contrition, both because he has now obtained remission by the remedy per se instituted, and compensatory from the application of the merits of Christ, and because he has fulfilled in an equivalent, and by a stronger and better title, the whole end to which contrition is ordained. For contrition does not remit sin, nor compensate, save inasmuch as it includes the desire and place of the sacrament of Penance. Wherefore God the creditor is more content with compensation applied through the sacrament than with the compensation of contrition. Otherwise contrition, while it could be had, would be necessary, and would oblige PER SE, even while absolution is received, which then can be had; and consequently CHRIST IN THE EVANGELICAL LAW WOULD NOT HAVE LIGHTENED THE BURDEN, BUT WOULD HAVE ADDED THE GRAVE BURDEN OF CONFESSION besides the necessary contrition."

XI. Fr. Dominic Viva in his *Treatise on Proposition 15 of Alexander VIII,* no. 10: "Nor would the law of grace excel the ancient or Mosaic or natural law, in which contrition without sacramental confession sufficed; whence THE YOKE OF CHRIST COULD NOT BE CALLED SWEET AND THE BURDEN LIGHT. … Therefore it must be said that contrition is not prerequired to the sacrament, but that mere attrition conceived from the mere fear of punishments suffices."

XII. Fr. Tamburini, Book 1, *Method of Confession,* chapter 1, § 4, no. 2: "Among the motives of attrition, of which we spoke at no. 4, although some do not admit that other fourth one — that is, the fear of a temporal evil — and consequently one who should execrate his sins on account of the fear of infamy, of prison, of sickness, and the like, which are wont to be incurred on account of sins, would not by these Doctors obtain a lawful sorrow for the sacrament of Confession, because sorrow of this kind is natural (they say) and not supernatural, as is required for obtaining supernatural grace: nevertheless in the MOST PROBABLE opinion this also is a sufficient motive, if evils of this kind be feared as inflicted or to be inflicted by God."

XIII. The same Tamburini in the place cited, § 2, no. 5: "Whence when you observe your penitent to be greatly addicted to some crime, do not inculcate an act of sorrow concerning that particular sin. For a danger will underlie lest he detest it from the heart, while its special memory is rubbed afresh,

whereas in general, together with the others, he will feel either no difficulty in detesting it, or a small one."

XIV. Fr. Patrick Sporer, part 3, chapter 2, section 4, no. 310, page 204: "For a man can truly grieve for and detest a sin, and truly and absolutely purpose that he will not sin henceforth, or conceive a firm and sufficient purpose of abstaining hereafter; although he greatly fear, or even reckon, nay certainly believe, that on account of the experienced inconstancy of his own will and his own frailty he will relapse anew, and will not avoid all mortal sins, or this certain kind of sin. Whence if a penitent say: "I altogether indeed grieve, and firmly purpose to abstain hereafter; meanwhile nevertheless I KNOW that I shall do it again, that I shall fall again, as I have so often experienced" — he is to be ABSOLVED AS WELL DISPOSED, due confirmation and consolation being sent before. Because the sense of the word "I shall do it again" is only indicative or enunciative on the part of the intellect."

XV. The same Sporer in the place cited, question 2, § 1, no. 324: "For when it is only probable that you will succumb to temptation in such an occasion, certainly it is also probable that you will not succumb. For there occur grave reasons on account of which a prudent man judges that you will fall in this occasion; but on the contrary there are also other grave reasons on account of which another equally prudent man judges that you will not fall. Certainly by following this man's judgment, without the note of rashness, for a reasonable cause you could commit yourself to this occasion, being certainly not about to commit yourself if you knew, or certainly believed, that you would fall. Wherefore a confessor will not judge him to be in a proximate occasion of sinning — for example, of getting drunk, of fornicating, and so forth — who, being tempted in such a place, succumbs only three or four times; otherwise if eight or seven times, and only twice or thrice he avoided the sin and came off superior. Wherefore to this man, not to that, unwilling to leave this occasion, absolution will have to be denied. John Caramuel, *Theologia Regularis,* disputation 20, no. 1056, will have absolution to be given also to him who is *a rare and rarely a victor,* as Vismann reports, Fr. Gobat not contradicting, case 16."

XVI. Fr. George Gobat, tract 5, chapter 3, § 2, section 2, nos. 19 and 20, page 585: "I clearly know that it frequently happens, especially among plebeians and rustics, that a girl lies with her suitor in the same bed for several hours, clothed or unclothed, and yet they do nothing at all unchaste, or exercise only kisses and base handlings. Whence I judge that absolution cannot be denied by a confessor to all those plebeian girls (I think otherwise of noble ones, for various considerations) who do not seem to have a purpose of never again admitting their suitor into their bed."

XVII. Fr. Dominic Viva, question 3, article 4, no. 17: "Whence Pérez, Leander, de Lugo, and others infer that adolescents can be absolved who are engaged with women labouring in the same house, or conversing with those who do not dwell in the same house: because although sometimes on such an occasion they sin mortally by consent, and even by intercourse, that occasion nevertheless is reckoned remote. Since indeed men are not wont on such an occasion to sin ALWAYS, OR ALMOST ALWAYS, MORTALLY."

XVIII. Fr. Gobat, tract 6, no. 261: "I say sixthly: although by deferring confession up to the article of death, or up to Easter, you be certain that on account of this delay you will forget many crimes, there does not nevertheless hence arise for you an obligation of confessing sooner. So indeed the common sense holds, as I reckon, both of penitents and of confessors."

XIX. Leander, tract 5, disputation 3, question 19: *Are those who wish to receive the other sacraments (besides the Eucharist) bound by divine law to confess?* He writes these things: "But I answer most certainly that they are not bound: because no precept exists imposed concerning this, as is clearly gathered from Trent. … So Victoria, Sylvester, Angelus, Soto, whom Suárez cites and follows, Fagundez, de Lugo, Villalobos, and all commonly."

XX. Fr. Claude La Croix, Book 6, part 1, no. 944: "Death, the burning of a house, the privation of reason, and venereal motions are called effects of sin; and it is asked concerning them whether and when they are to be explained in confession; whether it be enough to say: "I transfixed him, intending the death of my neighbour"; "I burned my neighbour's house"; "I drank, foreseeing the danger of drunkenness"; "I procured base things, foreseeing venereal motions" — keeping silence that all these things really followed. It seems more probable that there is no obligation, speaking per se, of confessing such an effect. So Vásquez, Salas, Granado, de Lugo, Bonacina, and so forth. … Although the effect was in sin, as foreseen or even intended as a cause, nevertheless such an effect cannot properly be called a sin, as was proved in Book 5, no. 33; since it is neither in itself a sin, nor does it externally complete the sin, according to what was said at no. 945. Therefore there is no obligation of confessing it, because there is no obligation of confessing anything other than sin. Nor is it an objection that he did not retract the cause. For whether he retracted it or not, the effect remains in its own manner equally unchangeable, not as a fault, but only as the effect of a past fault, as was explained in Book 5, no. 42. And consequently such a man will satisfy by saying: "I cast away my Breviary, foreseeing that for so long a time I could not pray"; "I held out poison to my neighbour, intending his death" — keeping silence whether he did not pray for the hours, and whether the death followed or not."

XXI. Fr. Gobat, tract 7, no. 324: "The malice of a circumstance changing the species is not contracted, and consequently is not to be confessed, unless the penitent, when he was committing the sin, at least doubted whether such a circumstance were not present, and whether on account of it a peculiar sin were not contracted. So the common sense of theologians holds. Use, my good man, this rule FREQUENTLY, especially in hearing the confessions of rustics, and namely when the malice of the circumstance is known to the learned alone."

XXII. Fr. Dominic Viva in his *Course of Moral Theology,* Vol. II, part 6, question 5, no. 2: "Although a penitent be bound to answer a confessor questioning him concerning a habit of sin, since the opposite opinion was condemned by Innocent XI … nevertheless, speaking per se, a habit of this kind is not to be laid open."

XXIII. De Lugo, disputation 16, section 4, § 7, no. 202: "He who through several perjuries procures a habit of perjuring himself, by that very fact constitutes himself in a danger and proximate occasion of perjuring himself afterwards. Therefore he ought in confession to explain that circumstance of habit, inasmuch as it includes at the same time a moral danger and a proximate occasion for subsequent sins, and so forth. … Nevertheless still, as a rule, it does not seem …" … "that circumstance is necessarily to be explained: both because men do not commonly attend to that moral danger of a following sin when they commit some sin, nor can it easily be discerned when a habit arrives at that degree that it induces a proximate moral occasion of other subsequent sins; and also because to expose oneself to the danger of fornication, for example, has not a malice specifically diverse from fornication itself. Since therefore he explained in the preceding confession his own fornication, he has

already explained the whole specific malice of that sin. For that circumstance of danger which he underwent of another fornication does not add a malice specifically diverse, although it aggravate within the same species. Whence as a rule the penitent does not seem to be obliged to confess a habit necessarily, unless he be questioned."

XXIV. The same de Lugo, in the same place, no. 104: "A greater difficulty can be concerning a habit of the latter kind, which namely is the cause of doing like acts without sufficient deliberation or advertence. In which case it seems above all certain that subsequent acts done without present deliberation are not new sins, but are only sins in their cause, namely in the preceding habit freely willed, or are effects of the sin, as with others Thomas Sánchez and Suárez prove. … Whence it will not be necessary to explain in confession subsequent oaths uttered without advertence, but only the cause culpably posited beforehand, namely that habit willed or permitted, as the same Sánchez notes."

XXV. Fr. La Croix asks, Book 6, part 2, no. 973, *whether those things which from a mortally evil habit are afterwards done inadvertently are to be confessed?* He answers at no. 974: "If we suppose that when those things are done there is present no advertence at all to the malice, such things will not have any new malice, as is established from what is said in Book 5 from no. 16. And consequently, since these things are not in themselves sins, nor externally complete any internal sin, but are merely effects of sin according to what is said at no. 944, there is no obligation of confessing them … which is true, according to many with Dicastillo, although that habit be not retracted."

XXVI. Fr. Tamburini, Book 1, *Method of Confession,* tract 7, § 7, no. 48: "I say it is probable, from St. Thomas, II-II, q. 16, art. 9, and Cajetan in the same place, that consanguinity does not differ in species from affinity, nor one degree of these from the others. So Filliucci, saying that it is the opinion of St. Thomas, Cajetan, Soto, and almost the Thomists; Gregory; Megala … both in Diana. Whence although without doubt it be graver to offend against one degree — for example against the first with a mother — than against another, for example with a cousin, nevertheless because the species is not changed, I think that these are not specially to be manifested in Confession."

XXVII. The Salmanticenses, tract 24, disputation 8, doubt 4, § 2, no. 202, page 140, say: "In a second way it happens that a confessor inquires concerning these circumstances, not out of some special and accidental motives, such as we have just recounted, but because he is of that opinion, that circumstances notably aggravating within the species ought to be explained in confession. And then a penitent, because he knows at least from the testimony of others that our negative opinion is safe, more common, and more probable than the contrary, is not bound to answer to that interrogation of the confessor; but he can with reverence say that he has explained what he ought, and that he can keep silence about what he keeps silent, nor is he held to more: because he knows that circumstances notably aggravating — for example the quantity of the thing taken away, concerning which inquiry is made — are not necessary matter of confession. And by what has been said the confessor cannot compel him to more, nor deny him absolution by force of this: because the penitent proceeds according to a safe and probable opinion, and therefore acts rightly, and the confessor CAN and OUGHT to conform himself to him."

XXVIII. Fr. Viva, question 4, article 4, no. 2: "Wherefore it is enough in confession to say: So many times have I taken morose delight in unlawful union, not explaining whether with a married woman, or with a nun, or a blood-relation, and so forth; or, so many times have I taken morose delight in the

killing of men, not explaining whether it be about a father, or a priest, or an enemy, or of another condition."

XXIX. Fr. La Croix, Book 6, part 1, no. 1010: "He who without any desire looks upon a person with a lustful eye is not bound to say (in Confession) of what sort the person was."

XXX. The same La Croix in the same place, no. 1013: "He who without desire touched a girl lustfully, according to Diana … satisfies by saying that he has so many times touched her basely, saying nothing of the parts which he touched." He adds: "Others say probably that it is to be expressed if he touched a shameful part."

XXXI. The same in the same place, no. 1040: "He who has fornicated with three different women, or thrice with one, satisfies by saying that he has thrice fornicated; nor is he bound to say whether it was one or several, whether they were harlots or others, provided he has not cooperated to the hindering of generation. So Bonacina and Tamburini."

XXXII. The same in the same place, no. 1041: "If a priest fornicate with a daughter of confession, St. Thomas, Soto, Sánchez, and other most grave authors, whom Aversa relates and follows, still say that a new species of malice is contracted, because canon law calls it a certain adultery or incest: and in fact it seems to be a species of irreverence and sacrilege against the Sacrament. On the contrary, that it is simple fornication, and that it can be kept silent that she was a daughter of Confession, teach Ledesma, Vásquez, Sá, Bonacina, Filliucci, John Sánchez, Pontius, Hurtado, Ochagavia, Dicastillo, Tamburini, Diana, de Lugo: because from Confession no spiritual kinship arises, as is certain, nor does it appear why an irreverence should be reckoned to be done to a Sacrament already past, since the sin has no respect to it. Each opinion is probable. The first is more conformable to canon law; but the second seems from reason the more probable."

XXXIII. De Lugo, *On Penance,* disputation 16, section 3, no. 142: "Concerning the circumstance of soliciting a woman to fornication, whether it is to be explained, or whether it suffices to confess the fornication: it pleases me, what with others Vásquez teaches, that that circumstance is not to be explained: because that malice is had, although not so grave, when a man does not solicit: for even then he participates with her in her sin, and is a cause of cooperation to her ruin."

XXXIV. Fr. Viva, question 5, article 4, no. 10: "If a man solicited another and the sin did not follow, it ought to be explained in confession; if nevertheless the sin followed, de Lugo and Tamburini think probably, against Sánchez and Bonacina, that it is not to be explained that you were the first to invite: because although you sinned gravely by inviting, nevertheless you are still a partaker of that sin, even if you had not invited."

XXXV. Fr. La Croix, Book 6, part 2, no. 1072: "It is indeed probable that kisses, embraces, and even base speech, done publicly in a sacred place, have not the character of sacrilege; and therefore it is not necessary to say that it was done there. So hold Sánchez, Aversa, and others with Diana."

XXXVI. Leander, disputation 8, question 42: "Whether, if a man commits a sin on the day on which he took the sacred Eucharist, he is bound to confess this circumstance of time? I answer more probably that he is not bound, speaking of itself, because otherwise a priest who celebrates daily would have to explain in every sin that circumstance, that he had celebrated Mass on that day — which no one does. So Homobonus, de Lugo, Diana, Trullench, Vásquez, and so forth."

XXXVII. The same Leander, tract 5, disputation 8, question 15: "Whether the effect which followed ought to be explained, or whether it suffices to confess the cause: for example, whether it be enough in confession to say that I gave a deadly poison to someone that he might die; or whether it be necessary to add that you killed him with the poison? … I answer more probably that it suffices to confess the action, not the internal one of the will, but also the external, by which you prepared and gave the poison, although you do not confess the effect, that is, the death which followed from it: because in confession only sins must necessarily be explained; but that effect, when it follows, is not actually a sin, but an effect of sin. So Vásquez, Granados, Azor, Bonacina, Diana, and Suárez, Coriolanus, all of whom de Lugo relates and follows, disputation 16, article 1, no. 470, where he treats this point most learnedly."

XXXVIII. Fr. Viva, question 2, article 2, no. 3: "Whether he who is certain of a mortal sin committed, but doubts positively whether he confessed it, so that he has a probable reason that he confessed it, and probable also, nay more probable, reasons that he did not confess it, is bound to confess it? I answer likewise negatively with the common opinion of the Doctors whom Martin Perez cites against Coninck, in Diana."

XXXIX. The same Fr. Viva in his *Course of Moral Theology, On Penance,* question 2, article 2, no. 6: "I answer that it was almost the most common opinion of the ancient Doctors that a man is bound to subject negatively doubtful sins to the keys. And Thomas Sánchez reputes this altogether certain. … For this cause Fr. Matthew de Moya of our Society, who was confessor to Mary Anne Queen of Spain, in his *Select Questions on the Sacrament of Penance,* after he had asserted that he had taught the contrary opinion for thirty years even in the Schools, disputation 1, inquiry 5, has these things: "Nevertheless, the matter being considered, I judge firmly for the contrary and common opinion asserting the obligation of a doubtful sin: to which I am led by this one efficacious argument, that the Sacrament of Penance could have been instituted by Christ the Lord with this obligation. But that he did institute it, the more common sense of Catholics persuades, and a tradition continued from the time of the Apostles down to our times, by reason of which the Doctors have not so much proved as HANDED DOWN AS AN UNSHAKEN DOGMA the precept of confessing doubtful sins equally with certain ones. For, as Augustine says, Book 4 *Against the Donatists,* that which the universal Church holds," and so forth. Thus far Fr. Moya. To these add Leander and Tamburini himself, although patrons of the kindlier opinions."

No. 7: "These things notwithstanding, I think the contrary opinion is *probable and safe,* asserting that negatively doubtful sins are not necessary matter of the Sacrament of Penance, which very many authors follow in Mendo and Diana and others … whom Caramuel numbers up to twenty-two … to whom add Amicus, Lessius, Sá, Layman, Praepositus, Leander, Hounihl, and also Ferdinand *On Scandal,* page 77, where he cites the Revisers of the Society of Jesus as permitting that this opinion can now be permitted in our Schools; which Marchant, Joseph de Januario, Martinon, and many other writers openly judge probable. Although formerly, according to the rules of our Society, it could not be permitted; scarcely would one writer be found who openly maintained it, as the same Revisers testify in Tamburini; now nevertheless, as Diana notes, IT DAILY STRIKES DEEPER ROOTS."

XL. The same Fr. Viva, question 2, article 2, no. 7: "Nor do you say that the practice of the Church and the consent of the Doctors through sixteen centuries, uniformly reckoning that the Sacrament of Penance was instituted by Christ the Lord with the obligation of confessing doubtful sins, renders us

certain of such a law and institution. For although it be true that down to the past century scarcely one author is found who openly disobliged us from confessing negatively doubtful sins, yet it did not arise thence because all the writers went over to the obliging opinion with their pen, but because they abstained from that question. But since NOW it is agitated in its own terms, and very many follow the disobliging opinion, this has been rendered probable."

XLI. Fr. Gobat, tract 6, no. 479: "Fr. Coninck, Book 6, no. 98, denies that the opinion is probable of those who think that, when there is present so great a multitude of persons wishing to confess for some celebrated feast that the priest cannot satisfy all by hearing all entire, he can say to each that they lay open only the graver of their mortal sins and defer the rest to another time. I think, subject to a better judgment, that that opinion can probably be sustained, in the case in which many came from far off for the sake of obtaining some great indulgence which requires Confession and Communion."

XLII. Fr. John Baptist Gonnaz, disputation 5, on the obligation, section 2, § 2, no. 166, pages 775 and following: "Wherefore even if perchance someone, while actually sinning, be suddenly deprived of his senses, he is regularly not to be dismissed without absolution; since it most rarely happens that a man near to death should not wish to consult his own salvation at least by attrition, which it is not established that he inwardly lacks, although externally he be deprived of sense: for by the condition an injury to the Sacrament is avoided. So Bonagratia cited above. See Gobat, tract 7, nos. 597 to 625."

XLIII. Fr. La Croix, Book 6, part 2, no. 1288: "The Rigorists say that the cause of relaxing discipline as regards penance is the growing cold of the charity of the faithful. But on the contrary, rather among the causes was: first, lest Confession, impugned by the heretics as impossible, be rendered still more odious by hard penances. Second, because with the passage of time there were more priests, among whom Confessions most useful to amendment were frequented, and who in this internal forum otherwise healed sins by kindlier medicines. Third, because it was observed that kindly penances profit more than rigid ones, because by kindly ones the faithful are the more allured to the Sacrament of Penance and of the Eucharist. Fourth, because on occasion of the sacred war against the Turks the use of indulgences was introduced, which is a manner of satisfying for sins more useful and more certain than the observance of the penitential canons. Fifth, because with the passage of time Religious Orders were instituted, which are most useful for the giving of penances. See Francolinus, *Roman Ceremonial,* part 2, chapter 1."

XLIV. Fr. Patrick Sporer, part 3, chapter 4, question 1, § 3, no. 45: "A confessor is excused for enjoining no penance, or a very slight one … when a man gains some plenary indulgence, he can be dismissed without any other penance at all; since by that indulgence the debt of punishment is satisfied. And although this rarely happens for certain, it suffices that it be probably believed."

XLV. Fr. Viva, question 6, *On Penance,* article 2, no. 1: "Nay, de Lugo, disputation 27, section 1, no. 24, thinks that he who gains an indulgence is not obliged to penance, even if it be given as a medicine, because a physician does not command but persuades a remedy, and a judge alone commands a penalty. Wherefore if a penitent by reason of an indulgence is not bound to the penalty which is commanded, neither will he be bound to the medicine which is only persuaded, unless perchance he be sometimes obliged to it by natural law, lest he easily fall."

XLVI. Fr. Sporer, part 3, chapter 4, question 1, § 4, no. 548: "The opinion certainly of grave Doctors — Soto, Cajetan, Sylvester, Medina, and Navarrus, *Manual,* chapter 26, no. 20 — namely that it is free to a penitent to accept or to repudiate a penance imposed by the confessor, even though after Trent it be not intrinsically but nevertheless extrinsically probable, can serve to this, that the confessor send no one away without absolution who, having followed that opinion, should be unwilling to accept the penance imposed, being prepared to satisfy God in this life or in the other, provided he be willing to undergo some, even the SLIGHTEST, penance — for example, some Our Father and Hail Mary, a beating of the breast, and so forth."

XLVII. Fr. La Croix, Book 6, part 2, no. 1788: "Lamas and Sioz think that those are sufficiently learned for this office (of confessor) who have diligently read an entire SUM OF CASES, or have attentively heard it explained. But if anyone doubt of himself, let him present himself to the examiners appointed by the bishop or superior; and if they judge that he knows enough, he can acquiesce, and with confidence in God undertake the function, although it be the greatest and gravest of all. So Sioz and Sporer."

XLVIII. The same La Croix in the same place, no. 1797, page 284: "Here Gobat notes, tract 6, no. 521, that a confessor ought to know SEVERAL OPINIONS which are truly probable concerning moral matters, because often, where it is not a question of the validity of the Sacrament, he cannot nor is it expedient to direct penitents ACCORDING TO A SINGLE DOCTRINE."

XLIX. Fr. Viva, question 8, article 1, no. 7: "Innocent XI in the year 1679 willed that bishops should not permit confession of venial sins to be made to a simple priest not approved by the bishop or Ordinary. … I think nevertheless with the Cardinal and others in La Croix that it is not invalid, and that the Sacrament would not be exposed to the danger of frustration; for since it is probable that jurisdiction is conferred immediately upon a priest by Christ the Lord, and that with probable jurisdiction the Sacrament of Penance is validly conferred, as we shall say in the ninth question, therefore the Sacrament is validly conferred by a simple priest at least from venial sins, or from mortal sins otherwise absolved."

L. The Salmanticenses, tract 6, chapter 2, point 2, no. 16: "You will ask first, whether, if it happen that someone confessing in good faith of venial sins only to some simple priest should have perchance a hidden and invincibly forgotten mortal sin, the confession and absolution should still be valid, by which indirectly even the mortal sins are remitted? Candidus denies it. … They affirm nevertheless probably that in the case posited the confession and absolution are still valid, by which indirectly even mortal sins are remitted, with the burden nevertheless of confessing the invincibly forgotten mortal sins to a lawful confessor, when afterwards they come into memory and the time of the precept of Confession is at hand. So Suárez, Granados, Leander, Henríquez."

LI. Leander, tract 5, disputation 31, question 14: "Whether every priest, in no way exposed, can validly absolve a penitent who in good faith confesses venial and mortal sins together? … I answer more probably that he can in each case validly absolve from mortal sins, although the penitent, being made more certain that that priest has no jurisdiction over mortal sins, is bound to confess again."

LII. Fr. Viva, question 8, article 1, no. 16: "I answer that jurisdiction is conferred not only when to a common error a coloured title is joined … but also probably if a common error be not conjoined with a coloured title; suppose, if a priest not having jurisdiction should in good or in bad faith expose

himself in the confessional to hear confessions, being commonly reckoned an approved confessor. So Diana, Malfesius. … But this error ought to be probable, not indeed rash or gross."

LIII. The same Viva, question 8, article 2, nos. 1 and 2: "It seems not to be lawful to confect the Sacrament of Penance with probable jurisdiction, at least when certain jurisdiction can be had. Nevertheless I judge it to be lawful to absolve with probable jurisdiction. … Hence it follows that by Innocent XI in the first of his proscribed theses this opinion has not been condemned: because he ought to have CONDEMNED IT OPENLY, if he had wished, that not only in those things which pertain to the matter and form of the Sacrament, but also in those which pertain to jurisdiction, we should follow the safer opinion, the probable being omitted, as many learned men thought."

LIV. Fr. Francis Fegelli, part 1, tract 2, no. 31, page 14: "The practice and usage of all confessors has obtained that they bestow absolution with probable jurisdiction. Therefore, lest their acts be so often void with the greatest loss to penitents, it is rightly judged that the Church most certainly confers jurisdiction, even if it were not given before."

LV. Fr. Viva in his *Course of Theology,* question 9, article 3, no. 1, disputes and resolves these things: "It is asked, secondly, whether those who ignorantly incur a reservation incur it: the same is asked of those not adverting to it while they actually sin." After many things he thus concludes: "Wherefore from first to last, neither reservation nor excommunication do they incur who are ignorant of them; and because the Doctors commonly equate actual inadvertence and forgetfulness with invincible and inculpable ignorance, it follows thence that he who does not advert to the penalty or the reservation is reckoned not to incur it, no otherwise than if he were ignorant of it. Whence Sánchez, Book 4, chapter 12, teaches that if a man, for example, had vowed to fast as a penalty for perjury, as often as he lies, if thereafter he lie adverting to the vow of not lying but not to the penalty imposed of fasting, he would indeed sin, but would not be bound to fast — from this principle, namely, that an extraordinary and medicinal penalty is not incurred by him who is ignorant of it, or does not advert to it."

LVI. Fr. Sporer, part 1, chapter 6, section 5, § 3, no. 78, writes roundly: "Ignorance of the reservation, whether of law or of fact, even if it be vincible, excuses from the reservation. And indeed it follows manifestly from what has been said. For if doubt concerning the reservation excuses from it, much more will ignorance of the reservation, even vincible, excuse."

LVII. The same Sporer in the same place: "Gobat well observes, deservedly judging that a regular confessor would not be faithful to his prelate if, having found a penitent implicated in a reserved sin but ignorant of the reservation, he should not say expressly: "I absolve you indeed this once (namely from a probable opinion and a kindly interpretation of the superior's mind, lest, proceeding in good faith, you should have to confess the same mortal sin twice); but know seriously that I could not have absolved you without the express will of the superior": and that he himself is wont to counsel this to parish priests and vicars solicitous concerning episcopal reserved cases."

LVIII. Fr. Viva in his *Treatise on Proposition 41 of Alexander VII,* no. 16: "It is doubted here whether he can be absolved who has been engaged in a proximate occasion of sinning before he take it away, especially if he promised in another Confession; and then if he did not promise. Some — Coninck, disputation 8 *On Penance,* no. 133, Filliucci, Azor, Sánchez — think that he cannot be absolved outside the case of necessity. Nay, Cardenas, difficulty 40, chapter 5, article 4, no. 108, thinks that this is

gathered from proposition 61 of Innocent XI, where it is condemned that he can be absolved who is engaged in a proximate occasion of sinning which he can and will not omit. And the reason seems to be, because he who approaches the Sacrament of Penance before he take away that occasion is reckoned to be unwilling to cast it out, and therefore to approach without the due efficacious purpose of not sinning thereafter; since in this very thing, that the occasion of sinning is not taken away when it can be taken away, he sins. Nor is it an objection that he says he has the purpose of taking it away; for he only purposes to take it away in the future; and if he does not take it away at once, by that very fact he wills to remain for the present in that occasion, and therefore sins; just as he who, when a lion is approaching, purposes to flee and does not flee at once, is reckoned to will to remain in danger of death. More commonly nevertheless with Suárez, disputation 32, section 3, Tabiena, and others think that a penitent of this kind can be absolved once and again, if here and now there appear true signs of grief and of an efficacious purpose of taking away at once the proximate occasion. Nay, Córdoba, Cajetan, and others think that he can be absolved even a third and a fourth time, though it be often expedient to defer absolution until that proximate occasion be taken away. He ought nevertheless altogether to be absolved even before the separation from it, both if danger of death be at hand, and if, absolution being deferred, it be believed that he will not have the opportunity of returning, or from another cause will not return. The reason why he seems able to be absolved the first and second time is because the penitent could, either immediately, or by hearing a sermon, or by hearing the admonitions of the confessor himself, be stirred up to a true and efficacious purpose of not sinning, in which case he is sufficiently disposed. So everywhere penitents are absolved by this, that they purpose to restore, although before Confession they had not restored, as they could: because from the confessor's admonitions there can here and now arise a true purpose of restoring, which before Confession was either weak or was thought sufficient, even though for some opportune time the restitution had to be deferred. Therefore this same thing can be done in him who is bound to take away a proximate occasion. Nor from that proposition 61 of Innocent XI is it drawn that he cannot be absolved: for he who purposes to take away the occasion at once cannot be said to will it for the present, just as neither is he said to will the danger of death who, when a lion is approaching, purposes to flee as soon as he can. Cautiously nevertheless is one to proceed in this, because everywhere a purpose of this kind is not efficacious in him who could beforehand have taken away the occasion of sinning and has not yet taken it away."

LIX. Fr. Martin Torrecilla teaches many lax opinions concerning the sacrament of Penance. It is to be observed nevertheless that the same are defended by other casuists also, whom I omit to cite for brevity's sake. "In proposition 57 condemned by Innocent XI concerning natural attrition, it seems not to be condemned to say that a supernatural attrition, so reckoned, suffices, even though in fact it be natural." The same Torrecilla, *On Condemned Propositions,* upon proposition 57 of Innocent XI, tract 8, conclusion 3, no. 19, folio 461.

LX. The same Torrecilla, Vol. III, *Considerations, Consultation* 11, Miscellany, no. 1, folio 454: "When the confession is only of venial sins, there is not required that grief or attrition of which Trent speaks, session 14, chapter 4; but it suffices that the penitent approach confession with a desire and will of confessing, without an actual complacency of sinning."

LXI. The same, Vol. I, *Sum,* tract 4, disputation 4, section 1, chapter 5, no. 17, folio 418: "Sins under doubt, even if strictly such, positive or negative, are not necessarily to be confessed."

LXII. The same in the place cited, tract 1, disputation 2, chapter 4, § 2: "It is at least not grave in sacramental confession (especially if it be general, though voluntary) to feign past grave sins never laid open in confession, as though it were done before."

LXIII. The same in the same place, § 7, no. 512, folio 75: "He who in confession omitted a mortal sin which from a vincibly erroneous conscience he did not think such, is not bound, when he has adverted to it, to repeat the confession, but only to confess the sin which he omitted."

LXIV. The same in the same place, § 10, no. 635, folio 86: "Generally the rude and ignorant can be admitted to the completing of confession, even if they have sent no examination before."

LXV. The same, Vol. II, *Sum,* tract 1, disputation 2, chapter 4, § 10, no. 645, folio 87: "A confessor can absolve a penitent, even if he certainly know him to be in mortal sin which even when questioned he does not confess: for he ought to believe that he has a just cause for denying it."

LXVI. The same in the same place, tract 4, disputation 4, section 2, chapter 1, no. 50, folio 426: "In three cases a simple priest can actually administer the sacrament of penance. First, if the confession be of venial sins. Second, if it be of mortal sins already confessed, and of those forgotten in other confessions. Third, in danger of death, probably even with the parish priest or an approved priest present."

LXVII. The same in the same place, chapter 4, no. 18, folio 431: "Any approved priest whatsoever can by force of the Crusade absolve as often as may be from the hidden cases of the Bull *In Coena Domini,* heresy excepted."

LXVIII. The same in the same place, section 4, chapter 1, no. 54, folio 442: "A parish priest is eligible as confessor by force of the Crusade or Jubilee in the whole diocese, nay even in others."

LXIX. The same in the same place, tract 1, disputation 1, chapter 4, § 9, no. 289, folio 57: "Regulars can use the privilege of the Bull of the Crusade, so as to be absolved independently of their prelates by any confessor whatsoever, even from cases reserved to their own Order."

LXX. The same in the same place, tract 4, disputation 4, section 2, chapter 3, folio 456: "It is probable that approved regulars can still by force of their own privileges absolve from the hidden cases of the Bull *In Coena,* heresy excepted."

LXXI. The same, Vol. I, *On Condemned Propositions,* tract 2, consultation, from no. 54, folio 97: "A priest, at least a regular, approved with a limitation for a certain kind of persons, or for this or that place, can by virtue of the Bull of the Crusade or of the Jubilee be chosen without limitation for Confessions by anyone whatsoever."

LXXII. The same, *On Condemned Propositions,* the said tract 2, consultation 1, no. 57, folio 97: "In proposition 13 condemned by Alexander VII there is not comprehended the opinion of those saying that a priest approved for a determinate time, that being past, is eligible by force of the Bull or Jubilee; nay, that this has place when the limitation of time was set without any cause, or by the ill or free will of the Ordinary."

LXXIII. The same in the same place, tract 4, disputation 4, section 3, chapter 3, nos. 17 and 18, folio 446: "An approbation once absolutely granted to regulars, unless there be just cause of revoking it, is neither justly nor validly revocable, at least by the same bishop who granted it."

LXXIV. The same in the same place, no. 10, folio 447: "No other cause is to be reckoned sufficient for a bishop to be able lawfully and validly to revoke an approbation once absolutely granted to regulars, save because the regular lives scandalously, sows errors, is utterly filthy, or is out of his mind."

LXXV. The same in the same place, no. 9, folio 449: "It is probable that a regular approved by a bishop, even if he change his diocese, always and everywhere retains that approbation, and needs only the concession of jurisdiction of that bishop to whose diocese he passes."

LXXVI. The same, Vol. *On Bishops,* tract 2, § 3, section 2, difficulty 3, nos. 81, 85, and 88, folio 108: "Regulars once approved by the bishop of one diocese cannot be subjected to a new examination by the same or by his successor; nay, neither can secular priests, unless licence was granted them without examination, or, if an examination preceded, another just cause intervening, that they be subjected to examination."

LXXVII. The same, *On Condemned Propositions,* tract 2, consultation 4, from no. 3, folio 107: "A regular priest approved by his own Ordinary for hearing the confessions of religious, where the Constitution of Gregory XV *Inscrutabili* is not received, can by force of such approbation hear the confessions of nuns, even of those who are subject to the bishop; where it is received, he can do this same thing by virtue of the Crusade."

LXXVIII. The same, Vol. III, *Consultations, Consultation on Penance,* nos. 1 and 2, folio 541: "A bishop who at his entry by public edict commands that all confessors, both secular and regular, present themselves, and that, the said term being past, they cease from confessions, proceeds not only unjustly but invalidly."

LXXIX. The same, *On Condemned Propositions,* tract 2, *On Penance,* consultation 1, nos. 26 and 27, folio 96: "All regulars and religious, and even the Knights of St. James, of Calatrava, and of Alcántara, and likewise nuns, by virtue of their own privileges can confess to any simple priest whatsoever, even for the fulfilling of the annual precept; and at the very least this is not condemned in proposition 13 condemned by Alexander VII."

SECTION III — Opinions which seem to Fr. Balthasar Francolino more rigid than is equitable

The propositions which Fr. Francolino detected in Merbesius, Gennet, and Juvenin as more rigid than is equitable are not such as they seemed to me. Nonetheless, that I may again make plain that I am free from party zeal, I have judged it worth the labour to transcribe the same and to subject them to the readers' study, such as they are reported by Fr. Francolino, whose animadversions also I shall report. Fr. Francolino premises that he transcribes these propositions not as a censor, but that from them the reader may judge whether there be in the schools any doctrine more rigid than is just. For he says: *If therefore their doctrine is more rigid, then it is already a more rigid doctrine, and consequently the rigorism is of many.*

Certain propositions of Bonus Merbesius, excerpted by Fr. Francolino in his work entitled *Francolinus Vindicated,* chapter 2, page 113, Venice edition

I. *Merbesius.* Contrition properly so called, or the conversion of the heart necessary to the validity of the Sacrament, demands the love of God above all things. In his *Christian Sum,* Vol. II, page 57.

II. *Francolino:* "Although he afterwards says that an initial or inchoate love of God, not a perfect one, suffices, he signifies that an intense love is precisely not required; but for the rest he requires a true theological charity. For it is established that charity, even remiss, is true theological charity, just as remiss heat is true heat."

III. *Merbesius.* For true contrition there is required not only a grief for all mortal sins conceived generally and confusedly, but also one conceived specially and distinctly of individual sins, both as to number and as to species. Page 54, column 1.

IV. *Francolino,* page 115: "Although he admonishes that it is enough that this be done by a single act, he nevertheless wills that that act tend to sins singly recollected according to species and number."

V. *Merbesius.* By the holy Fathers four reasons are alleged on account of which a priest is bound to defer the reconciliations of penitents. If anyone shall say that this can now neither be done nor ought to be, although it was practised in former times, I answer that what was formerly practised is to be done in these our times also, if those same reasons on account of which it was formerly used flourish in this our age also. Page 94. And he brings forward there these four reasons only: *The first,* he says, *that from the length of time and the difficulty of the cure the sinner might understand the magnitude of the evil perpetrated by himself. The second, that the sinner himself, having obtained the reconciliation to which he had come through so many groans and labours, might the more studiously flee sin, and most diligently retain the grace gained by so many tears. The third, that thence it might appear what punishments await obstinate sinners, wont to sin one thing after another, if to those hastening so hardly to return to God, and undergoing the labours of penance, the grace of remission is granted. The fourth at last, that the inward conversion of heart, being well examined and known by the searcher of hearts, might at length, through the labours of penance exhibited for some time at least, come into the knowledge of the priests.*

VI. *Francolino,* page 114: "But since these reasons flourish now also as they flourished formerly, it follows that absolution ought also to be deferred. … Speaking of penitents who have an inveterate habit of sinning, he thus discourses (Merbesius): Men of this kind are not to be absolved quickly, because they are converted to God as they ought only with great difficulty. For as St. Thomas says, I-II, q. 78, art. 2, reply 3, "he who sins from habit always rejoices in this, that he acts from habit, so long as he uses the habit; but because he can not use the habit, but through reason, which is not totally corrupted, meditate something else, it can happen that, not using the habit, he grieve for that which he has committed through the habit; and so for the most part such men repent of sin, not because sin displeases them of itself, but on account of some inconvenience which they incur from the sin." Thus St. Thomas. Therefore since with those who sin from a vicious habit the sin does not displease of itself, namely inasmuch as it is an offence of God, but on account of some detriment or temporal inconvenience, and what they perceive from it, if they are so affected, as also any others so minded, sacramental absolution is for a time to be denied and deferred, until their conversion be discerned and appear through worthy fruits of penance and a love of God at least inchoately conceived."

VII. *Francolino,* page 124: "I omit that Merbesius here adds of his own that word *temporal,* which is not in the text of St. Thomas whom he alleges; and that St. Thomas does not there treat of those approaching Confession, to which those who come spontaneously are not wont to grieve for sin in order to avoid some temporal inconvenience, but at least from fear of hell with hope of pardon, and

that they may be reconciled to God, and therefore with some love of God. That seems intolerable, that this author demands so many things that these penitents may at last be absolved."

VIII. Two things I observe in passing in Fr. Francolino's doctrine, by no means that I may undertake the defence either of Merbesius, or of Juvenin, or of Gennet, but lest the unskilled err. Indeed, in the text of St. Thomas that word *temporal* is not there; but it is in Fr. Viva and others to be cited below. *Those who come spontaneously,* says Francolino, *are not wont to grieve for sin,* and so forth. Is the spontaneous approach to the confessional therefore an argument of sufficient grief for receiving the sacrament? This doctrine, which seems to me laxer than is just, and which many probabilists teach, I shall refute below. Now I have only indicated it.

IX. *Merbesius:* Contrary remedies are to be applied to vicious habits: therefore confessors act perversely who, for the routing of habits of pride, avarice, lust, drunkenness, and evil-speaking which have deeper roots, enjoin only some few prayers. Page 121.

X. *Francolino,* page 124: "These confessors so generally neither St. Thomas nor St. Antoninus condemns; in whom a confessor is excused, or even praised, who acts more kindly with penitents of weak virtue, in whom a graver burden of penance would extinguish the small fire of contrition."

XI. *Merbesius:* If a penitent should fall frequently into mortal sins, he could be proved for two months, or for a whole three months; at whose expiry, if a true amendment were foreseen, proceeding from his entire fidelity and from the force by which he endeavoured to tear out from his soul sins implanted by long custom, he could be absolved. Page 141, column 1.

XII. *Francolino,* page 124: "But what will become of those who either cannot return any more, or cannot return at the appointed time, who are truly innumerable?"

XIII. *Merbesius.* A penitent cannot reserve the satisfaction of his offences to the next world, that he may be purged in Purgatory. Page 165, column 2.

XIV. *Francolino,* page 125: "If the sense be that neither can a part be reserved to the other world, the proposition is opposed to the doctrine of Raymond, Humbert, and Antoninus, as will be plain to one consulting their Sums."

XV. *Merbesius.* A penitent to whom it is certainly established that from the practice of the Church a satisfaction lighter than his crimes deserve has been imposed by the priests, is bound to take another upon himself of his own accord, which indeed shall wholly prepare some equality with the temporal punishment owed for his sins.

XVI. *Francolino,* page 125: "He adds the reason which I was saying, namely the natural and divine precept of satisfying God by a punishment corresponding to the fault. What straits for wretched penitents, who will doubt of this very thing, whether they truly lack this certainty; and who, that they may prudently judge that they themselves observe this divine precept, will be bound to search out what is the practice of the Church concerning this. And here again straits."

XVII. *Merbesius.* It behoves every priest desiring rightly to moderate and rule souls in the tribunal of penance to be imbued and instructed with the knowledge of the canons, or rules, which the holy Fathers and the Councils established and promulgated for the punishing of mortal offences; otherwise he will break through the most holy decree of Pope Celestine inserted into the body of law,

granted in these words: *Let it not be lawful for any priest to change his own, or to do anything which may be contrary to the rules of the Fathers.* Page 182, column 2.

XVIII. *Francolino,* page 125: "It is useful, and assuredly it is, to learn these canons thoroughly, and therefore confessors are admonished to take care to know them; but that this is necessary and commanded by law is not proved by that mandate of Celestine, which either does not now bind, since the penitential canons are not now in use, or speaks of those, since the knowledge of them was not necessary to all the priests whom Celestine there addresses, and perhaps not to all confessors."

XIX. Fr. Francolino accuses Merbesius of rigorism. But let all hear the judgment which the most wise Cardinal de Aguirre passed upon the *Sum* of Merbesius, dissertation 1, in the *Councils of Spain,* excursus 2, where he has this: "Merbesius was a learned theologian and greatly versed in the sacred canons, as his *Christian Sum,* published in two vast volumes at Paris in the year 1687, shows. I am not unaware that that work is accused by some of too much severity or rigour. But perhaps that they should so judge, the German cause in most matters is the reason, not because his opinions are stricter than is just, but because their conscience is lax; so that here that old saying has in some manner place: *Naked feet do not tread upon thorns, but they have."*

The propositions of Gaspar Juvenin

I. Juvenin, page 502, Lyons edition, column 2, at the beginning, lays down this conclusion: *The hatred of sin ought to be the more intense, the more depraved the crimes are.*

II. *Francolino,* page 126, no. 3: "And he adds that this is under precept according to some, although according to some it is not. He nevertheless already brings in a scruple, when he wills that for the removing of a scruple we ask of God the intensity of contrition due to each sin."

III. Juvenin: He who grieves from fear of punishment alone will doubt with foundation of the supernaturality of his contrition. Page 509, column 2.

IV. Juvenin: The divine precept obliges the fallen to confess within a short time, so that it is not lawful for one fallen to defer his confession for any long time according to a prudent estimation. Page 664, column 2.

V. *Francolino,* page 127: "This proposition is contrary to all the Doctors, one or another excepted, as has been said."

VI. Juvenin: By divine law satisfaction is necessary for those fallen after Baptism. Page 676, column 2.

VII. *Francolino,* page 127: "And indeed a condign one, so that a light one cannot be enjoined for grave sins, as he afterwards contends to prove. Therefore since the Church cannot dispense in divine and natural precepts, it has ill dispensed in this, as it has assuredly done most often."

VIII. Juvenin: The danger is great lest nobles, who are held by a great desire of fame, rush to duels, if they remain in those places in which they perceive their fame, which they love, will be brought into peril. They are therefore to be dismissed without the sacrament, if they refuse to depart from those places. Page 712, column 1.

IX. *Francolino,* page 127: "This danger does not seem proximate, nor does that foresight seem to stand in the way, if otherwise they have a firm purpose of abstaining from every sin. Otherwise scarcely any noble soldier can be absolved."

The rigorism of Francis Gennet, Bishop of Vaison

I. Gennet, Vol. 4, tract 6, chapter 5, question 19: "It is required that the confessor be able prudently to judge that the penitent's contrition includes the four circumstances which the Tridentine Synod judged necessary, and so forth. The third is a firm and constant, or not wavering, purpose of a new life."

II. *Francolino,* Book 2, disputation 10, no. 26, page 99, Venice edition: "But they perchance do not see the consequences of their own doctrine, as certainly Francis Gennet is to be said not to have seen them in his most recent *Moral Theology* published at Paris in the year 1703. Out of several examples of his most rigid doctrine, whence grave absurdities follow, I shall bring forward one from Vol. 4, tract 6, *On the Sacrament of Penance,* where, chapter 5, question 19, he teaches that for true contrition in this Sacrament there is required as necessary a constant purpose: he does not say a purpose, but a *constant purpose;* and that this must be made known to the confessor."

III. Behold the rigorism of Gennet. For a sinner's true conversion to God he requires not merely a purpose of any sort, as is wont to be done, but a firm and constant, or not wavering, one. But this doctrine, cries Fr. Francolino, is not only rigid but most rigid. St. Paul therefore is a rigorist, who, 2 Corinthians 7, teaches: *For the sorrow that is according to God worketh penance, steadfast unto salvation.* And yet this is chiefly the example which Fr. Francolino brings forward, that he may demonstrate the doctrine of Gennet to be most rigid, not merely rigid. If anyone should say that the opposite doctrine of Fr. Francolino — namely that for true sacramental penance an inconstant and wavering purpose is enough — is most lax, would he be wide of the truth?

A brief animadversion

Let the reader now, void of prejudices, compare the propositions which Fr. Francolino reports out of Merbesius, Juvenin, and Gennet with the propositions which I in the preceding section have recounted out of very many probabilists. Then let him conclude which of the two can and ought by the better right to raise the sound of his voice. But we shall give clearer arguments throughout this whole work for the forming of that judgment.

Chapter II — The axioms of certain casuists, which are as it were theological loci, or fountains, whence they draw their conclusions and resolutions

Prologue

At the beginning of the first volume of this Compendium I set forth with a brief pen the loci of Christian theology. At present I shall set forth certain axioms which very many casuists, probabilism having been invented, hold as it were for theological loci, whence they draw their conclusions. Probabilism, as has been shown in its own place, constitutes as the rule of the honesty of conscience both truth and falsity, provided the latter be clothed with the garb of probability and invincible ignorance. And indeed, a new manner of opining having been invented, principles had to be devised which should be consonant with such a system. I say nothing which Pope Alexander VII, the Gallican Church, and the graver theologians did not foretell. But lest anyone could rightly suspect that I write these things to create odium against all casuists, I declare first that I venerate and look up to all

authors; then openly and plainly I declare that I do not ascribe generally to all casuists the axioms which I shall presently subjoin, but only to those who in just so many words teach the same, and use the same. Finally, if what I am about to write shall appear to some less true, let there be full liberty of confuting and overthrowing the same. What now seem certain to me I bring forth. Beyond doubt I can be deceived, and therefore I subject them to the judgment of others. Moreover I have reserved this place for the refuting of these axioms, because their use chiefly obtains in the administering of the sacrament of Penance, as experience known to all makes plain. To the matter.

Axiom I

Beware of Rigorism, beware of the Rigorists. Holy kindliness is to be maintained: and Rigorism, daily growing stronger, is to be exterminated in the administering of the sacrament of Penance.

Animadversion

Public experience, known to all, argues the falsity of this first axiom. Matrons and little matrons, mistresses and lovers, mimes and sometimes mime-women, frequent the sacrament of Penance. What are their penances, what their fasts, what their hair-shirts, what their vigils, what their disciplines, what the correction of their morals? Rigorism therefore is a chimera. Where then is that Rigorism to be guarded against? Assuredly among those Christians to whom you say that the sacrament of Penance is administered you will not find Rigorism. Where then? Among those who refuse to administer the sacrament to the aforesaid Christians unless they first bid farewell to the amatory art, to games of money and of chance, to comedies, tragedies, theatres, dances, and usuries. But this is the evangelical doctrine and that of the universal Church, unless all things deceive me. And if those Christians in fact leave behind both sins and the occasions of sinning, they are at once absolved by those very theologians who are proclaimed as Rigorists. Guard is therefore to be kept against Laxism, which unfurls its banner higher, not against Rigorism, driven into exile by all Catholics. Do you appeal from experience open to all, to books? Behold, on one side Merbesius, Morinus, Gennet, Natalis Alexander, Pontas, Besombes, Antoine, who are called Rigorists. Behold, on the other side Caramuel, Bordon, Diana, Bonacina, Zanardi, Moya, La Cruz, Veracruz, Leander, Tamburini, Gobat, Castropalao, Sánchez, La Croix, Escobar, Alcover, Bizozer, Burgaber, Sporer, Razemberger. I ask all that they object even one single proposition of Rigorism, condemned or to be condemned, extracted from the works of the former class, and then let them call those men Rigorists. I on the contrary will give from the books of the second class not one, but hundreds and hundreds, partly certainly condemned, and partly such as to my weakness seem to be condemned. Let the wise now judge whether complaint is to be made of Rigorism. See the preface to Volume IX.

Axiom Ii

Every law is grave and burdensome. Therefore it is to be expounded in favour of subjects.

Animadversion

This is the second locus which certain casuists hold as it were for a theological one, that they may thence deduce kindly opinions. Beyond doubt all laws are adverse to human appetitions, to the flesh, and to the blood. But this casuistical axiom being admitted, all laws divine and human fall to the ground. Everywhere the Gospel of Christ cries out and commands that we crucify the flesh with our concupiscences, that we daily impose the cross upon our shoulders and follow, that we wage

continual war upon our appetitions, that we renounce worldly spectacles, delights, and pomps, that finally we turn our eyes and senses away from vanity. What is graver, what more burdensome to humanity? If laws are to be interpreted in favour of human liberty, it is all up and done with the whole Gospel and with the rest of human laws.

Axiom Iii

So great is the divine mercy and kindliness toward men, that it holds in the same place truth and falsity adorned with the cloak of probability. Wherefore Christ the Lord on the dreadful day of the last judgment will say: Come, ye blessed of my Father, because you were liars, perjurers, and avaricious, judging probably that such things were lawful and honourable.

Animadversion

These things will perchance seem blasphemies to upright Christians. But let them hold for certain that this axiom is the chief and as it were the first theological locus of probabilistic theology, and the fountain whence the probabilists infer that men lying, perjuring themselves, fornicating, polluting themselves, and taking usury out of invincible ignorance, and judging probably that these and like works are honourable and worthy of praise, merit an eternal reward — by accident indeed. Holy Scripture cries out to the contrary: *Thy law is truth. All thy commandments are truth. God is truth.* Invincible ignorance excuses from sin, but it cannot change sin into a virtue worthy of the eternal kingdom, neither of itself nor by accident. To approve falsity and iniquity God can in no conceivable manner, because these things repugn the divine nature; for evil arises from any defect whatsoever, but good from an entire cause. These things have been utterly routed in Vol. II of the *Apparatus to Christian Theology.*

Axiom Iv

A law brought into controversy, and disputed on either side, is doubtful, nor sufficiently promulgated to oblige. But a doubtful law does not oblige, because the condition of the possessor is the better. Human liberty possesses against all laws, whether divine or human, doubtful in this manner.

Animadversion

This is the other chief and universal theological locus of the new manner of opining, or of Probabilism. I have overthrown the same in the place cited. Human liberty is born subject to the eternal law of God. Wherefore in doubt this law possesses against liberty, not liberty against the law. Hence it is that the sacred canons cry out: *In doubtful matters the safer part is to be chosen.* The sophisms of the probabilists have been shattered in the place cited.

Axiom V

Positively doubtful sins are not to be confessed. And this locus, says a celebrated probabilist, *DAILY STRIKES DEEPER ROOTS.*

Animadversion

The probabilists themselves confess, as I shall show below by their own words adduced, that this doctrine is new, but that, probabilistic kindliness growing strong, it daily strikes deeper roots and grows stronger. The axe is to be applied to these poisonous roots, as I at least judge, lest they infect

and corrupt the ancient and sound doctrine of the Gospel, according to the prediction of the Apostle Paul: *For there shall be a time when they will not endure sound doctrine … but will be turned unto fables.* Below I shall of set purpose cut off entirely this shoot of Probabilism.

Axiom Vi

What grave, pious, and upright authors teach is lawful and honourable. Pious, upright, and grave authors teach that it is lawful to frequent theatres and comedies represented by persons coming forth upon the stage under the appearance of a diverse sex, that they may teach the amatory art to the hearers: they teach that these contracts, these games, these conversations, these solaces are lawful. Therefore Christians following the opinions of these pious, upright, and grave men are safe in conscience.

Animadversion

St. Paul cries out to the Galatians, chapter 1, that we must firmly cleave to the Gospel of Christ, whatever smooth-tongued men may say to the contrary. *But though we, or an angel from heaven, preach a gospel to you besides that which we have preached to you, let him be anathema. … For do I now persuade men, or God? Or do I seek to please men? If I yet pleased men, I should not be the servant of Christ.* Who are those grave, pious, upright authors? Are they Fathers of the Church? Are they Doctors of the Church? What of this, that even if they were angels, St. Paul teaches that no credence is to be given them? Whence shall I know whether they are true or false Doctors? By their fruits, Christ answers. If they conform your morals and your life to the life of Christ, if they lead you by the narrow way and with the few, these are grave, upright, and pious men. If on the contrary they direct you by the broad and spacious way with the multitude; if they permit you to be fattened with the solaces and delights of the world; if they indulge you that you may embrace pomps, luxury, and worldly manners of living — these assuredly are false prophets and blind directors: and *if the blind lead the blind, both fall into the pit*.

Axiom Vii

My yoke is sweet. Favours are to be enlarged, odious things to be restricted.

Animadversion

This is almost the only testimony of the Gospel which very many probabilists everywhere inculcate. But of the same I inquire, how the yoke of Christ is sweet, if it commands a continual crucifixion of the flesh, a daily carrying of the cross, to pray for persecutors and calumniators; if it prescribes an unspotted chastity and a perpetual hatred of the world and of those things which are of the world; if it commands us to walk by the narrow and strait way; if it commands us to shed our blood and to exchange life for death, that his faith may be maintained before a tyrant. Is that a sweet yoke? Is that a light burden? Assuredly, all the Fathers answer, because human strength is so cherished, restored, and raised up by the strength of charity and the unction of divine love, that the yoke becomes light and sweet. Let it suffice to allege one of the Fathers, St. Augustine: *See that thou art not burdened, if thou hearest him: for my yoke is light. … This bundle is not the weight of one burdened, but the wing of one about to fly. Birds have the bundles of their own feathers. … They carry them on earth, they are carried by them in heaven. If thou wouldst show mercy to a bird, especially to one standing by, and say: This wretched little bird, the feathers burden it; and thou take away this burden, it will remain upon the earth, whom thou didst wish to succour. Carry therefore the feathers of peace, take up the wings of charity. This is the bundle. So shall the law of Christ be fulfilled.* Sermon 14, *On the Words of the Apostle.*

What do the probabilists say to these things, very many of whom have so attenuated the mandate of divine love that some teach it to oblige scarcely once in a whole lifetime, others once in five years, others once in two years, and all commonly deny the necessity even of an inchoate divine love for the worthy receiving of the sacrament? Therefore in the sense of the probabilists the evangelical law is not sweet by the unction of charity, but by the delectation of carnal senses. Therefore the probabilists are adverse to the common doctrine of all the Fathers. Since indeed the probabilists oppose this evangelical oracle, *My yoke is sweet,* in an evidently false, not to say erroneous, sense. For hence they infer that the rigour of the law is to be filed down, and that the law is to be relaxed and accommodated to human appetitions and desires; and by force of Probabilism to be interpreted in favour of men: since favours are to be enlarged, and a law odious to humanity is to be restricted. But these things evidently fight with the whole doctrine of the Church. They cut off the wings of divine love, which cannot be associated with love of a raving world. Moreover, charity being taken away, the law, as St. Augustine says, becomes hard from hard. Hence it is that to the just the law is sweet, but to sinners hard and troublesome.

Axiom Viii

Christians are to be accustomed to the frequenting of the sacraments: because although while they are young and robust they do not reform their morals, nevertheless when they decline into old age, then, being accustomed to frequent the sacraments, they bring forth worthy fruits. Wherefore absolution is never, or most rarely, to be denied them. Otherwise they thrust themselves into a reprobate sense.

Animadversion

Shall lovers and mistresses, mimes and mime-women, the avaricious and adulterers therefore nourish, foster, and fatten their youth and their manly life with sacrileges and outrages; and when their strength fails, shall they then become white and pure, then holy men and holy women? What if in mid-course their strength fail? What if they be overspread with the darkness of blindness? Whence can they promise themselves the gift of conversion? From God, upon whom through their whole life they waged war, that they might serve the devil and the world? That axiom is erroneous and most full of scandal.

Axiom Ix

A good Summist, or Casuist, is to be esteemed more in the government of souls than all the Fathers together. The cases of the times require the Doctors of the times. It will be a pretty thing to me if he shall resolve from Basil, Augustine, or Gregory the cases which occur in our age.

Animadversion

O unhappy Christians of the first golden age, who were directed by those most holy Fathers, who received their light from the Apostles themselves, and these from Christ Jesus! Is a younger casuist to be preferred to all the Fathers in the government of souls? What if we heard these things from heretics? And yet these things are published in public print by Catholic theologians. Holy Scripture cries out against it: *Let not the discourse of the ancients escape thee: for they have learned of their fathers.* Ecclesiasticus 8. And again, Deuteronomy 32: *Ask thy father, and he will declare to thee: thy elders, and they will tell thee.* Innumerable are the testimonies of the Scriptures which send us to the counsels of our elders. What befell Roboam, who, the counsel of the elders being forsaken, embraced the petty

opinions of the younger men, is narrated 3 Kings 12. Whether that theology which, the Scriptures and the Fathers and the Councils being neglected, consults only certain younger casuists, is to be called Christian, let the wise judge. In their books what other things occur in no small number save these: It is lawful, and it is not lawful; he sins, and he does not sin; it is mortal, it is not mortal; he is bound, he is not bound; it is venial, it is not venial; it obliges, it does not oblige; he can, and he cannot; it is probable that it presses, it is probable that it does not press; it is probable, it is not improbable; he who operates probably, the more probable opinion being rejected, operates prudently? This is the common probabilistic idiom. Whether this reason and manner of opining is apt for the reformation of morals, let others, who are endowed with a common sense void of prejudices, sit as judges. This is certain to me, that to prefer younger casuists to the ancient Fathers of the Church is not free from rashness, and brings scandal even to the heretics themselves, who hence snatch a handle for contemning the holy Fathers. What the probabilists are going to answer to those objecting that by certain Catholics one good casuist is esteemed more than all the Fathers, I am utterly ignorant. St. Paul admonishes that even the appearance of evil is to be guarded against. All the Scriptures, all the Fathers cry out that the dangers of sinning are to be avoided. On the contrary today it is taught by very many that one must approach sin and abstain from it. Do they not persuade that one must approach sin who teach that familiar conversations of both sexes are lawful, that games of chance are lawful, that a frequenting of theatres, comedies, dances, and so forth is lawful?

Axiom X

There is given an invincible ignorance of almost all natural precepts. If a man does not advert that he sins, he does not sin. When a prudent confessor adverts that a penitent is held under some mortal sin, but is difficult toward receiving the remedy, he will be able to leave him in good faith, which excuses from sin, and to defer the admonitions to an opportune time. Let this above all be noted for the confessors of merchants and of princes.

Animadversion

That invincible ignorance of natural law, and at least of the precepts of the Decalogue and of those things which follow proximately from them, is rare, has already been shown above. The necessity of actual advertence has also already been routed. The last part, which teaches that a prudent confessor ought to leave penitents growing foul in mortal sin when he foresees that an admonition will not profit, because good faith excuses them, I shall rout below of set purpose.

Axiom Xi

Commonly the faithful of the Catholic Church are directed by probabilistic doctrine. Confessors in the government of souls commonly employ probabilistic casuists. Probabilism ranges through men of every state whatsoever. Are all these damned? Are all these reprobate? Away with cruel Rigorism!

Animadversion

Even the pagan Seneca, in his book *On the Happy Life,* disapproved this sophism: *No thing implicates us in greater evils than that we compose ourselves to rumour, reckoning those things best which have been received with great assent; of which the examples are many: nor do we live according to reason, but according to likeness. … There is no reason why you should answer me: This seems to be the greater part. For therefore it is the worse. Things do not go so well with human affairs that better things should please the more. The crowd is an argument of the worst. Let*

us seek what is best done, not what is most usual; and what constitutes us in the possession of eternal felicity, not what is approved by the vulgar, the worst interpreter of truth.

God willed those truths to be published by the mouth of the pagans, that he might suffuse with eternal shame those Christians who in the midst of the evangelical light are not ashamed, says St. Basil, to defend a falsehood by the multitude. The most holy Martyr Cyprian cried out of old, in his epistle to Donatus: *Among laws men sin, and that begins to be lawful which is public.* Often does St. Augustine object this sophism to himself: *How many do this! Who does not do it? Is God going to destroy all?* To whom the holy Doctor thus meets: *Let us not bring forward deceitful things, but let us bring forward the divine balance from the holy Scriptures.* But holy Scripture stops their mouths, Exodus 23: *Neither shalt thou follow the multitude to do evil: neither shalt thou yield in judgment to the opinion of the most part, to stray from the truth.* That they stray from the truth even the probabilists themselves confess, since they abstract from truth and falsity, that they may follow contrary probabilities. But even if the whole world should become probabilistic — which will never happen — the word of God, which is the word of truth, will not on that account fail even in the least. But holy Scripture cries out, Psalm 24: *All the ways of the Lord are mercy and truth.* Not some, but *all;* all the ways of the Lord are the way of truth and of mercy. Let the probabilists cry out, let the multitude of probabilists grow to an immense size, never will the divine oracle become liable to change. Divine grace, conferred upon us from God's mercy alone, not on account of any merit of ours, not on account of any chimerical pact, and truth revealed by God, lead us to the heavenly kingdom. Because, says John 1, Christ is the Word made flesh, *full of grace and truth. … Grace and truth came by Jesus Christ.* They who take away from the grace of Christ its intimate and implanted efficacy, and they who mingle falsity with the truth of Christ, close the way of the heavenly kingdom, no probability availing; which, although it can sometimes excuse from malice, cannot lead to the eternal country.

Why therefore do you object the multitude? cries St. Augustine, sermon 224 to the newly baptized. *I fear for you not so much from the pagans, not so much from the Jews, not so much from the heretics, as from evil Catholics. Choose for yourselves in the people of God whom you may imitate. For if you shall have wished to imitate the CROWD, you will not be among the few walking the narrow way.* We do not follow the crowd, but grave, pious, and upright men. Very well. Do those pious, upright, and grave men lead you with the few by the narrow and strait way, or with the great crowd by the broad and spacious way of pomps, theatres, games, comedies, dances, and solaces? What to these things? If they lead you by the smooth way sprinkled with delights, even though they be pious and grave, they deceive and seduce you, cries the same St. Augustine: *Men will come and say: That is a great man, that is a great fellow. … You see, because there shines from them some flame of speech, and some fire is kindled from them. What thence?* replies the holy Doctor. *They are princes, they are learned, they are great, they are eloquent. What further will you say? Are they angels? And yet (hear Paul himself), if an angel from heaven shall announce to you besides what you have received, let him be anathema.* Strangers, as it were, and inept and outrageous men rarely seduce the good, because they are avoided like ravening wolves. Those seduce who *in the clothing of sheep,* says the book of *Confessions,* colour their speeches. *There are those who seduce, colouring and painting their discourses with a great, smooth, and honourable name.* Innumerable other testimonies of the Fathers I now pass over.

Axiom Xii

Those who could confess, and those who could hear confessions, and administer the sacrament of Penance, if, the casuistical and probabilistic books being dismissed, the Gospels were to be read, or the works of Gennet, Pontas,

Natalis Alexander, Merbesius, Antoine, and the like, would come out very few. Our churches would become deserted.

Animadversion

That this axiom is carried about and published by the mouths of very many is most well known. What would happen on this hypothesis I would not divine. This I know: that the evangelical doctrine and the eternal salvation of souls, for which Christ died, ought to be at heart to the ministers of God. But as the sacraments rightly frequented tend straight to this end, so above all do sacraments unworthily or carelessly received turn men away from it, when it is done only that satisfaction be made to custom. To this the sacred ministers ought to bend all their limbs, that the morals of Christians be so composed to the norm of the divine law that they may worthily frequent the sacraments.

Chapter III — On the virtue of penance

I. QUESTION I. *What is penance taken generally?* ANSWER. The word *penance* extends widely. First, it signifies grief for anything whatsoever, whether good or evil, which a man would wish otherwise. Second, it is a grief conceived for a crime perpetrated, not for God's sake but for one's own, such as was the grief of Esau. Third, it is grief for sin, for this reason, that it is an offence of God.

II. Three things among theologians penance includes. First, a repentance of and a change from the former life. Second, a grief for and detestation of the same life. Third, a punishment which the sinner imposes upon himself, or willingly bears when imposed upon him, that he may satisfy God.

III. One penance is true, which is an inward grief of soul for a sin perpetrated, conceived for God's sake, with a detestation of the past and a purpose of a better life, joined with a deliberation of satisfying. The other is false, by which a man is afflicted not for God's sake but for his own — suppose because sins generate infamy or temporal loss. Again, one true penance is interior, which is the virtue of penance already described; the other exterior, which is the sacrament itself of the new law instituted by Christ.

IV. Penance is a true virtue. Since those things which are commanded by God pertain to virtue. But penance is frequently commanded by God, Matthew 3: *Do penance. … Bring forth fruit worthy of penance.* Again, Luke 6: *Do penance.* See St. Thomas, III, q. 85, art. 1.

V. This virtue of penance is infused, as is gathered from the holy Scriptures, and Trent defined, session 6, canon 3: *If anyone shall say that without the preventing inspiration of the Holy Ghost and his help a man can believe, hope, love, or repent as he ought, that the grace of justification may be conferred upon him, let him be anathema.* This virtue of penance was at every time necessary to those who had sinned, with the necessity of means and of divine precept, as Trent defined, session 14, chapter 1.

VI. QUESTION II. *By how many degrees is one to arrive at the virtue of penance?* ANSWER. Six are numbered by theologians. First, God's operation converting us. Second, the motion of faith. Third, the motion of servile fear. Fourth, the motion of hope. Fifth, the motion of charity. Sixth, the motion of filial fear. Which doctrine St. Thomas explains, III, q. 85, art. 5, and Trent, session 6, chapter 6.

VII. QUESTION III. *What are the effects of penance?* ANSWER. First, it is the remission of all sins. Second, it is the remission of eternal punishment. The temporal punishment nevertheless is not

always wholly remitted. Venial sins also are remitted. Sins once remitted by penance do not absolutely and simply revive through a subsequent sin perpetrated after penance. They return nevertheless in a certain respect, says St. Thomas, III, q. 88, art. 1, *inasmuch as they are contained virtually in the subsequent sin.* Wherefore the malice of the subsequent sin is so much the graver, the more and the more heinous were the sins remitted by penance. Through penance we also recover the virtues lost, not nevertheless always in an equal degree, but according to the greater or lesser fervour of the penitent.

Chapter IV — On the sacrament of Penance, and its remote and proximate matter

I. QUESTION I. *What is the sacrament of Penance?* ANSWER. It is wont to be defined: *a sacrament instituted by Christ the Lord, by which through the juridical absolution of a priest sins committed after Baptism are remitted to a man contrite and confessed.* The first particle betrays the generic character; the other particles express the power in the priest of remitting sins perpetrated after Baptism to a man contrite and confessed. These last particles declare the dispositions necessary in a penitent who would receive this sacrament.

II. The innovators reject Penance from the roll of the sacraments. But their error is disproved from St. Matthew, chapter 16, where Christ says to Peter: *I will give to thee the keys of the kingdom of heaven: and whatsoever thou shalt bind upon earth, it shall be bound also in heaven: and whatsoever thou shalt loose upon earth, it shall be loosed also in heaven.* I omit very many other divine testimonies. That this sacrament was instituted by Christ chiefly after the resurrection, Trent declares, session 14, chapter 1.

III. This sacrament is necessary to all who have fallen after Baptism for the obtaining of salvation, as Trent defined, session 14, chapter 2. That this sacrament can be repeated all Catholics teach.

IV. QUESTION II. *What is the matter of this sacrament?* ANSWER. The matter of this sacrament is twofold, remote and proximate. Of the former now, of the latter afterwards. The remote matter is sins, either mortal or venial, committed after Baptism. For original sin, or actual crimes perpetrated before Baptism, are not the matter of this sacrament. There is no crime, however grave, which cannot be remitted by this sacrament, as the Church defined against the Montanists and Novatians.

V. QUESTION III. *What is the proximate matter of this sacrament?* ANSWER. They are three acts of the penitent, namely contrition, confession, and satisfaction, as Trent intimates, session 14. Of each in turn discourse is to be instituted by us.

Chapter V — On contrition, the first part of Penance, and its natural and divine precept

I. QUESTION I. *What is contrition taken generally?* ANSWER. Regarded universally, as it abstracts from perfect and imperfect, it draws its origin from the word *contero;* and *contero* sounds the same as I divide, I cleave, I break up. Therefore the Prophet Joel cries out, chapter 2: *Rend your hearts.* The Council of Trent, session 14, chapter 4, thus defines it: *Contrition is a grief of soul and a detestation of the sin committed, with a purpose of not sinning thereafter.* It is called *a grief of soul,* because it stands within the soul. There is added *detestation,* because penance is not only a repenting, as the Lutherans contend, but also a hatred of the former life. *Of the sin committed,* that is, of all sins. *With a purpose,* and so forth.

That purpose ought commonly to be express. These two, grief for the sin perpetrated and the purpose of not sinning thereafter, are so connected that the one cannot subsist without the other.

II. The properties of contrition are these: *free, good, supernatural, true, sincere, great, vehement*. Contrition therefore is an act not forced, as Luther blurted out, but free and good. Moreover it must be supernatural, both by reason of the divine help, without which no one can be contrite, and by reason of the motive from which it takes its species. The Council in the place cited adds *with the desire of performing all those things which are required for the sacrament of Penance,* namely of confessing and satisfying. That desire is necessary. Besides the divine help, faith, the fear of eternal punishment and of the beatitude to be lost, the baseness of sin inasmuch as it is an offence of God, and a love at least inchoate of the divine goodness, flow into contrition. Contrition must be true and sincere, which is set not in certain tears, not in the reading of some little book, but in the inmost and highest grief of the will.

III. This contrition must be supreme appreciatively, by which a man sets God before all creatures; and vehement, by which he is borne with the greatest ardour into hatred of sin and love of God. The Prophet Micheas likens the grief of contrition to the pains of a woman in labour, chapter 4: *Be in pain, O daughter of Sion, as a woman in travail.* And Isaias, chapter 59: *We shall roar all of us like bears, and shall lament as mournful doves.* It is not necessary that it should burst forth into tears, which sometimes flow from natural disposition and the disposition of the senses.

IV. QUESTION II. *Does the precept of contrition oblige a man as soon as he has sinned?* ANSWER. That contrition is necessary by natural, divine, and ecclesiastical law all confess. Concerning the time of the obligation theologians dispute. Many teach that this precept presses on individual feast days, on which the Sacrifice of the Mass is to be heard. Others, as often as the sin committed occurs to the memory. Others, as soon as the sin is perpetrated. The opinion of those who limit this precept to the article of death, or to the reception or administration of the sacraments, is utterly false, and proscribed by force of just reasoning.

V. In Volume I, *On the Decalogue,* Book 1, dissertation 4, chapter 10, I have discussed at large with a full pen the question of the obligation of contrition immediately after a mortal crime is perpetrated. That *immediately* is to be taken morally, not physically. A latitude of time cannot be precisely defined. The graver theologians, from the testimonies of the Scriptures and of the Fathers, teach that those sin mortally who long defer their conversion. How much time does that *long* comprehend? Some say a month. I should understand a week, thereabouts. This opinion, which defends that a sinner deferring his conversion beyond a week by means of contrition sins gravely, seems to me the more probable. The holy Scriptures partly, as also all the Fathers, inveigh against sinners deferring their conversion to God. The opinion of very many being admitted, with what efficacy can preachers from the pulpit convince sinners that they should not defer their conversion from day to day, but convert themselves at once? And because the time of death is uncertain, *at what hour we think not the Son of man cometh.* Those who persist in sin expose themselves to the danger of dying in sin. A man stained with mortal sin is the bondman of the devil. Is it lawful to serve the devil, or to persevere in his service? Is it expedient to persist under the wrath of God and in rebellion against him? Awake, ye sons of men, hear God crying out: *Delay not to be converted to the Lord, and defer it not from day to day.* He does not say from month to month, from year to year, but *from day to day.* Read the divine testimonies and the

documents of the Fathers which I have adduced in the place cited, and which it is not needful to repeat here.

VI. QUESTION III. *What is to be said of the opinion of Leander asserting that the precept of contrition obliges of itself only in the article of death?* ANSWER. Fr. Leander, tract 5, disputation 1, question 38, alleges for the recounted opinion Vásquez, Hurtado, Diana, Villalobos, de Lugo citing Navarrus, Durandus, Soto, Bonacina, and Suárez citing Malfesius and Filliucci. That opinion is false and lax. Let all the cited authors teach it, be it so, in Leander. Besides, this opinion has been condemned. I prove it. The Church condemned the casuistical opinions defending that the precept of charity does not press of itself outside the article of death, or outside a five-year period. Therefore the aforesaid opinion also is condemned. I prove it. Are sinners bound outside the article of death, and within five years, to love God? Do you say yes? Therefore they are also bound to be contrite. For they cannot follow God with the love of charity unless they be contrite for the faults perpetrated. Therefore the condemnation of the former doctrine necessarily infers the condemnation of the other.

VII. QUESTION IV. *What is to be thought of the following opinion of Fr. Sporer?* ANSWER. Fr. Sporer, part 3, chapter 1, section 2, § 2, no. 174, says: "The precept of contrition, even in the article of death, does not oblige a sinful man justified by the use of the sacrament with attrition. … So Henríquez, Vásquez, Cano, with very many alleged by Cardinal de Lugo. … Dicastillo, Layman." This opinion is false, and, as it seems to my weakness, most pernicious to the eternal salvation of Christians. For the precept of charity cannot be fulfilled without contrition either implicit or explicit. Therefore the reported opinion seems to be contained in thesis 7 proscribed by Innocent XI.

VIII. QUESTION V. *Has the precept of contrition conceived out of charity CEASED in the evangelical law, the use of the sacraments being admitted?* ANSWER. Fr. Sporer affirms it in the place cited, no. 175, in these words: "The precept of contrition does not oblige those who by the use of the sacrament with attrition are justified, or wish to be justified. Most common, among those to be cited below. The reason is, because Christ in the new law by a singular privilege instituted another means also of justification, namely the sacraments of the dead, Baptism and Penance, so that thereupon the necessity of perfect contrition alone should cease: otherwise assuredly Christ, instituting and commanding sacramental confession — a means of itself sufficiently hard and difficult — if besides there were still required perfect contrition, and that itself not easy but very difficult to a sinner, would not have lightened but much aggravated the burden of the law, and we should be of a worse condition than the ancients of old, who were bound to contrition alone."

IX. With most bitter tears are these unheard-of paradoxes to be lamented rather than struck with a sharp style. They overturn the first foundation of the Christian religion, namely the law of charity. And yet this doctrine Fr. Sporer calls *most common,* and cites for it Henríquez, Vásquez, Cano, de Lugo, Dicastillo, Layman. The evangelical law is a law of love, as the whole Gospel of Christ, as the Fathers, the Councils, and the whole Church cry out. The sacrament of confession is hard and difficult, replies the cited casuist with the others alleged by him. But by charity it becomes sweet, answer all the Fathers. What? Those casuists rise up: if the love of charity were necessary with the sacrament, *Christ would not have lightened but much aggravated the burden of the law, and we should be of a worse condition than the Hebrews of old.* Let readers meditate these things, and contain their tears if they can. I transcribe these paradoxes, that at some time those may be untaught who are forestalled by these casuistical

figments, and may recall that the recited doctrine is a certain principle, whence innumerable other paradoxes proceed. See more, Vol. IX, Book 1, dissertation 1, chapter 8.

X. He subjoins in the same place, no. 177: "That the precept of contrition of itself never obliges except in the article of death, and not before, most grave Doctors teach." Fr. George Gobat, tract 1, no. 139, similarly writes: "I say sixthly: it is indeed probable that there exists no precept concerning contrition, speaking of itself, to be elicited before the article of death."

XI. Behold how by the *merely probable* even the first mandates themselves of the Christian religion are reduced to nothing. It has already been shown above that petty opinions of this kind are false, lax, and proscribed by force of just reasoning.

XII. QUESTION VI. *Is a sinner who cannot confess during the year for want of a confessor bound to contrition?* ANSWER. Fr. Dominic Viva proposes this question, question 3, article 1, no. 8, and resolves it in these words: "I answer indeed with Coninck and others commonly in the negative. For it is false that the Church determined that time … undetermined for repenting in general. … To the rules adduced, He who cannot do the whole, and so forth, I answer that they hold good when the whole and the parts are HOMOGENEOUS, but not when they are HETEROGENEOUS."

XIII. Behold the little distinctions drawn from the Peripatetic philosophy, by which the primary precepts of Christ are eluded. Are the evangelical precepts wrapped up in these trifles, *homogeneous* and *heterogeneous*? This doctrine of Fr. Viva seems to my weakness condemned, not merely false and lax. For this thesis has been condemned: *Then only does the precept (of charity) oblige, when we are bound to be justified, and have no other way by which we can be justified.* We are bound to be justified every year by the precept of the Church; and the thesis was condemned because it asserted that only then does the mandate of charity press. But Fr. Viva teaches that not even within the year are we bound to justification, a confessor being lacking: because the precept of charity and of contrition does not press. Therefore by force of just reasoning, unless I myself am deceived, this doctrine of Fr. Viva, which he calls common from his own Coninck, is more condemned. And indeed common sense itself detests this doctrine. Since he who cannot do the whole — namely be contrite and confess at the same time — let him at least be contrite. He who cannot pay a hundred, let him pay at least ten while he can. This holds true, replies Fr. Viva, when the parts are *homogeneous,* otherwise when they are *heterogeneous*. Excellently! These figments, and like ones which occur everywhere in very many casuistical books, bring terror upon me. Since indeed the whole of holy Scripture and all the Fathers teach the opposite.

XIV. Fr. Sporer takes courage even against the Scriptures and the Fathers, and adds at no. 178 and following these words: "The most grave opinions of the holy Fathers and of sacred Scripture, so seriously and threateningly urging a mature repentance, and condemning a late deferring of penance, deter you." Hear the answer. "But why cannot they conveniently be understood of a counsel indeed most excellent and most wholesome; or at most of a precept that we ought not to remain too long in a state of mortal sin?" *Too long,* that is, until death, or for five years! Is it therefore only a counsel that Christian sinners should not persevere under the tyranny of the devil, and in rebellion from God?

XV. QUESTION VII. *Whether the opinion of de Lugo denying the precept of contrition in the article of death be too lax?* ANSWER. Cardinal de Lugo writes these things, disputation 7 *On Penance,* section 13, no. 241: "Whether he who receives the sacrament of Penance with recognized attrition ought still under

mortal sin to have contrition at least in the article of death? Suárez affirms it with many … Nuño … Sánchez … Granado … Valentia, and so forth. Nevertheless others teach the contrary opinion with many: Coninck, Becanus, Layman, Fagundez, Faber, Diana, Turrianus, Salas, and other more recent men. … No. 245: This latter opinion has always seemed to me the more probable."

XVI. Have you heard? Not only probable, but truer also has it always seemed to him. But to us the aforesaid doctrine has always seemed false, and condemned by force of just reasoning. Does not even in the article of death the natural and divine precept of contrition press? Has it ceased, has it fallen into nothing in the evangelical law in respect of those who confess — the precept of contrition, even in the last extremity? Are Christians not bound even in this extremity to follow God with the love of charity, nor to be contrite from grief for the offence against the infinite goodness of God?

Chapter VI — On the insufficiency of fear-born, or servile, attrition for the valid receiving of the sacrament of Penance

We approach the discussing of a question of the highest moment; and therefore, that we may clearly, plainly, and in full light establish the truth, we shall divide this chapter into the following six sections.

SECTION I — The state of the question is laid open

I. *Fear-born* or *servile attrition* is that which is conceived from fear of hell and from the baseness of sin. Under this fear of hell there is comprehended also the loss of beatitude. Others add the necessity of a love of hope, or of concupiscence, by which God is loved as good to us, or as our beatitude. That this attrition, destitute of any love of charity even inchoate, suffices for the sacrament of Penance, very many defend; but other grave theologians deny it, and I with them. For the deciding of the controversy, first of all the prejudices of our adversaries are to be torn up.

SECTION II — The first prejudice

It is evidently false that Trent defined that servile attrition suffices for the sacrament of Penance; nay, it openly repugns such an opinion.

I. In two sessions, namely the sixth and the fourteenth, discourse is had in the Council concerning the dispositions for Baptism and Penance. In the former the necessity of an inchoate love of charity is asserted, as I shall show below. In the latter it in no way favours our adversaries.

II. Cardinal Pallavicino in his *History of the Council of Trent,* Book 12, chapter 10, narrates that into the decree first framed the word *suffice* had been inserted; and that, the bishops contradicting, the word *dispose* was substituted. This fact is beyond controversy. Therefore Trent not only did not declare that fear-born attrition *suffices,* but abrogated this opinion, and substituted the contrary, which teaches that servile attrition indeed *disposes,* but does not *suffice.*

III. Innumerable are the sophisms by which the attritionists attempt to entangle and to bark at this decree. Hither almost all come back. *Disposes,* they say, sounds the same as *suffices,* because servile attrition disposes even outside the sacrament. Therefore Trent speaks of a proximate disposition, which is worth the same as *it suffices.*

IV. Therefore the reformation of the decree is illusory. Therefore when Trent deleted the word *suffices* and substituted the word *disposes,* it cast a mist over Catholics and deluded them, if both words signify the same. Outside the sacrament servile attrition disposes remotely; in the sacrament less remotely, or more nearly. Therefore proximately? Therefore it suffices? These are trifles.

SECTION III — The second prejudice

Many falsely reckon that charity in any degree whatsoever, even remiss, justifies the wicked outside the sacrament.

I. That I may utterly overthrow this prejudice, I bring forward into the midst the doctrine common among all scholastic theologians, as the most celebrated *Salmanticenses Scholastici* testify, Vol. II, tract 14, disputation 7, doubt 1, § 1, no. 5. It is moreover of this kind. All acts, both natural and supernatural, attaining altogether the same formal object, or under the same formal motive — whether of faith, or of hope, or of charity, or of temperance, or of justice, or of chastity, and so forth — some are perfect, others imperfect; some produce the ultimate effect, others dispose but do not produce the ultimate effect. Therefore by the common sense of the theologians our cause is finished. Therefore imperfect charity, and in a remiss degree, does not expel the stain of sin, since this expulsion is the ultimate effect of the work of justification, consisting of several acts.

II. This doctrine the Catechism of the Council of Trent confirms, part 2, chapter 5, where at §§ 56 and 79 it examines this matter, and has not a word concerning servile attrition. But it writes these things: *First therefore it is to be said that the institution of Confession is exceedingly useful to us, nay necessary.* Why? Attentively weigh it. *For that we may grant that sins are blotted out by contrition, who is ignorant that it must be so VEHEMENT, SHARP, AND BURNING that the bitterness of grief can be equalled and compared with the magnitude of the crimes? But since VERY FEW would arrive at this degree, it came about also that by VERY FEW indeed was pardon of sins to be hoped for in this way. Wherefore it was necessary that the most clement Lord should consult by an easier reason for the common salvation of men: which indeed he effected by an admirable counsel, when he delivered the keys of the kingdom of heaven to the Church.* § 57: *Confession perfects contrition. For from Catholic doctrine it is to be believed and constantly affirmed by all, that if a man be so affected in mind that he detest the sins committed, and at the same time constitute a purpose of not sinning, even though he be not affected with such a grief as could be enough for obtaining pardon, yet nevertheless, when he shall have rightly confessed his sins to a priest, all his crimes are remitted and pardoned by the power of the keys.*

III. These things are so clear that they seem to me utterly to stop the mouths of the attritionists. The Catechism explains contrition, which is the principal part of the matter of the sacrament. It teaches that this contrition is *an act of charity,* § 27. It distinguishes the degrees of that contrition, and declares that very few arrive at this degree of fervour necessary for justification outside the sacrament. Wherefore, it subjoins, it was necessary, and so forth. What does this sacrament perform? It *perfects contrition.* How? Because *if a sinner be not affected with such a grief as could be enough for obtaining pardon, yet nevertheless, when he shall have rightly confessed his sins to a priest, all his crimes are remitted and pardoned by the power of the keys.*

IV. Very many testimonies of the Fathers, especially of St. Augustine, being passed over, let one come forth into the midst — St. Thomas, who in Book 2, distinction 1, question 4, reply 1, writes these things: "It must be said that an act of charity can be called such in two ways: either that which is *from* charity, and this is not save in one having charity; or that which is *toward* charity, not as meritorious or generative, but as PREPARATIVE; and thus an act of charity can be had BEFORE THE HABIT OF

CHARITY, just as to do a just act can be said to be before the habit of justice; because in the friendship of charity the soul is moved to love God by that likeness of grace; but in natural love from that good of nature which is also a likeness of the highest goodness. And therefore it is to be held that when it is said that one who has charity loves God FOR HIS OWN SAKE, the "for" denotes a relation of end and of efficient cause, because God himself superadds to nature that whence it tends into love of him. But when it is said of one LACKING CHARITY, that he loves God for his own sake, the "for" denotes a relation of end, not of efficient cause."

V. This same doctrine he explains in the same place, distinction 28, question 1, article 4, reply 2, in these words: "It must be said that, as the acts of other virtues can be considered in two ways, either according as they are from virtue, or according as they precede virtue, so also is it of charity: for a man NOT HAVING charity can also love his neighbour and God, and even above all things, as some say. And this is to be understood of the love which falls directly under precept, AN ACT OF CHARITY, and not only according as it proceeds from (habitual) charity."

VI. Again, 2-2, question 19, article 8, he teaches thus: "The perfect and the imperfect do not diversify the substance of a thing; but initial and filial fear differ according to the perfection and imperfection of charity, as is plain through Augustine." Then in the body of the article he resolves these things: "Thus initial fear is not taken according as it is distinguished from servile and filial fear; but it is taken according as it belongs to the state of beginners, in whom is begun a certain fear through the inchoation of charity. Yet filial fear is not in them PERFECTLY, because they have not yet arrived at the perfection of charity. And therefore initial fear is related to filial fear in this manner, as imperfect charity to perfect. But perfect and imperfect charity do not differ according to ESSENCE, but only according to STATE."

VII. More clearly does he confirm this doctrine, 1-2, question 113, article 10, in this fashion: "This is the common and accustomed course of justification, that, God moving the soul inwardly, a man be converted to God, first indeed by an imperfect conversion, that afterwards he may come to a perfect one; because inchoate charity merits TO BE INCREASED, that, being increased, it may merit to be perfected, as Augustine says (tract 5 on the epistle of John). Sometimes indeed God so vehemently moves the soul that it at once attains a certain perfection of justice, as was in the conversion of Paul, with miraculous things applied outwardly; and therefore the conversion of Paul is celebrated as miraculous in the Church."

VIII. At last, 3, question 86, article 3, he declares this same doctrine, saying: "Mortal sin cannot be remitted without true penance, to which it pertains to forsake sin inasmuch as it is against God, which indeed is common to all mortal sins; but where the reason is the same, the effect is the same. Whence a man cannot be truly penitent of one sin who is not contrite of another. For if the sin displeased him because it is AGAINST GOD LOVED ABOVE ALL THINGS (which IS REQUIRED FOR THE CHARACTER OF TRUE PENANCE), it would follow that he would repent of all. Whence it follows that it is impossible for one sin to be remitted without another." For the character of penance therefore there is necessarily required a displeasure at sin, because it is against God loved above all things. And the Angelic speaks of penance with the sacrament as necessary, as is established from the preceding article, to which he here refers himself.

IX. These things are so well known and decisive that we must confess that those Thomists who teach the opposite have not touched the fount of the Angelic doctrine, but have derived their waters from

corrupted streams. What they object out of Book 4, distinction 17, or in the *Supplement,* question 5, article 3, where he says *that however small the grief be, provided it suffice for the character of contrition, it blots out the whole fault,* arises from the ignorance of the one objecting. For there the Angelic speaks, as is established from the prefatory argument, of contrition informed by sanctifying grace, which, even if remiss, blots out every fault. Vain therefore is the figment that every actual charity in a remiss degree blots out sins.

SECTION IV — The third prejudice

By which the attritionists brand with the note of Rigorism evangelical charity, and clothe fear-born attrition with the garb of kindliness

I. *In the old Testament,* say the attritionists, *contrition alone blotted out sins. In the new law the sacrament of Confession was instituted. If contrition conceived from inchoate charity were necessary in this law, Christ would not have lightened but aggravated the yoke, which cannot be, since he himself testifies: My yoke is sweet.*

II. This paradox of our adversaries fights point-blank with the Gospel. Paul cries out, Romans 8: *For you have not received the spirit of bondage again in FEAR; but you have received the spirit of adoption of sons, whereby we cry: Abba, Father.* St. Augustine cries out, tract 17 on John: *It is true which he himself says: My yoke is sweet. For whatever is hard in the precepts, charity makes light.* And again on the epistle to the Romans the same Augustine teaches: *Most evidently are the times of the two Testaments distinguished: for the former pertains to fear, and the new to charity.* St. Thomas on Matthew 4 says: *The old law was a law of fear, but the new of love.* This is the doctrine of all the Fathers. The yoke of Confession is hard, but sweet if it be done in all things through charity. Our adversaries take away charity from this yoke. Therefore the yoke remains hard and most hard. They reckon that the yoke is made sweet if the wing of charity, as Augustine says, be cut off from it. But they are deceived in a marvellous manner, as all the Fathers teach. They contend that the yoke is made sweet if it be accommodated to flesh and blood, and if the precepts be diminished; but in this they gravely err: and they err more gravely while they burn our opinion with the note of Rigorism, of Jansenism, and of Baianism. The Jansenists defend the first precept of charity, the necessity of contrition, the necessity of inchoate charity for the sacrament. The Jansenists defend the mysteries of the Trinity, of the Incarnation, of the Eucharist, and so forth. Are all these therefore to be denied? The errors of the Jansenists and of the Protestants are strenuously to be refuted. But that victory may be obtained, evangelical Morals must be purged of the figments of lax opinions, whence the heretics receive scandal. Otherwise all outcry against the Jansenists and Baianists will be empty.

SECTION V — A few things are premised concerning the diversity of fear

I. Fear is threefold. First, natural, by which a man, nature leading, dreads temporal evils. Second, worldly, by which a man abstains from evil only out of respect of men. Third, divine, which looks to God. This divine fear is twofold: one servile, by which a man abstains from evil not out of love of justice but out of fear of hell; the other chaste, by which a man reverences God as supreme Lord, and restrains himself from sin lest he displease him. This last is twofold: initial, which is fear of fault conjoined with dread of punishment; and filial, by which a man is converted to God, not from dread of punishment, but from love of justice and of charity, as St. Thomas teaches, II-II, q. 19, art. 2.

II. Natural fear receives malice or goodness from the good or depraved affection of the will. Worldly fear is by its own nature evil.

III. In servile fear two things are to be distinguished: the fear itself, and its servility. The fear of punishment is good. The servility is evil, since it is an affection of sin lying hidden in the soul, by which, unless punishment threatened, sin would be chosen. Hence a twofold servile fear is wont to be distinguished by theologians: one which is called absolutely servile; the other which is named servilely servile. The former is good, the latter evil.

IV. It is of faith that attrition conceived from fear of hell and of punishments is good and useful for justification, as Trent defined, session 6, canon 8. At last, attrition conceived from fear of hell, faith going before, is supernatural, since it disposes to justification.

SECTION VI — The insufficiency of servile attrition for the sacrament of Penance is shown

I. Fear sufficient for the sacrament of Penance ought utterly to exclude every will of sinning, as all confess: servile fear does not utterly exclude this will: therefore it is insufficient. The second proposition is demonstrated. The will of sinning, or sin, cannot be excluded save through its opposite. Between fear of punishments and sin absolutely regarded, as it is an offence of God, there is no direct opposition. For fear directly regards the punishments to be inflicted by a judge. Fear restrains the contumacy of the soul spurning torments, and to this contumacy it is directly opposed. Therefore it cannot exclude sin absolutely and of itself, as it is an offence of God, since under this consideration it does not regard sin. Nor is this a vice of fear, because this does not pertain to the office of fear.

II. That you may perceive these things more clearly, you must know that of every virtue and gift the force and sphere is limited. Faith excludes infidelity, hope despair. But neither does faith overthrow intemperance, nor hope injustice or incontinence. Do therefore faith, or hope, or the other virtues on that account contain any vice? God forbid. Since every virtue is limited, and expels only its own opposite vice. Similarly fear is good and useful, because it dreads the punishments appointed by a judge, and restrains the contumacy of the wicked man, to which it is opposed; and by restraining the contumacy of the wicked man it also in some manner excludes sin, inasmuch as it prepares punishments for the wicked. This is the whole and full office of fear. But to exclude every will of sinning exceeds the sphere of fear, because fear does not regard sin, as I have said, absolutely, as it is an offence of God.

III. This doctrine all the Fathers confirm. St. Augustine, sermon 13 *On the Words of the Apostle,* chapter 6, has these things: *He who from fear of punishment does not covet, I think, does covet. By the mighty terror of arms and of weapons, of a multitude perchance surrounding or coming against him, even a lion is called back from his prey; yet the lion came, the lion returns: he did not snatch the prey, but he did not lay aside his malice. If thou art just, it is still justice: because thou consultest thy own justice lest thou be tormented. What great thing is it to fear punishment? For who does not fear it? What thief, what wicked man, what nefarious man? But this is the difference between thy fear and the thief's fear, that the thief fears the laws of men; but thou fearest his laws, thou fearest his punishment whom thou canst not deceive. For if thou couldst deceive, what wouldst thou not have done? Therefore fear does not take away thy evil concupiscence, but fear presses it down. The wolf comes to the sheepfold; by the barking of the dogs, by the shouting of the shepherds, the wolf is turned back from the sheepfold: yet is he always a*

wolf! Have you heard? *The lion came, the lion returns: he did not snatch the prey, but he did not lay aside his malice.* He is always a wolf greedy of prey, always a thief. But like to a lion, a wolf, a thief, is the will, on Augustine's testimony, of one not sinning from dread of punishment.

IV. Like things he writes on Psalm 118, sermon 11: *He who from fear of punishment, not from love of justice, does the work of the law, assuredly does it unwillingly. But what a man does unwillingly, he would rather, if it could be done, not be commanded: and by this he is not a friend of the law which he would wish not to exist, but rather an enemy; nor is he cleansed by the work, who is unclean in thought and in will.*

V. St. Thomas, who is called an abridged Augustine, plainly maintains this doctrine in several places. He lays down these things, 1-2, question 6, article 6: *Those things which are done from fear are mixed of the voluntary and the involuntary. For that which is done through fear, considered in itself, is not voluntary; but it becomes voluntary in the particular case, namely for the avoiding of the evil which is feared.*

VI. Likewise in the same place, article 5, reply 1, he subjoins: *It must be said that in him who does something through fear there remains a repugnance of the will to that which is done, according as it is considered in itself. And therefore that which is done through fear is in a certain manner involuntary. … The timid man acts against that which even now in itself he wills.*

VII. Again in the same place, question 107, article 1, reply 2, he teaches these things: *The old law is said to restrain the hand, not the soul: because he who from fear of punishment abstains from some sin, does not simply withdraw his will from sin, as does he withdraw his will who from love of justice abstains from sin; and on this account the NEW LAW, WHICH IS THE LAW OF LOVE, is said to restrain the soul.*

VIII. At last, 1-2, question 19, article 9, he has these things: *Servile fear is not to be numbered among the seven gifts of the Holy Ghost, although it be from the Holy Ghost: because, as Augustine says in the book On Nature and Grace, chapter 57, it can have annexed a will of sinning. But the gifts of the Holy Ghost cannot be with a will of sinning, because they are not without charity.*

SECTION VII — The objections of our adversaries are dissolved

I. They object first: Trent, session 14, chapter 4, condemns those who assert that attrition is forced, not free, not voluntary. ANSWER. Trent in that place condemned Luther, because he blurted out that contrition which takes its beginning from fear of hell is vicious, and makes a man more a sinner; and it defined that fear of hell is good, honourable, a beginning of penance, and disposes to charity. Wherefore that grief is free, voluntary, honourable, supernatural, and exceedingly useful for penance.

II. They object secondly: Either attrition from fear of punishments alone is sufficient, or it is evil. For therefore it does not suffice, because it does not utterly exclude the will of sinning. But what does not exclude the will of sinning is evil. ANSWER. The antecedent is false, as also is that which is subjoined. It is one thing to lack perfection, another to be infected with vice. The first beginnings of things, both natural and supernatural, are imperfect. Are they therefore vicious? Faith does not exclude sin: is it therefore evil? Servile attrition begins to assail sin by the dread of punishment: therefore it is good, honourable, useful, because it disposes to justification. But it cannot fulfil the whole which is necessary, because that is outside its sphere, as I have said above.

III. They object thirdly: Trent, session 14, chapter 4, says: *But that imperfect contrition which is called attrition … if it exclude the will of sinning with hope of pardon, it declares that it not only does not make a man a hypocrite and a greater sinner, but that it is also a gift of God and an impulse of the Holy Ghost, not indeed yet*

indwelling, but only moving, by which the penitent, being helped, prepares a way for himself to justice. But if no attrition excluded the will of sinning, that conditional particle would be superfluous. ANSWER. Trent by this decree condemns the errors of the innovators, and defines against them the honesty and utility of servile attrition. Servile attrition can be evil, namely if it be conceived from a servilely servile fear. Therefore the Council added the said particle, *if it exclude the will of sinning,* in that manner which belongs to it, namely inasmuch as it disposes to justification, not inasmuch as it suffices, because this sufficiency is outside its sphere. If you desire more, consult Vol. IX, Book 1, dissertation 2, chapter 7, § 5.

Chapter VII — On the necessity of love, or of inchoate charity, for the sacrament of Penance

The prejudices being overthrown and the opinion of fear-born attrition rejected, it now remains that I make plain the necessity of inchoate charity. Which, that I may perform it clearly and evidently, I divide the matter into the following sections.

SECTION I — From the testimonies of the holy Scriptures and of the Council of Trent the necessity of an initial love in any conversion whatsoever of a sinner is proved

I. Christ the Lord, Matthew 22: *Thou shalt love the Lord thy God with thy whole heart, and with thy whole soul, and with thy whole mind. This is the greatest and the first commandment.* St. Paul, 1 Corinthians 16: *If any man love not our Lord Jesus Christ, let him be anathema.* And John: *He that loveth not, abideth in death.*

II. Trent, session 14, chapter 4, condemned the errors of the innovators, as has been indicated. Moreover, session 6, chapter 6, concerning which our adversaries are silent, explains the dispositions necessary for the sacraments. It lays down these things: *But they are disposed to that justice itself when, excited and helped by divine grace, conceiving faith from hearing, they are freely moved toward God, believing those things to be true which have been divinely revealed and promised: and this above all, that the wicked man is justified by God through his grace, and the redemption which is in Christ Jesus; and when, understanding themselves to be sinners, they, from the fear of divine justice by which they are… … struck, turning themselves to the consideration of God's mercy, are raised up into hope, trusting that God will be propitious to them for Christ's sake; AND THEY BEGIN TO LOVE HIM AS THE FOUNTAIN OF ALL JUSTICE, and are therefore moved against sins by a certain hatred and detestation, that is, by that penance which must be performed BEFORE Baptism.*

III. First of all observe that Trent here does not condemn any error of the innovators, as it does at session 14, chapter 4, but instructs Catholics and explains the dispositions necessary for receiving the sacraments, or for obtaining justification. Various are the interpretations which the defenders of servile attrition have devised. Some say: the Council explains the dispositions necessary for justification outside Baptism. This interpretation fights directly with the decree, in which it is said: *by that penance which must be performed before Baptism.* Others assert that the Council recounts all those acts not because they are necessary, but because they are regularly always had. The Council therefore treats not of necessary but of arbitrary dispositions. In this fashion all the canons can be eluded.

IV. Turnely, page 158, confesses that the Council besides faith and hope demands a love of God, *but does not openly explain of what sort that love is.* That theologian confesses that this love which the Council requires is distinct from the love of hope; but it is unknown whether it be distinct *as thing from thing,*

or as effect from cause. What of this? Do philosophers and theologians acknowledge only two loves, of concupiscence and of friendship, that is, of benevolence or of charity? Our adversaries confess that the Council, besides the love of concupiscence which accompanies hope and precedes it as the foundation upon which it rests, demands another love. Therefore this love is distinct from the love of hope, and is the love of charity, or of friendship and benevolence. There is here no lurking-place for escape.

V. The Fathers of Trent go on, chapter 7, where they teach these things: *Upon this disposition or preparation there follows justification itself, which is not the remission of sins alone, but also the sanctification and renewal of the interior man through the voluntary reception of grace and of the gifts, whence a man from unjust becomes just, from an enemy a friend.*

VI. In justification there is made a renewal of the interior man. In what manner is this renewal made? *Through the voluntary reception of grace.* These words betray a free and actual consent of the will. What do the other later words betray? *Whence a man from unjust becomes just, from an enemy a friend.* Two enemies cannot pass from enmity into a sincere and mutual friendship unless both follow one another with a sincere and reciprocal love of friendship. What is friendship between God and us? Charity. Into this friendship, says the Council, a man *freely* consents. Therefore that consent is of charity. These things are clear.

VII. Will they cavil that these things are to be understood of a priority of nature and not of time; of a consent accompanying or consequent, not antecedent to justification? But these little distinctions most ineptly suited to this argument the Council itself overthrows, declaring the free consent to be toward a future justification. Besides, in the same place, chapter 5, it premises this: *That the beginning of this justification in adults is to be taken from the preventing grace of God through Jesus Christ, that is, from his vocation, by which, no merits of theirs existing, they are called; so that those who by sins were turned away from God, through his exciting and helping grace may be disposed to convert themselves to their own justification, by freely assenting to and cooperating with that same grace: so that, God touching the heart of man by the illumination of the Holy Ghost, neither does the man himself do nothing at all, receiving that inspiration, since he can also cast it away; nor yet without the grace of God can he by his own free will move himself to justice before him.*

VIII. Freely does a man move, dispose, and prepare himself for his own future justification; freely does he assent to it, and he can reject it, and he ought to cooperate with it. At last the Council in the same place, canon 3, defines this: *If anyone shall say that without the preventing inspiration of the Holy Ghost and his help a man can believe, hope, love, or repent as he ought, that the grace of justification may be conferred upon him, let him be anathema.* The whole doctrine of the Council is set forth under a single glance of the eyes in this canon. In a distinct order there is first proposed faith; afterwards hope, and therefore the love of concupiscence, without which hope is not given; and at last charity. Therefore the Council, besides the love of hope — which love, as has been said, necessarily precedes hope — requires an incipient charity, by which, as the Council says, *we begin to love God as the fountain of all justice.* The most wise BOSSUET, *On the Doctrine of the Council of Trent,* part 1, no. 14, testifies that this doctrine was drawn from St. Thomas, nay woven out of his very words.

IX. Will they reply that this doctrine of Trent was handed down for Baptism, but not for the sacrament of Penance? Is less required for this sacrament than for that? The first Baptism is of cold water; the second, of Penance, is more laborious, is of boiling water which scalds the skin. Is not Penance a sacrament of the dead, as is Baptism? Hence the most learned Bossuet in the place cited,

page 52, rightly cries out: *Wherefore let the gravity and authority of the School send these mockeries of opinions far away and keep them off: and indeed it is certain that this answer is, not to say something graver, improbable and rash.* Deservedly with episcopal gravity does Bossuet disapprove these opinings of certain men as *mockeries of opinions*.

X. The doctrine of Trent its own Catechism declares, part 2, chapter 5, § 9, in these words: *It is also to be said by what DEGREES it is permitted to ascend to this divine virtue. First therefore the mercy of God prevents us, and turns our hearts to himself. … Then, illuminated by this light, we tend toward God in mind through faith. Moreover there follows a motion of fear, and, the bitterness of punishments being set before it, the soul is called back from sins. … And then there comes hope of obtaining mercy from God, raised by which we determine to amend our life and morals. Lastly OUR HEARTS ARE KINDLED WITH CHARITY, whence arises that liberal fear worthy of upright and ingenuous sons: and so, fearing lest in anything we offend the majesty of God, we utterly forsake the habit of sinning. By these DEGREES therefore, as it were, one arrives at this most excellent virtue of penance.*

SECTION II — From the testimonies of St. Augustine and St. Thomas the necessity of inchoate charity is demonstrated

I. St. Augustine, epistle 45 to Anastasius, writes these things: *He vainly reckons himself a conqueror of sin who does not sin from fear of punishment; because, although the business of evil desire is not fulfilled without, yet the evil desire itself is within an enemy. … He therefore is an enemy of justice who does not sin from fear of punishment; but he will be a friend if he do not sin from love of it: for then will he truly fear to sin. For he who dreads hell does not fear to sin, but to burn; but he fears to sin who hates sin itself as he hates hell.* Likewise, tract 5 on John: *The sons of God are discerned from the sons of the devil by love and charity alone.* Again in his exposition of the epistle to the Galatians: *Sins are not taken away save by the grace of faith which works through love.* Six hundred other testimonies of the holy Doctor I could transcribe, which I pass over.

II. St. Thomas, I-II, q. 107, art. 1, reply 2, writes these things: *The old law is said to restrain the hand, not the soul: because he who from FEAR OF PUNISHMENT abstains from some sin does NOT SIMPLY withdraw his will from sin, AS the will of him withdraws who from LOVE OF JUSTICE abstains from sin: and on this account the NEW LAW, WHICH IS THE LAW OF LOVE, is said to restrain the soul.* Again, Book 4 *Against the Gentiles,* chapter 72, he teaches this: *The first thing which is required in Penance is the ordering of the mind, namely that the mind be converted to God and turned away from sin, grieving for what has been committed and purposing that it is not to be committed, which is of the character of contrition. But this reordering of the mind cannot be without grace: for our mind cannot be duly converted to God WITHOUT CHARITY.*

III. At last, very many other testimonies being omitted, at 3, question 85, article 5, he most clearly sets forth the necessity of charity for the sacrament of Penance, where he discusses the controversy of set purpose. For he inquires whether the first principle of penance be from fear. And he answers in these words: *The first principle is the operation of God converting the heart, according to that of Lamentations: Convert us, O Lord, to thee, and we shall be converted. The second act is a motion of faith. The third is a motion of servile fear, by which one is drawn back from sins through fear of punishments. The fourth act is a motion of hope, by which a man under the hope of obtaining pardon takes up the purpose of amending. The fifth act is A MOTION OF CHARITY, by which sin displeases a man ACCORDING TO ITSELF, and not now on account of punishments. The sixth act is a motion of filial fear, by which for reverence of God a man voluntarily offers amendment to God. So therefore it is plain that the act of penance proceeds from servile fear as from the first motion of the affection ordained to this; but from filial fear as from the immediate and proximate principle.* This doctrine he repeats in

the *Supplement,* question 3, article 1, reply 4: *But the malice in a mortal fault is measured from him against whom the sin is committed, inasmuch as it is unworthy of him; and from him who sins, inasmuch as it is harmful to him. And because a man ought to love God more than himself, therefore he ought to grieve more for the fault inasmuch as it is an offence of God, than inasmuch as it is harmful to him.* Thus far he.

IV. This is the most splendid picture of Christian penance, which St. Thomas delineated with vivid colours, and to whose exemplar the Council of Trent formed the decree of session 6, chapter 6, on the testimony of Dominic Soto. But I pass over Soto the Dominican; BOSSUET testifies this, writing these things in the place cited, page 90: *Not therefore undeservedly have we said that so great is the consent of the most holy Synod of Trent with the doctrine of St. Thomas, that from the latter the former seems in a certain manner to have been woven.*

V. Further, St. Thomas confirms and declares the aforesaid doctrine in a marvellous manner, 1-2, question 113, article 10, in these words: *This is the COMMON AND ACCUSTOMED COURSE OF JUSTIFICATION, that, God moving the soul inwardly, a man be converted to God, first indeed by an imperfect conversion, that afterwards he may come to a perfect one. Because INCHOATE CHARITY MERITS TO BE INCREASED, THAT, BEING INCREASED, IT MAY MERIT TO BE PERFECTED, as Augustine says: but sometimes God moves the soul so vehemently that it AT ONCE attains a certain perfection of justice, as was in the conversion of Paul,* and so forth.

VI. This same doctrine he had premised in the same place, article 4, reply 1, saying: *It must therefore be said that it belongs to the same virtue to pursue one of two opposites and to flee the other: and therefore, just as it belongs to charity to love God, SO ALSO TO DETEST SINS, by which the soul is separated from God.*

VII. Again in the same place, article 7, reply 1, he subjoins: *Free will can be moved to two things at once, according as one is ordained to the other. But the motion of free will into sin is ordained to THE MOTION OF FREE WILL INTO GOD. For on this account a man detests sin, BECAUSE IT IS AGAINST GOD, to whom he wills to cleave (namely by love). Therefore free will (in the justification of the wicked) AT ONCE DETESTS SIN AND CONVERTS ITSELF INTO GOD, JUST AS ALSO A BODY, BY WITHDRAWING FROM ONE PLACE, AT THE SAME TIME APPROACHES ANOTHER.*

VIII. Either our adversaries must send back word to the Council of Trent, to Sts. Augustine and Thomas, and to the Tridentine Catechism; or they must submit the sickle to this doctrine and give their conquered hands. Very many other testimonies of the holy Fathers I omit for brevity's sake.

SECTION III — By reasons drawn from the holy Scriptures the necessity of inchoate charity for the right receiving of the sacrament of Penance is proved

I. The first and greatest mandate imposes the love of God. No time can be assigned in which that precept presses more than when there is question of recovering by penance the friendship of God. For therefore did a Christian sin, because he did not love God. Therefore he is chiefly bound to burn with divine love when he grieves for the friendship of God lost, and busies himself with his whole strength to restore it.

II. It pleases me to confirm this doctrine by an opportune example. Hear the prodigal son addressing his father. *I grieve, father, and, so far as I am able, I grieve vehemently that I have sinned. Earnestly do I beg and demand pardon for my past outrageous and wicked life. I burn with love of entering upon thy vast inheritance, and I*

conceive a firm hope of obtaining the same. But because I have so often sinned against thy commandments, I fear vehemently lest I be about to lose it: and on account of this fear of undergoing so grave a loss, it vehemently repents me to have sinned. Yet I would have thee know, my father, that what lies hidden within my heart is not love toward thee and toward thy goodness — of which I experience not even a slight and inchoate spark — but only fear of the loss to be sustained, only hope of obtaining an opulent patrimony. I have not one cause of returning to thee: I do not love thee loving me, but I fear thee threatening penalties and punishments. I do not love thy goodness most lavish toward me; but I dread my disinheriting most pernicious to me. This inheritance I covet; from this love of concupiscence toward thy riches, hope arises in me of obtaining the same. Love therefore, father, a son not loving thee, but greatly fearing thee.

Ah, wicked and most unworthy son! Dost thou so address a father? Away to the gallows with thee.

Ah, most clement father! Temper, I beseech thee, thy indignation a little. If my speech has stirred thee, I suppliantly beg and demand that thou disdain not to hear the cause why I have so spoken. Those theologians, those masters whom thou thyself, O father, didst assign to me for the government of my conscience, taught me this doctrine. They endeavoured to imprint the aforesaid discourse more deeply upon my soul. They, I say, they by no means persuaded me that it was necessary that in this my penance and reconciliation I should follow thee with a love of even inchoate charity and of initial friendship; but that it sufficed that from fear of disasters and punishments I should grieve for my sins, and burn with a love of concupiscence toward thy infinite inheritance to come to me. This servile doctrine, O father, I myself, even by that very light with which thou in thy great clemency didst suffuse me, reputed false and adverse to common sense. What? I said to myself. I have become the enemy and offender of my most loving father: shall I establish a new covenant of friendship with him, without loving him in return with sincere charity and sweet benevolence? What? He loves me with a lavish charity; and shall I covet him only for the inheritance to be possessed? When thy theologians heard me speak such things, straightway crying out they charged me with gloomy rigour and with folly, and reproved me as a favourer of a heretical opinion: terrified by the din of which voices, I at last hearkened to their decisions. They added only this — lest I should seem to burden them — that I should beware, after I should have been restored to the right of taking the inheritance and fully reconciled by an absolution granted, that I ought afterwards at the time of death, and once at least every five or two years, to follow thee with the love of charity. Those men therefore, most excellent father, reprove, chide; upon them, not upon me, take vengeance.

This is the living image of a sinner who, shaken by fear of hell alone and by hope of obtaining eternal beatitude and grief for losing it, returns to God that he may be reconciled with him, all love, even initial, toward his goodness being taken away. Does he set store by becoming a friend from an enemy? Does he not study, does he not care, does he not strive to love his friend and father?

III. The second reason is thus proposed. The life of the heart is love. By love a sinner is converted to a creature and withdraws from God. This aversion from God and conversion to the creature can be taken away only by an aversion from the creature and a conversion to God. For love toward the creature cannot be taken away save by love toward the Creator.

IV. An adult, as soon as he morally attains the use of reason, is bound to follow God with love, and to subject himself and all things to him as to his last end, as all the Thomists and other theologians teach. Therefore by a stronger right, when after sins perpetrated he has become a rebel from God, he ought by love to convert himself to God.

V. He who burns with hatred toward his neighbour is not capable of absolution, unless, the hatred being laid aside, he kindle love toward his neighbour. Christians sinning mortally crucify again the

Son of God, and contract enmity with God. How can this enmity be taken away save by love? Is Peter bound to love Paul whom he has offended, that he may enter a new covenant of friendship with him; and shall Sempronius, who by sin threatened death to the Son of God, enter upon a reconciliation with him without loving him? Shall he restore that divine covenant of friendship by fear of hell alone and by love of concupiscence alone? Will that common axiom, *If thou wouldst be loved, love,* have no place in respect of divine friendship? God testifies: *I love them that love me.* The heart is what God asks: *My son, give me thy heart.* How can that heart be given to God save by the love of friendship?

VI. He who has not a deliberate will of keeping all the commandments is not capable of absolution: but no one can keep all the commandments without initial charity: therefore for the worthy receiving of the sacrament of Penance inchoate charity is necessary. The first proposition all admit. The second I prove. A constant and firm will of keeping all the commandments includes the will of keeping the first and greatest commandment of charity, which is the head of the whole law, and to which all the other commandments are ordained. But it is implicative in terms, as they say, to have an efficacious and deliberate purpose of loving God without the love of God. For what is it to will sincerely to keep the commandment of charity, save in fact to follow God with love? Wherefore wisely does St. Augustine write, tract 74 on John: *How therefore does the Lord say: If you love me, keep my commandments: and I will ask the Father, and he shall give you another Paraclete? — since he says this of the Holy Ghost, whom unless we have, we can neither love God nor keep his commandments. How do we love, that we may receive him whom unless we have we cannot love? Or how shall we keep the commandments, that we may receive him whom unless we have we cannot keep the commandments?*

VII. It is not hidden from me that, the opinion of servile attrition having arisen together with Probabilism at Salamanca, as I have shown at large in Vol. IX, very many probabilists have almost evacuated the mandate of charity. But their doctrine has been proscribed, as I have related elsewhere.

SECTION IV — The objections of our adversaries are dissolved

I. They object first: The grief which is required for the sacrament of Penance ought to dispose, not to destroy the sacrament. But grief formed by inchoate charity blots out all sins. Therefore nothing remains for the sacrament to destroy; and yet it is a sacrament of the dead, which ought to blot out sins.

II. This is the chief argument of our adversaries, than which nothing more efficaciously lays open the falsity of the opinion of fear-born attrition. Nothing is falser than that inchoate charity blots out sins. What do the attritionists say to these things? Let our learned adversaries publish for us whether through thirteen centuries they have found in any of the holy Fathers that charity destroys the sacrament of Penance. This doctrine was unknown to all antiquity, and to Trent, and to its Catechism. I say therefore that Penance is a sacrament of the dead, and produces the first habitual and vivifying grace, which is poured forth through the Holy Ghost indwelling in those who are disposed by inchoate charity through the Holy Ghost moving and not yet indwelling. And without this actual grace and initial love no one can believe, hope, love, and do penance as he ought, for the obtaining of the gift of justification, as the Council of Trent defined. Before all habitual virtues there go imperfect acts of the same species, as all theologians confess. Let our adversaries read St. Augustine, in his book *On Nature and Grace,* the last chapter, where he says: *Inchoate charity is inchoate justice; advanced charity is advanced justice; great charity is great justice; perfect charity is perfect justice.* Rightly were the Baian

propositions 61 and 63 proscribed, because they denied this distinction of a twofold vivification and of a twofold charity, imperfect and perfect, as other propositions similarly denied this twofold charity. Wherefore only by those who are ignorant of the Baian errors can these things be obtruded against the opinion maintaining the necessity of initial charity for the worthy receiving of the sacrament of Penance.

III. They object secondly: St. Thomas, III, q. 79, teaches: *The least grace can resist any concupiscence whatsoever, and avoid every mortal sin. … The least charity loves God more than concupiscence loves thousands of gold and silver.*

IV. ANSWER. There St. Thomas speaks of circumcision, which prefigured Baptism. I have transcribed the entire article in Vol. IX, Book 1, dissertation 2, chapter 9, § 2, and have made plain there that the Angelic speaks expressly of sanctifying grace which is infused in Baptism, and therefore of habitual charity. What of this, that St. Thomas objects to himself this very argument of our adversaries at 3, question 84, article 5, argument 2: *Charity covereth all sins. … Therefore, having charity and faith and mercy, anyone can obtain salvation even without the sacrament of Penance.* Let them now hear St. Thomas's answer: *To the second it must be said that, from the time that a man incurs sin, CHARITY, faith, and mercy do NOT free a man from sin without penance. For CHARITY REQUIRES that a man SHOULD GRIEVE FOR THE OFFENCE COMMITTED AGAINST A FRIEND, and that he should study to satisfy his friend. Faith itself also requires that through the power of Christ's passion, which works IN THE SACRAMENTS of the Church, he should SEEK TO BE JUSTIFIED FROM SINS. Ordered mercy itself also requires that a man should by repenting succour his own misery, which he incurred through sin, according to that of Proverbs 14: Sin maketh nations miserable. Whence it is said, Ecclesiasticus 30: Have pity on thy own soul, pleasing God.* Behold the principle of our adversaries shattered by St. Thomas. Inchoate actual charity takes away the affection and will of sinning; but sanctifying grace blots out the stain of sin.

V. What they object from the Roman Appendix added to the Council under Benedict XIII proves nothing against our opinion, as I shall presently show, but rather presses against our adversaries.

SECTION V — The opinion of fear-born attrition is proved by force of evident reasoning to be contained in the first thesis proscribed by Innocent XI — The Condemned Proposition

It is not unlawful in conferring the sacraments to follow a probable opinion concerning the validity of the sacrament, the safer being left aside, unless law, agreement, or the danger of incurring grave loss forbid it. Hence a merely probable opinion is not to be used in the conferring of Baptism, of priestly Orders, or of the episcopate.

I. With a full pen in Vol. IX, Book 1, dissertation 1, chapter 10, I recounted the interpretations by which our adversaries study to preserve their opinion from the aforesaid condemned thesis. They confess with one mouth that if the opinion concerning servile attrition were only *probable,* or *more probable,* or *most probable,* it would be contained in the condemned thesis. But they say that this their opinion passes beyond the confines of probability and is morally certain.

II. Hear Fr. Cardenas, who in his *Crisis,* dissertation 2, chapter 6, article 2, question 1, no. 6, says: "The decree speaks of probable opinions. But this doctrine is not merely probable, but altogether certain and indubitable, on account of the definition of the Council of Trent."

III. Fr. Dominic Viva, on proposition 1 of Innocent XI, no. 21, writes these things: "That the opinion concerning the sufficiency of attrition … is not merely probable, or most probable, but practically and morally certain." And again in his *Course,* question 3, article 2, no. 11, he teaches these things: "To assert that attrition is not sufficient, and so forth. This opinion after Trent is most commonly rejected as improbable. … After Trent it lost all probability." Again upon proposition 14 of Alexander VIII he adds these things: "But that prohibition of Alexander VII, that neither of these opinions be censured, does not infer that each opinion is probable." And at no. 31 he adds: "Since prohibitions of this kind are OFTEN made FOR THE GOOD OF PEACE." With these few words he eludes the decree of Alexander VII.

IV. Similar things the probabilist defenders of fear-born attrition commonly teach. Moreover this vaunted moral certitude is a falsity of fact clearer than the noonday light, is a figment, an imagining, and a manifest chimera, disapproved by Alexander VII when he forbade that either opinion be noted with a censure.

V. More than a hundred theologians from the whole Catholic world, more celebrated than the casuist defenders of fear-born attrition, who shine but little in the literary commonwealth, whom I recounted in Vol. IX; the most learned Cardinals Denhoff, Aguirre, Le Camus, and Montalto; very many archbishops and bishops, among whom the most learned BOSSUET, who alone outweighs a hundred casuists; the more celebrated universities of Paris and Louvain; and almost all the theologians of the Augustinian Religion, today of the Dominican. What if I should recount the theologians of the most celebrated BENEDICTINE Order, what if of other Orders? Let this suffice: that scarcely today is a theologian of any name found, void of prejudices, who does not refute the opinion concerning servile attrition.

VI. Is this whole most numerous multitude of distinguished Cardinals, Bishops, and Universities not enough to constitute a probable opinion among the probabilists, who defend that four casuists — nay one, according to Fr. Viva, if he be most learned — effect a probable opinion? What of this, that the probabilists defend that servile attrition is certain, because they contend that it was defined in the Council of Trent? But, the History of Cardinal Pallavicino being published, not even the defenders of servile attrition confess that Trent defined anything on this matter.

VII. Therefore it is most evident that the vaunted moral certitude is most false and a vain figment, injurious to the decree of Alexander VII, to so many Cardinals, Archbishops, and Bishops, to so many most grave theologians, and most pernicious to unskilled readers who are deceived by such an asserted certitude. Therefore this moral certitude is to be retracted and eliminated. Whence I form this argumentation.

VIII. If the opinion of servile attrition were only probable, or more probable, or most probable, it would, by our adversaries' own confession, be condemned by Innocent XI. But the truth of the fact is most evident and most clear to the whole literary world, that such an opinion is not morally certain so as to strike out the probability of the contrary opinion. Therefore it is as evident that the opinion concerning servile attrition is contained in the Innocentian decree, as it is evident and well known that the said moral certitude is an arbitrary figment and an unheard-of paradox.

IX. That is called morally certain which is defended by the unanimous consent of theologians. That is called probable, or more probable, which is disputed on either side by grave theologians. But it is

certain that this controversy is disputed on either side, so that Alexander VII forbade that either opinion be noted with a censure, until something should be defined by the Holy See. After twelve years the Venerable Innocent XI defined that in performing the sacraments, out of controverted opinions the safer is to be embraced. After this decree the defenders of servile attrition published that their opinion, which under Alexander VII was only probable and more common among the probabilists, had become certain and beyond controversy. But this is certain, that after the Alexandrine decree the opinion of servile attrition was restrained among the casuists, and that, the Innocentian decree being published, the contrary doctrine prevailed among the graver theologians.

X. The most celebrated *Salmanticenses Scholastici,* Vol. II, part 2, tract 14, disputation 4, doubt 1, § 6, no. 51, although defenders of servile attrition, candidly confess that the reported moral certitude is a pure and mere figment. Behold their words: "This answer does not satisfy, and can be refuted in this manner. For our attrition lacks all certitude founded in the definition of the Council of Trent. … Philalethes reports a hundred authors, their names being produced, establishing the opinion contrary to us. And whatever be the case of this, that attrition was not defined in the Council of Trent is evidently gathered from the decree of Alexander VII. … For since he forbids censures on the one or the other part, until, he says, something shall have been defined by this Holy See, he openly supposes that nothing has hitherto been defined by the Church concerning that controversy."

XI. Behold a new and unshakeable confirmation of a chimerical *moral and indubitable certitude.* The attritionists offer another answer, namely that the Innocentian decree forbids the use of a probable opinion, the safer being left aside, *in conferring the sacraments,* but not in *receiving* them. This answer, say the Salmanticenses, *is a mere speculative flight, repugnant to the mind of the Pontiff in that proposition.* Similar things teach Tournely and other maintainers of servile attrition. It is therefore evident, even by the confession of the more celebrated of our adversaries, that the moral certitude, upon which the casuists commonly alone rely, is a chimera; and that the Innocentian decree forbids the use of a probable opinion, the safer being left aside, both in conferring and in receiving the sacraments.

SECTION VI — A paradox of the Salmanticenses is briefly refuted, and our opinion is confirmed

I. The Salmanticenses answer therefore at no. 55 in these words: "But that we may not seem to flee or to fear difficulty even in those things which pertain to practice, it is answered by admitting the whole syllogism. … For our opinion is not only more probable and more common, but also SAFER than the contrary."

II. The legions of the Scholastics never turn their backs, but would rather be cut down. Since the founding of the world a like paradox, as it seems to me, has not been heard. This doctrine is against all Catholics, and utterly overturns the kingdom of Christ brought forth by charity, increased by charity, perfected by charity.

III. But let us indicate the reasons why those theologians maintain that the opinion of servile attrition is safer and most safe. This is their argumentation. The love of the charity of God above all things cannot be conjoined with mortal sin. For this is the error of Baius. Therefore, that this error may be declined, we must say that servile attrition void of all charity is far safer, nay uniquely safe, because it defends the practice of the sacrament.

IV. It is a wonder that men so exceedingly learned could object so gross and erroneous a sophism. They themselves confess that Alexander VII forbade that either opinion be noted with a censure, and that Trent defined nothing: and on the same page are they not ashamed to burn our opinion with the censure of Baianism? Are these most learned men ignorant that Baius erred because he conjoined *habitual* charity with sin? Baius erred besides, because he did not distinguish imperfect actual charity from habitual. We say that imperfect actual charity can be conjoined with a sin proximately to be expelled through sanctifying grace. We say with St. Thomas that contrition formed by imperfect charity is the matter of the sacrament of Penance; that it may become a sacrament expelling sin, a form is required. The most vain sophism of the Salmanticenses therefore falls to pieces on every side.

V. How unheard-of the recounted paradox is, take in few words. If the doctrine of fear-born attrition is *far safer,* then all theologians, all preachers ought to cry out: Christians, beware of the charity of Christ, even imperfect! Far more beware of a more fervent and most fervent love of God! Beware, I pray, of this divine charity when you approach the sacrament of Penance: beware, I say, beware of this divine charity, because that charity destroys and exterminates the sacrament of Penance! Beware: because if you approach the tribunal of penance with charity, you are heretics and Baianists. Approach only terrified with fear of the punishments of hell, kindled with love of concupiscence for your own beatitude. For the rest, let the love of God above all things be far from you, let it be an exile from your souls: because that love of God above all things fights in hostile fashion with the sacrament of Penance, and exterminates it. In receiving the sacraments you ought by the definition of the Church to follow the safer things. It is far safer if you approach the sacrament of Penance struck by servile fear alone, than if you come burning with divine charity. Those blasphemies are, unless all things deceive me, the legitimate and necessary corollaries of the doctrine of the Salmanticenses.

VI. Hence gather that our opinion is certain, and that our adversaries' opinion, as it seems to me, is contained in the Innocentian decree. The vaunted moral certitude is a mere chimera, as the more learned of our adversaries confess. That the condemned proposition comprehends only ministers conferring the sacrament, not the faithful receiving it, is, say the Salmanticenses, *a mere speculative flight, repugnant to the mind of the Pontiff.* At last, that the opinion of servile attrition should be safer is a paradox which overturns the whole Gospel of Christ and the Christian religion. Our adversaries themselves, no otherwise than the builders of the tower of Babel, tear, destroy, and condemn their own opinion. For while one asks for a trowel, another holds out mortar. If you desire more on this argument, consult Vol. IX, Book 1, dissertation 2, where you will find all the sophisms of our adversaries shattered, and many things which pertain to the history of this controversy.

Chapter VIII — Certain questions concerning grief and purpose are resolved

I. QUESTION I. *Ought a penitent to elicit grief for sin with the intention of confessing?* ANSWER. De Lugo, Aversa, Tamburini, Gobat, Moya, Sporer, Illsung, and others deny it. But this opinion is to be rejected as less probable. That grief is a sacramental action. Therefore by the intention of the penitent it is to be subjected to the sacramental form. For an intention is necessary not in the minister alone, but also in the penitent. These things nevertheless are not to be discussed metaphysically and subtly, since by the very fact that a man wills to confess and grieves for his sins, his grief in fact bears a respect to the sacrament. As regards this, therefore, the minds of penitents are not to be tormented.

II. QUESTION II. *Ought grief to precede confession, or is it enough that it be elicited after confession and before absolution?* ANSWER. All affirm that grief ought to precede absolution, since it is its proximate matter. But theologians dispute the other part, namely whether it ought to precede the confession which is called sorrowful. Navarrus, Toletus, Vásquez, Hurtado, Diana, Bonacina, Suárez, de Lugo, Sporer, Gobat, Moya, Tamburini, and others defend that it is enough that it follow the confession and precede absolution. Others maintain the opposite. Sudden and unusual cases being excepted, speaking commonly, it is to me more probable that it ought to precede confession: both because in the sacraments we ought to follow the safer things when the matter is called into controversy; and because by that middle grief the penitent ought to pass from the state of mortal sin and diabolical servitude to the state of the sons of God. That passage, commonly speaking, is not made in an instant, or in a few moments. Account nevertheless is to be had of penitents. For when the just confess, they most easily grieve and are contrite, since they are habitually disposed. On the contrary sinners, laden with a grave bundle, more difficultly conceive this birth of grief. It is the part of confessors to instruct penitents that, before they approach the sacred tribunal, they spend some congruous time in conceiving this grief. Let them propose to them what points they ought to meditate, what considerations to form, that they may excite themselves to conceive this grief: let them be taught that there is need of prayers, by which they may implore help from God, whereby they may be able to be contrite as they ought.

III. That grief ought so to endure that by force of it the penitent be absolved, since that grief is the matter of absolution. Diana relates many who defend that a grief elicited several years before endures, provided it has not been retracted. Which opinion is false and lax. Escobar, Diana, and Arriaga admit an antecedence of long time. Others say that a grief elicited four or six days before, others a month before, suffices. But why do I waste time in heaping up these false opinings? The grief must be morally present. For practice, grief is to be conceived before confession and to be renewed in the confession itself, when absolution is to be imparted.

IV. In the confession of venial sins also this grief is necessary. It is not necessary that grief be conceived for all venial sins, since venial sins are not necessary but free matter: it is enough that grief be conceived for some graver venial sin, and that an express purpose be had of avoiding it, when no necessary matter is subjected to the keys.

V. QUESTION III. *What is to be said of the opinion of Fr. Viva asserting that a grief conceived from the motive of temporal loss is enough for Confession?* ANSWER. Fr. Dominic Viva in his *Treatise* on proposition 1 of Innocent XI, no. 26, teaches that a supernatural attrition from the fear of temporal punishments, as to be inflicted by God the avenger, suffices; and concludes: *We lawfully follow opinions of this kind which are most probable, the safer being omitted.* Who defined that opinions of this kind are most probable? The probabilists? But the Roman See, even granting that they were most probable, commands that in the sacraments, when it is a question of matter and form, we follow the SAFER opinions, the probable being omitted.

VI. Fr. Tamburini, Book 1, *Method of Confession,* chapter 1, § 4, no. 11, says: "Among the motives of attrition, of which we have spoken at no. 4, although some do not admit another fourth — that is, fear of a temporal evil … fear of infamy, of chains, of sickness, and so forth — nevertheless in a most probable opinion this motive also is sufficient, if evils of this kind be feared as inflicted by God, or to be inflicted."

VII. This opinion I reckon not only false and lax, but contained in the Innocentian decree. Tamburini there confesses that *the Doctors teach the opposite.* Therefore the opinion is controverted. Therefore the safer is to be embraced. Tamburini objects: *Trent does not define that grief is to be conceived from fear of hell, or of another spiritual or eternal punishment, but adds in general from fear of punishments.* Evidently is Tamburini deceived, with the others. The Council says: *from fear of hell and of punishments.* The proposition is copulative. Why therefore do you dismiss hell, set in the first place, and coupled by a copulative particle with punishments? The punishment owed to mortal sin is eternal. Therefore a sinner ought to grieve for an eternal evil to be inflicted by God. *Fear ye not them that kill the body … but rather fear him that can destroy both soul and body in hell.* Matthew 10. So the Evangelists, so Trent. Therefore the opinion of Tamburini, Viva, and others is evidently false.

VIII. QUESTION IV. *What is to be said of the opinion of Fr. Tamburini teaching that it is not to be inculcated upon a sinner that he grieve for that sin toward which he is affected with a great love?* ANSWER. Natural reason itself dictates that that wound should chiefly be cured which lies in ambush more inwardly for the soul. But Fr. Tamburini, Book 1, *Method of Confession,* chapter 1, § 3, no. 5, writes: "Whence when you advert that your penitent is greatly addicted to some crime, do not inculcate an act of grief concerning that peculiar sin. For a danger will underlie it, lest he detest it from his soul while its special memory is rubbed up again; whereas of detesting it in general and together with the others he will feel either no difficulty or a slight one."

IX. *Beware, O confessors,* says Fr. Tamburini, *lest you persuade penitents to elicit an act of grief for that fault which they perish for like a beloved mistress, and toward which they are borne impotently: because a danger will underlie it lest they detest it from their soul.* Is it therefore not necessary that a sinner should from his soul detest that fault which he follows with a vehement love? It is enough, replies Tamburini, that he should grieve for this greatly beloved fault confused and covered over with the crowd of other crimes. For in this fashion the penitent will easily detest that sin lurking within the multitude of sins: then he will feel no difficulty, or a slight one. On the contrary, if he look upon this beloved fault of his with unveiled face, a danger will underlie it lest he detest it from his soul.

X. Every man is bound by some dominant and reigning passion and appetition. All the Fathers and preachers cry out that Christians should restrain, press down, and subdue this dominant passion, this reigning affection. *Let not sin therefore reign in your mortal body, so as to obey the lusts thereof,* says St. Paul, Romans 6. In this man avarice dominates, in that lust, in another anger, in another vengeance. Unless each man arm himself with a peculiar grief and fortitude against this raging and reigning beast, it is all over with his salvation. How false therefore, and how lax the aforesaid doctrine is, let each man sit as judge.

XI. QUESTION V. *Is a formal and explicit purpose of not sinning thereafter required?* ANSWER. Fr. Tamburini in the place cited, § 5, no. 7, subjoins: *In the probable opinion of others it is enough that it be implicit, that is, that which is involved in the act itself of detestation or displeasure.* This opinion Diana, Gormaz, de Lugo, Vásquez, and many others similarly teach. But it is openly false: for the opposite is taught by St. Thomas, Albert the Great, Durandus, Scotus, Cajetan, Cano, Soto, and Cardinal Bellarmine, who in Book 2 *On Penance,* chapter 6, writes these things: *But to us the common and trodden way of the ancients is always safer and more suitable. It is proved therefore that for contrition there is required an explicit and formal purpose of a better life.* Would that all men were willing to tread this way trodden by the ancients. Trent, besides an efficacious and universal grief, in which indeed a virtual purpose is

contained, requires a purpose of not sinning thereafter. If a virtual purpose contained in the efficacious grief sufficed, it would be superfluous that the Council should require a purpose besides the efficacious grief. Someone cries out to the contrary: if besides an efficacious and universal grief a purpose were required, there would be not three but four parts of penance. It is an empty sophism. There are three parts of penance. But contrition consists of two things, namely grief for the sin committed and a purpose of not sinning thereafter. It can nevertheless happen that a penitent be so carried away with vehement grief that he think not of the purpose; but if he adverted, he would conceive a most firm resolution of not sinning thereafter. The discourse now is of those things which commonly and everywhere happen, not of some rare and sudden case.

Chapter IX — THE IMAGE of Christian justification, depicted with the lineaments of the holy Scriptures

I. There are two heresies concerning justification. The Calvinists blurt out that it is unlosable. The Novatians denied pardon to the lapsed, and asserted that some crimes were irremissible. Both heresies the Church condemned.

SECTION I — The holy Scriptures represent Christian justification as constant and stable

I. Christian penitents who validly receive the sacrament of Penance are adorned with the gift of justification, and their soul becomes a temple of the Holy Ghost indwelling, and of the whole Trinity. Of old, Jews and pagans, the servitude of the devil and the idolatry of false deities being cast off, the faith of Christ being received, forthwith descended into the arena for Christ, and undaunted despised tigers, lions, and fiercer beasts, and by no means dreaded to become their banquet; they burned with a mighty desire of the rack, of stripes, and of the Cross of Christ; they feared not fires, not burning gridirons, not furnaces, not wounds; but with a strong and unconquered soul they underwent the most atrocious torments and infinite storms. We Christians, suffused with the same faith as they, imbued with the same disciplines, nourished with the same divine food, given to drink of the same most precious Blood, are sanctified by the same justification. Justification betrays itself by its effects, when we conform our whole life to the will of God and to the exemplar of Jesus Christ, on the Apostle's testimony: *I live, now not I; but Christ liveth in me;* and again: *Whom he foreknew, he also predestinated to be made conformable to the image of his Son.*

II. This new covenant between Christ and penitents rightly confessed is by its own nature firm, stable, and perpetual. Hence John 14, Christ says: *If any one love me, he will keep my word, and my Father will love him, and we will come to him, and will make our ABODE with him.* Christ does not say, if any man dread, and if any man is terrified, but *if any man love,* and after the manner of sons, not of servants, also fear — he will keep the words and laws of Christ. And Christ, with the whole Trinity, will establish an abode in his soul.

III. But let us hear Paul the Apostle, who describes the firmness and stability of penance, 2 Corinthians 7, in these words: *For the sorrow that is according to God worketh penance, STEADFAST unto salvation.* That penance, I say, which is according to God — that is, formed according to the rules which God prescribed — works a stable sanctity, as St. Paul subjoins there, chapter 15: *Therefore, my beloved brethren, be ye STEADFAST and unmoveable, always abounding in the work of the Lord, knowing that*

your labour is not in vain in the Lord. Hence he inculcates upon the Colossians, chapter 1, the very firmness, stability, and constancy of the reconciliation entered upon through the death of the Son of God: *And you, whereas you were sometime alienated and enemies in mind in evil works, yet now he hath reconciled in the body of his flesh through death, to present you holy and unspotted and blameless before him: if so ye continue in the faith, grounded and settled, and immoveable from the hope of the gospel which you have heard.*

IV. Everywhere the Apostle thunders, and more deeply commends and urges this stability and perseverance in the divine covenant entered upon, that we may attain the crown. But the effects and triumphs of this firm and stable justification he sets forth, addressing the Romans, chapter 8, with this grave and vehement discourse: *Who then shall separate us from the love of Christ? Shall tribulation? or distress? or famine? or nakedness? or danger? or persecution? or the sword? (As it is written: For thy sake we are put to death all the day long. We are accounted as sheep for the slaughter.) But in all these things we overcome, because of him that hath loved us. For I am sure that neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come, nor might, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord.*

V. The prerogatives of Christian justification being set before our eyes, St. Paul manifests the most sad ruin which threatens those who violate and break this most sacred covenant. He himself, bound here at Rome with chains, received tidings that the Church of Jerusalem, made up of Jews alone, was languishing, was shaken by persecutions, and was subject to the grave danger of losing the justification received. Fifty years had already elapsed from the death of Christ, and the Hebrews of Jerusalem converted to Christ saw no event of the prediction made by Christ. The Temple, the Sanctuary, the Altar, the Candlestick, the multitude of priests, the high priesthood, the sacred rites celebrated with great pomp, the solemnity of the Mosaic rites, so great a symphony, and the remaining mysteries and ceremonies of the ancient Religion, which with milk they had drunk in, glittered on every side. But the Jewish Christians themselves, forming a little handful, having for a temple a small chamber, for an altar a table, for a candlestick a lamp, for golden and silver vessels a wooden cup, harassed on this side by the perfidious Jews who dominated, on that by the gentiles, straitened and oppressed, could scarcely celebrate the divine praises in private. Amid so many tempests and storms they in a certain manner wavered. What should we do, pressed by such straits, though strengthened by so immense a multitude of miracles? St. Paul in the epistle inscribed to the Hebrews brings a safeguard to the brethren. He describes with incredible eloquence the excellence and pre-eminence of the New Testament above the Old. *Come, brethren,* he says, *what do you dread?* The temple of Christ is not material, as the Mosaic, but living, adorned with every precious stone, which *you are. But Christ as the Son in his own house: which house are we, if we hold fast the confidence and glory of hope unto the end, FIRM.* Chapter 3.

VI. After he has raised up his brethren and animated them to place their trust in Christ Jesus, he passes to manifesting the wretched and mournful unhappiness of those who fall back from the lofty state of justice into sin, and the extreme difficulty of rising again, in these words, chapter 6: *For it is impossible for those who were once illuminated (through the Baptism of faith), have tasted also the heavenly gift (namely the most sacred body of Christ), and were made partakers of the Holy Ghost (through the sacrament of Confirmation), have moreover tasted the good word of God, and the powers of the world to come, and are fallen away, to be renewed again to penance, crucifying again to themselves the Son of God, and making him a mockery.* Which truth, that he may accommodate it to their grasp and imprint it more deeply in their hearts,

he offers them a likeness fetched from the very nature of things: *For the earth that drinketh in the rain which cometh often upon it, and bringeth forth herbs meet for them by whom it is tilled, receiveth blessing from God. But that which bringeth forth thorns and briers is reprobate, and very near unto a curse, whose end is to be burnt. But, my dearly beloved, we trust better things of you, and nearer to salvation; though we speak thus.*

VII. The exposition of the Fathers upon this word *impossible* is twofold. Some interpret it *difficult* and *most difficult*. Others take this word in its obvious and literal sense, saying that it is impossible that those who have fallen after Baptism should be renewed again to that pristine innocence which they once received infused in the sacred laver. For although through penance sin is blotted out, yet there commonly remain traces of scars and wounds, and malignant remnants; there remain the fattened and thickened impressions and roots of desires and lusts, which weaken the strength and open a broader way to relapse.

VIII. But let us hear Paul again pursuing his discourse, chapter 10, and in this fashion more deeply enlarging upon the same truth: *Let us hold fast the confession of our hope without wavering. … For if we sin wilfully after having the knowledge of the truth, there is now left no sacrifice for sins, but a certain dreadful expectation of judgment, and the rage of a fire which shall consume the adversaries. A man making void the law of Moses dieth without any mercy under two or three witnesses: how much more, do you think, he deserveth worse punishments, who hath trodden under foot the Son of God, and hath esteemed the blood of the testament unclean, by which he was sanctified, and hath offered an affront to the Spirit of grace? For we know him that hath said: Vengeance belongeth to me, and I will repay. And again: The Lord shall judge his people. It is a fearful thing to fall into the hands of the living God. But call to mind the former days, wherein, being illuminated, you endured a great fight of afflictions. And on the one hand indeed, by reproaches and tribulations, were made a gazingstock; and on the other, became companions of them that were used in such sort. For you both had compassion on them that were in bands, and took with joy the being stripped of your own goods, knowing that you have a better and a lasting substance. Do not therefore lose your confidence, which hath a great reward. For patience is necessary for you, that, doing the will of God, you may receive the promise. For yet a little and a very little while, and he that is to come will come, and will not delay.* By these last words the Apostle foretells the imminent destruction, desolation, and most mournful overthrow of the city of Jerusalem, of the temple, and of the altar, which befell about five years after this epistle was written. By which horrible catastrophe the predictions made by Christ were more deeply imprinted upon their minds, and confirmed that Church gathered from the first-fruits of the elect people.

SECTION II — By weighty reasons and by the common sense of men the stability of Christian justification is confirmed

I. This Christian justification, which draws the strength of its firmness from the passion of Christ, makes the evangelical yoke — which is hard from hard — sweet in itself, and renders men just, holy, happy, quiet, and constant in the observation of God's commandments.

II. Let us consult the common sense and practice of Christians. You see a man outwardly bearing the appearance of virtue and piety. You see him at the same time fallen into manifest crimes, and, no vehement occasion urging, rolling again in the mire of lust. Do you not straightway disapprove him as a hypocrite, a crafty and cunning man, a whited sepulchre? Whence this? From nothing but the inmost sense of the stability and firmness of Christian justification. You have a friend whose most chaste morals, uprightness, sincerity, equity, and justice you have certainly known over an interval of

several years. He sets out to a distance. After some years an occasion offers itself of hearing something about your friend. You ask how he is, what is his manner of living. You hear that the man has become crafty, lustful, fraudulent. You refuse to believe. You accuse the reporter of calumny. He replies that the matter certainly stands so. What then? Alas, you exclaim, alas how tremendous, how fearful are the judgments of God! Truly *God is terrible in his counsels over the sons of men.* Whence, I pray, so great an astonishment and so great a repugnance to believing a change in a just man? Assuredly from nowhere else than from that inmost instinct and more deeply imprinted persuasion by which you judge Christian justification, infused through the Holy Ghost, sealed with the blood of Christ, and nourished by the food of his most sacred body, to be stable and difficult to move. For those things which are from God are firm and stable.

III. I confess that occasions can occur, and such calamities of the times and persecutions, in which the very firmer columns tremble. Justification is by its own nature stable; but the weakness of human nature is great: therefore it can be lost. But the gifts which accompany this justification restore human strength, cure infirmity, and pour fortitude into souls. Let the manner of living of Christians and Religious themselves be consulted. Those who are truly converted and just rarely fall, flee the occasions of sinning, detest the prestiges of the world, and by prayers and fasts implore divine grace. If by some sudden chance of an urgent occasion they fall, forthwith they rise again, and busy themselves to wash away the stain with most bitter tears. Just as a true and sincere friendship, which is rare among men, is frequently not violated, so a sincere friendship entered upon between God and men through sacramental justification, while it is true, is not so easily broken.

SECTION III — A new and false idea of divine justification is conceived among Christians. Why do Christians not shudder at the horrid spectres of feigned justifications? Because a MIDDLE WAY has been brought in.

I. The characters of Christian justification, as we have seen, constitute a man just, a son of God, holy, liberal, chaste, sincere, tolerant of injuries, praying for his persecutors, meek, humble, merciful, a father of the poor, and adorned with the remaining Christian virtues. This is the image of Christian justification which the holy Scriptures depict for us, as has been shown above.

II. Utterly diverse is the image which is seen in the morals of very many Christians. We see in our age the avaricious, usurers, the lustful, prodigals, little lovers and mistresses, mimes, mime-women, dancing-women, singing-women, gamesters, perjurers, the fraudulent, the effeminate, adulterers, frequenting the sacraments of Penance and of the Eucharist twice or four times a year. What amendment of morals? None. Apostolic ministers run through the provinces, exercising what are called sacred missions. Great crowds of every state run together in multitudes: struck with fear of the hellish furnace, they lay down the bundle of their outrages, they confess, they are absolved, they communicate. The missionaries have set out on their way, and they resume the course of their past life, and heap up crimes anew for the coming year. The same habits, lusts, usuries, frauds, lies, adulteries, perjuries, injustices. And this circle of confessions and relapses comprehends almost the whole of life. Out of so great a multitude of penitents scarcely five in a thousand give signs of true Christian justification and bring forth its fruits. This is visible and known to all.

III. But whence, you say, comes it that spectres of feigned justifications of this kind bring in no terror? Whence, that confessors administer the sacraments to those feigned Christians? Whence, that the Christians themselves, conscious of their own affairs, do not recognize their confessions to be

sacrilegious? Do they not themselves hold it well understood that covenants of friendship sincerely and constantly entered upon are not easily violated? Whence therefore so horrid a hallucination? Whence so monstrous a deception?

IV. From that torrent of human custom, replies St. Augustine; from that universal prevailing habit which carries away with it sometimes even the wise, unless they diligently watch and strenuously fight. From that, finally, MIDDLE WAY which has been brought in for the forming of morals, as also for the loving of the divine decrees, says the most learned Bishop of Palmi. Two ways only did Christ lay open: one narrow and strait, the other broad and spacious. Of the former way the walkers are few, on Christ's own testimony; of the latter, many. A new middle way, devised by men and assuredly not by God, comprehends an immense multitude of Christians. The Christians of this way nourish the body sumptuously, soothe the senses, indulge in pleasure and enticements, dances, theatres, comedies, and the delights of the world: they wish to have their own little matrons and their honourable-seeming mistresses, with whom they may converse, feast, and jest. Fasts, disciplines, and hair-shirts they shudder at. They utterly refuse to restrain the impulses of concupiscence, of ambition, and of pride, and to press down the goads of the flesh. Yet, that they may distinguish themselves from wicked, dishonest, and obstinate sinners, who with loosened reins and mask laid aside run through the broad and spacious way, they recite their little prayers, read pious books, frequent the churches, and approach the sacraments on the more solemn feasts of Christ and of the Blessed Virgin. This middle way encloses in our age a greater multitude of sinners than of old the broad and spacious way described by the Gospel. Since this broad way leads to perdition. But the new middle way joins in one pagan morals and the reward of the eternal kingdom; the sacraments of Christ and the pleasures of the world; mire and darkness; good and evil. But this middle way is more seductive than the broad way. Those who tread the latter know that they are sinners, and do not approach the sacraments unless they first forsake it. But in very truth the walkers of the middle way reckon themselves happy, and think that by this way lovers, mistresses, mimes, mime-women, dancing-women and harp-players, and all the rest who frequent the sacraments, can arrive at the eternal kingdom.

V. The most learned John Morinus, Book 9, chapter 34, declares that these three ways obtained among the Jews also, in these words: “It is a celebrated saying of the Jews, more recent and ancient, that there are three kinds of men: the perfectly just, the perfectly wicked, and the intermediate; that God has three books: in the first the perfectly just are described; in the second the perfectly wicked; in the last the intermediate. That God at the beginning of the year examines the actions of all men in a solemn judgment; that the perfectly just are then at once inscribed in the first book, the evil in the second, but that the judgment of the intermediate is suspended to the tenth day of the month: if they shall have performed a perfect penance, they are to be numbered with the just; if not, with the wicked.”

VI. Moreover, as their way is a middle one, so their justification is a middle one. The middle way is new, therefore not evangelical but worldly. Similarly their justification is a middle one, is new, is not infused by Christ Jesus, not by God, but feigned by men. To the fashioning of a fictitious justification the malice of men has compelled. Certain ministers of the sacraments, burning with zeal for the salvation of men, with a pious and holy intention, as it becomes us to think, since they could not bring men to an exact observance of the Gospel and to the reforming of morals according to the norm

of the baptismal profession, busied themselves to lighten the yoke of Christ, to soften the rigour of the law, and to accommodate the evangelical norm to human appetitions, says St. Augustine on Psalm 98. *For this is in men a great and most usual perversity: that whereas they themselves ought to live according to the will of God, they will that God should live according to their own will. And whereas they will not that they themselves be corrected, they will that he be depraved; reckoning right not what he wills, but what they themselves will.*

VII. Behold the cause unlocked and laid open why today men do not marvel when they see Christians in this week approaching the tribunal of penance and the eucharistic table, and in the next — if not in the same — approaching also the gaming table with their little mistresses and little matrons, and dances, theatres, and comedies, and even fornicating and committing adultery, either by ear, or by eye, or by touch, and frequenting all the prestiges of the world; and again the tribunals of penance; and again the company of lovers and mistresses, where they woo and are wooed, love and are loved, touch and are touched, look and are looked upon, gape and are gaped at, sigh and are sighed for. Are these the fruits of divine justification? Are these the sons of God? Do these conform their life and morals to the exemplar of Christ? Christians are not moved by this spectre of justification, by this covenant of sacraments and sacrileges. Why? Because from infancy they have been accustomed to see this perpetual circle of sacraments and relapses: because they reckon it enough to confess their sins with the least penances, although no amendment follow, although they perpetually roll and roll again in the mire of lust, like swine. They are confirmed in this persuasion by the authority of not a few casuists and confessors. These cry out with voice and writings that in our age the golden centuries flourish again. *When,* they say, *was there so great a frequenting of the sacraments, so great a concourse to the temples, so splendid a worship, so magnificent an apparatus, so great a multitude of Sacrifices, so great a variety of song, of melody, of devotions?*

VIII. But if it be replied: When were morals more dissolute? When so many profanations of temples? When were the patrimonies of the poor and of Christ more prodigally squandered upon dogs, upon horses, upon pomps and luxury? When at last have impiety and incredulity more boldly assailed Religion? — if this be cried out, straightway they retort: so croak the *Rigorists, cruel, savage, unmerciful, gloomy, always murmuring against the most flourishing discipline of our age.*

IX. Behold one of the causes why Christians are not moved by the unstable and fluid justification of the morals of very many Christians of our age. Very many moral doctors inveigh against theologians who inculcate upon penitents that they should chiefly grieve for that sin to which they are greatly addicted, and that they should conceive a firm and constant purpose of not sinning thereafter, as we shall presently see more clearly. And that I may reduce you to a standstill, reader, turn over very many books of the casuists which are chiefly worn by all men's hands: search severely where the true image of Christian justification is depicted according to the exemplar which the holy Scriptures propose. Inquire where its lofty effects, its characters, its most splendid prerogatives are described. In the books of which casuists will you find these things? In Gobat, in Tamburini, in Diana, in Viva, in La Croix, in Caramuel, in Leander, in Sporer, in Burgaber, in Bonacina? You will find on the contrary innumerable little distinctions, sophisms, and disagreements by which the true image of Christian justification is obscured. So it seems to my weakness. Whether I myself am deceived and deluded, let the wise be judges. For I do not set myself up as a censor, but what seem true to my littleness I submit to the judgment of the wise.

X. What wonder therefore if Christians, and still less if confessors themselves, brought up in these prejudices, should reckon that divine justification, by its own nature stable and firm, is set in this perpetual circle of confessions and relapses, in this succession of dinners and of sacraments? They see from their very cradles not a few ministers of God admitting to the sacraments Christians who, though they confess several times a year, nevertheless, as if they did not confess, indulge in luxury, immodest pomps, games, usury, ambition, and the pleasures of a raving world. They cry out besides: *What? Shall the ministers of God deceive us? Is this discipline of confederating a frequenting of the sacraments with the recounted solaces and enticements of the world, propped by the authority of so many pious, grave, and upright men, to be reputed vicious and corrupt?* Great, cries St. Augustine, will be the temptation. By this very temptation the Christians of the Church of Jerusalem were harassed and wavered; but St. Paul confirmed and strengthened them. St. Augustine testifies that he suffered most grave persecutions, that he might snatch the Christians of his time from error, because our adversaries, opining otherwise, kept them firm and constant in a sweet and kindly habit of living. Nor on that account did the most holy Doctor cease to cry out: *On account of the morals of men who by their crooked seductions and depraved customs cease not to bring troublesome care upon us for you, we cannot keep silence.* Sermon 157. Even from that time the possession of one's own liberty was opposed to the controverted mandates of the divine law, although not curled with the paint of Probabilism. *There are some,* says St. Augustine, or the author of sermon 4 to the Brethren in the Wilderness, *who will to live by the spirit of liberty; and if they be reproved by anyone, they bark like dogs, they bite like serpents, they grieve like women in travail, calling evil good and good evil, false true and true false.*

XI. Paul, I ask and beseech you, Paul the trumpet of the Holy Ghost hear; Paul read; the Gospel of Christ seriously meditate, if you love your inward salvation. Prick up your ears, that the doctrine of Paul concerning justification may cleave engraven in your hearts. The justification which Paul teaches is *constant, firm, and stable.* But to new Doctors, if dissenting from Paul they glory in the frequenting of the sacraments and in a painted splendour of devotion, answer with St. Paul, 1 Corinthians 5: *Your glorying is not good. Know you not that a little leaven corrupteth the whole lump? Purge out the old leaven, that you may be a new paste, as you are unleavened. … Therefore let us feast, not with the old leaven, nor with the leaven of malice and wickedness, but with the unleavened bread of sincerity and truth. … But now I have written to you not to keep company, if any man that is named a brother be a fornicator, or covetous, or a server of idols, or a railer, or a drunkard, or an extortioner: with such an one not so much as to eat.* Will certain new casuists perchance say: *The common opinion of the Doctors teaches the opposite? This discipline has grown obsolete,* and other things of that kind?

Chapter X — The conditions of the purpose necessary for Confession

I. That you may be able, Christian reader, to form the true image of that justification which certain younger casuists depict, recall to mind that they teach that for the sacrament a servile attrition conceived from fear of eternal punishment is enough. And here advert a little, that those things which are done from fear are not firm and stable, since fear brings in a certain violence. For those things which we dread we desire to blot out of our mind.

II. Secondly I would have you recall that those Doctors go further, teaching that a fear conceived from dread of hell or of eternal flames is not necessary, but that it is enough that grief be conceived from some temporal evil inflicted, or to be inflicted, by God as a supernatural author — suppose from

infamy, from prison, from sickness. Passing then to the purpose, which Trent defined to be necessary, they teach that an *express* one is not required, but that it is enough that it be implicit, contained in that grief conceived from a temporal evil, as has been said. Hear now what they teach concerning this purpose, and you will straightway form the true image of the new justification brought in by men.

III. The prerogatives, or conditions, of a true purpose are three: first, that it be universal; second, that it be stable, constant, firm; third, that it be efficacious. A confessor nevertheless ought not to propose, nor a penitent to form, these hypotheses: *What should I do if a most cruel death were threatened by a tyrant, if a vast patrimony were held out to me, that I should sin again?* and so forth. These hypotheses can disturb the minds of some penitents: therefore they are to be abstained from. It is enough that they firmly purpose to abstain from all sins, and that they renew the purpose chiefly against those sins to which they are greatly addicted. It is enough that in general they purpose that they will rather die and lose all their goods than gravely offend God, without its being necessary to descend to this or that most bitter torment. Those three conditions theologians commonly teach to be necessary for a true purpose. Let us hear what very many casuists teach. For readers are not so much to be taught as to be untaught, that they may abstain from, or lay aside, false opinings.

IV. QUESTION I. *What is to be said of the opinion which teaches that a purpose suffices for Confession, although the penitent certainly know that he will relapse?* ANSWER. Lest they say that I impose upon the casuists, Sporer writes these things, part 3, chapter 1, section 4, no. 310, page 204: "For a man can truly grieve for and detest sin, and truly and absolutely purpose that he will not sin thereafter, or conceive a firm and sufficient purpose of abstaining hereafter; although he greatly fear, or even reckon, nay certainly BELIEVE that on account of the experienced inconstancy of his own will and his own frailty he will relapse anew: that he will not avoid all mortal sins, or this certain kind of sin. Whence if a penitent say: I altogether indeed grieve, and firmly purpose to abstain hereafter; yet meanwhile I KNOW, I shall do it again, I shall fall again, I have already so often experienced it — he is to be ABSOLVED as WELL DISPOSED, a due confirmation and consolation being sent before: because the sense of the words I shall do it again is only indicative, or enunciative on the part of the intellect."

V. Against the transcribed doctrine St. Augustine cries out, Book 8 of the *Confessions,* chapter 9: *Whence this monstrous thing? The will commands itself, and it is not done what it commands? Therefore it does not command with its whole heart.* If that penitent certainly reckons that he will relapse, then he does not hope from God the grace by which he may be able to resist temptation: and if he does not hope, he is unworthy of absolution. Either that penitent is justified through absolution, or not. If you deny it, then the penitent perpetrates a sacrilege. If he is justified, then he in fact has the grace by which he can abstain from sin. Do you deny it? Then you are a Jansenist. Alas, how many Jansenistic propositions are in the Ethics of certain men, where, invincible ignorance being everywhere vaunted and the infirmity of sinners, several mandates of the Decalogue are traduced as impossible! And yet these same men cry out that divine grace is always present to the blind and the hardened. But because this grace is versatile, therefore they teach that a penitent certainly believes that he will relapse. That penitent described by Fr. Sporer is at least sincere, though sacrilegious. He knows that his past Confessions were sacrilegious, from the defect of a true purpose; and therefore, taught by experience, he sincerely confesses that he believes and knows that he will relapse: because he knows that he will not leave his mistress, his usuries, his perjuries, and like crimes. But at the same time penitents know that they will find casuists and confessors from whom they may receive absolution

and the sacred Eucharist. Fr. Sporer subjoins: *otherwise if the sense were optative.* Good heavens! This alone was wanting, that he should wish for sin.

VI. QUESTION II. *What is to be said of the censure which Fr. Francolino burns upon Bishop Gennet, because he wills that the purpose be firm and constant?* ANSWER. Fr. Francolino in his *Roman Clergy,* Book 2, column 10, disputation 10, no. 26, page 99 of the last Venice edition, writes these things: "Francis Gennet in his most recent *Moral Theology* published at Paris in the year 1705. Out of several examples of his MOST RIGID doctrine, whence grave absurdities follow, I shall bring forward one from Vol. IV, tract 6, *On the Sacrament of Penance,* where, chapter 5, question 9, he teaches that for true contrition in this sacrament there is required as necessary a CONSTANT purpose: he does not say a purpose, but a *constant* purpose; and that this must be made known to the confessor before he absolve."

VII. Fr. Francolino besides reproves in the same place Bishop Gennet for asserting that credence is not often to be given to the tears of sinners. Then Fr. Francolino concludes there at no. 27: *Who ever heard doctrines so ABSURD, so SEVERE?*

VIII. Who ever heard a Catholic writer rising up so openly against the Apostle Paul himself, let alone against Bishop Gennet? For the doctrine of Gennet is the very doctrine of St. Paul saying: *For the sorrow that is according to God worketh penance STEADFAST.* And again Paul teaches: *If so ye continue in the faith, grounded and settled, and immoveable.* And St. Paul wills penitents to be constant, stable, and immoveable, and Gennet with him. But Fr. Francolino cries out to the contrary: *Who ever heard doctrines so absurd?* Did the most holy Apostle Paul teach absurd things?

IX. The doctrine of Francolino Fr. La Croix transcribed, Book 6, part 2, no. 1824. I ask: ought a penitent to have a constant or an inconstant will? If the first, then you teach a most rigid doctrine, says Francolino with Fr. La Croix. Therefore it suffices to have an inconstant will. But who will not openly convict this consequence, adverse to St. Paul, of falsity? Say, reader: would you entrust moneys on loan to those who had a will not constant but inconstant of restoring them?

X. QUESTION III. *What is to be said concerning the universal purpose of avoiding all mortal sins?* ANSWER. The second condition of the purpose required for confession is a universal will of abstaining from all and each of the mortal sins. This doctrine is certain and manifest, and St. Thomas teaches it, III, q. 87, art. 1, reply 1. *Penance,* he says, *for mortal sins requires that a man purpose to abstain from all and each of the mortal sins.* All the ancient theologians teach the same. The contrary opining is maintained by Aversa, Hurtado, Piatelli, and Dicastillo, who calls the former doctrine *singular.* The opinion of these writers I judge false and contrary to the divine Scriptures. Not enough did Fr. La Croix consult the peril of his readers, writing, Book 6, part 2, no. 898: "It seems MORE PROBABLE that for absolution from mortal sins there is required a universal purpose of guarding hereafter against all mortal sins." For if it is only *more probable,* according to him the opposite opinion of Piatelli, Hurtado, and others is still probable; which therefore anyone can follow according to the probabilists. But who would dare to assert that one approaching the sacrament of Penance without a universal purpose of avoiding all mortal sins is justified?

XI. What kind of penance is that which has been devised by these Doctors? There suffices, according to some, a servile grief conceived even from fear of a temporal evil to be inflicted by God. An explicit purpose is not required. It is not required that it be constant. It is not required that it be universal. Is this the penance which Christ and the Evangelists teach?

XII. The third condition of the purpose required for confession is that it be efficacious, that is, that what is purposed be carried into effect, as St. Thomas wisely declares on Psalm 48. A purpose is best manifested by operation. Moreover, that a purpose may be called efficacious, penitents must have a will of abstaining not only from sins, but also from the dangers and occasions which impel to sins.

XIII. QUESTION IV. *What occasions ought a penitent to avoid, that his purpose may be called efficacious?* ANSWER. There is a twofold kind of occasions. Some remote, which occur almost everywhere; others proximate, which by their own nature, all things regarded, induce to sin: or in which a man constituted either rarely or never abstains from sin. Of these occasions some are free, others necessary. Occasions of the first kind a man freely seeks or retains. Of the second kind are those from which a man cannot withdraw, as sons of a family and others subject to servitude. Besides, one occasion is proximate absolutely, as concubinage, cohabitation with a mistress, and so forth. Another occasion is proximate relatively, as familiar conversation with such a girl or woman: to Titius it will be a proximate occasion, but not to Sempronius.

XIV. QUESTION V. *What do very many probabilists teach concerning the purpose of avoiding proximate occasions?* ANSWER. I should fill a volume if I wished to recount all the opinions which seem to me false: in passing I shall touch upon a few. First, they teach that women are to be absolved who do not purpose modestly to cover their bared breasts. Second, who do not purpose to moderate superfluous ornament and luxury. Third, who are unwilling to dismiss paints, artificial colours of the face. Fourth, they teach that some servants can serve a concubine, and hold out to her hot foods provoking to venery. Fifth, that they can spread a bed for their master and his mistress without venial fault, and strew it with flowers without mortal. Sixth, that they can conduct a concubine into the house of their master, even if they foresee that they will sin. Seventh, that they can carry little gifts, incitements of base love, to a mistress. Eighth, that it is lawful to let a house to one asking it for fornicating. Ninth, that it is lawful to give a gift to a judge's concubine, that she may intercede with him. There would be no end of writing, if I wished to recount all these paradoxes.

XV. QUESTION VI. *What is to be said of the rule which Frs. Sporer, Gobat, Caramuel, and others propose concerning the purpose of avoiding an occasion into which you probably know you will fall?* ANSWER. In this matter Probabilism puts forth its strength. These things Fr. Sporer teaches, part 3, chapter 2, section 4, question 2, § 1, no. 314: "For when it is only probable that you will succumb to temptation in such an occasion, it is certainly also PROBABLE that you will not succumb: for there occur grave reasons on account of which a prudent man judges that you will not fall. Certainly, following this his judgment, without the note of rashness, for a reasonable cause you will be able to commit yourself to this occasion — you who certainly would not commit yourself if you knew, or certainly believed, that you would fall. Wherefore a confessor will not judge him to be in a proximate occasion of sinning — for example, of getting drunk, of fornicating, and so forth — who in such a place, being tempted ten times, has succumbed only three or four times; but otherwise if eight or seven times, and has avoided sin only twice or thrice, and come off superior. Wherefore to this man, not to that, unwilling to leave this occasion, absolution will have to be denied. For John Caramuel, *Theologia Regularis,* disputation 20, no. 1036, wills that absolution be given even to him who was victor as often as he was conquered, Fr. Gobat relating it, case 16, and not contradicting."

XVI. Animated by this probabilistic doctrine, the lustful, the drunken, and the rest will approach their mistress, the tavern, or another occasion four or three times a day, or in two days, or in three

days; twice or thrice they will abstain, twice or thrice they will sin. Nay, that they may be absolved more securely, if they visit their mistress eight times a day, they will sin only once or twice. For then, not only according to Gobat and Caramuel, but also according to other more cautious probabilists, they will be able to be absolved and to be nourished with the eucharistic food. If you inquire of these why those who sin twice or four times in an occasion can be absolved, but not those who sin six times, they answer: *So the Doctors teach.*

XVII. QUESTION VII. *What is a near occasion, and ought a penitent to have a purpose of avoiding it?* ANSWER. That is called a near occasion which, the whole complex of circumstances being regarded, gravely allures to fault, so that without great difficulty and caution men are not wont to abstain from fault. These occasions, which by very many are called near, are more often occasions proximate relatively.

XVIII. QUESTION VIII. *What is to be said of the opinion of Frs. Sporer, Layman, and others concerning the duty of forsaking near occasions?* ANSWER. Fr. Patrick Sporer in the place cited, no. 311, writes these things: "Whence there are to be absolved soldiers, merchants, maidservants, and so forth, to whom from their office, business, house, and so forth, a near danger of sinning threatens, by which they were wont more often to sin; if without great difficulty or notable loss they cannot dismiss it, provided they seriously purpose to avoid sin hereafter. From the common opinion. Layman, chapter 4, no. 9."

XIX. If they are wont *more often* to sin, those occasions are, by the common sense of the probabilists, near, and in fact proximate relatively. This doctrine, which, as Fr. Sporer testifies, is common among the probabilist Doctors, is false on a twofold head. For either they are wont *more often* to sin from the efficacy of the occasion beating upon their frailty: and then it is proximate, and therefore to be forsaken before absolution by the doctrine of the Church: or they are wont *more often* to sin from malice: and then they are indisposed and unworthy of absolution. Is this that stable and immoveable penance which holy Scripture teaches? It is difficult to forsake occasions. I confess it. What then? What does the Gospel of Christ teach? Prick up your ears, and hear Christ Jesus: *Amen I say to you, that a rich man shall hardly enter into the kingdom of heaven. It is easier for a camel to pass through the eye of a needle, than for a rich man to enter into the kingdom of heaven.* Matthew 19. And again Mark, chapter 10: *How hardly shall they that have riches enter into the kingdom of God! And the disciples were astonished at his words,* hearing so much Rigorism. But Christ cries out again — *But the disciples,* Mark goes on, *were astonished at his words. But Jesus again answering, saith to them: Children, how hard is it for them that trust in riches to enter into the kingdom of God!* What at last do these oracles bear? *If thy eye scandalize thee, pluck it out,* and so forth. *If thy hand scandalize thee, cut it off.* Matthew 5. And again Paul, 1 Thessalonians 5, thunders: *From all appearance of evil refrain yourselves.* So teach the evangelical Doctors. But the probabilist Doctors teach the opposite. If you had before your eyes these oracles alone of Jesus Christ, and those which I have adduced above, O confessors, O ministers of God, would you not know how to resolve for yourselves, the light of the Scriptures going before, all the controversies which the casuists stir up concerning stable penance, concerning the love of God, concerning a constant purpose, and concerning the forsaking of occasions? Would you not detect the petty opinions of like casuists to be most false and adverse to the Gospel of Christ? Read therefore, I cry again, read the Gospel of Christ, read the word of God: since you together with your penitents are to be judged by God according to the Gospel, and not according to casuist Doctors.

XX. QUESTION IX. *What is to be said of the opinion teaching that young men are to be absolved who, while working with women, sin by consent, touches, and copulation, because they do not dwell in the same house?* ANSWER. This is the doctrine which Fr. Dominic Viva teaches, question 4, article 5, out of his cited casuists: "Whence Perez, Leander, de Lugo, and others infer that those can be absolved who work or converse with women who do not dwell in the same house: because although sometimes in such an occasion they sin mortally by consent, touches, and even copulation, nevertheless that occasion will be reckoned remote. Since indeed men are not wont from such an occasion ALWAYS, or ALMOST ALWAYS, to sin mortally." Whether this doctrine be anti-evangelical, let the wise judge: for none is more suited to the fostering of carnal sins between lovers and mistresses, who almost never dwell in the same house, but most frequently come together.

XXI. QUESTION X. *What is to be said of the opinion of those who do not require in a sinner for justification express acts of faith and hope?* ANSWER. Fr. Dominic Viva writes these things, question 3, article 4, no. 11: "I answer with Leander, Sánchez, Bonacina, Filliucci, and Valentia, against Hurtado, Turrianus, and others, that these express acts are not required: for never have the faithful nor confessors been solicitous about them, as they are solicitous about grief. … Or it suffices that a past act of faith and hope, not retracted, or an act of faith or of hope imbibed in the grief itself."

XXII. The Council of Trent, session 6, chapter 6, teaches: *But they are disposed to that justice itself, when, excited and helped by divine grace, conceiving FAITH from hearing … from the divine fear by which they are struck, they are usefully raised into HOPE,* and so forth. More clearly it explains these acts — *to believe, to hope, to love* — in canon 3, as we have seen above. If those acts imbibed in the grief sufficed, as Leander, Sánchez, Bonacina, Viva, and others contend, they would have been superfluously expressed by the Council. Meditate the genius of these authors, by which they are commonly borne to defining, tempering, and lightening the law, whether of the Scriptures or of the Councils.

XXIII. Again I beg my readers that, void of prejudices and of party zeal, they maturely weigh the whole doctrine of this dissertation, which on the one part I have adduced drawn from the holy Scriptures, from the Council of Trent, and from the Fathers, and on the other part excerpted from the casuist Doctors, defenders of fear-born attrition; that they seriously compare and meditate them, and then bring forth judgment. For all things which I have written, and shall write, I submit with the fullest will to the judgment of the wise and of superiors.

Dissertation II — On sacramental Confession and satisfaction

Chapter I — What sacramental Confession is, and when its divine precept obliges

I. Of the precept of annual Confession it has been disputed above. That the confession of sins was instituted by Christ the Lord the Catholic Church has always taught, these words of Christ Jesus being adduced: *I will give thee the keys of the kingdom of heaven: and whatsoever thou shalt bind,* and so forth. Matthew 16. That this power is judiciary is evident. Moreover, that a judge may be able to bring forth a right sentence, by which he may loose those to be loosed and bind those to be bound, it is necessary that he have the offences thoroughly known. But a judge cannot know offences unless the accused lay them open. Therefore from Christ's institution the confession of sins is necessary. And this truth Trent defined, session 14, chapter 5, against the Protestants. Nor is it now permitted me to illustrate this dogma at greater length.

II. QUESTION I. *At what time does this divine precept oblige of itself?* ANSWER. That in the probable article of death this precept obliges of itself all commonly affirm. For if it presses at some time — and it is certain that it presses — assuredly it obliges in the article of death; since above all at that time each man is bound to consult his own eternal salvation. That this precept obliges outside the article of death also, the common and true opinion affirms. Since indeed affirmative precepts oblige not only in extreme necessity, but also when their observance is prudently judged necessary. A certain rule of the obligation for this or that time, besides what the Church prescribes, cannot absolutely be designated; but each man ought by the counsel of a prudent confessor to apply this remedy to himself.

III. QUESTION II. *When there is present a danger of forgetting some, or many, mortal sins, is a man bound to confess before the year?* ANSWER. Fr. Leander, tract 5, disputation 3, question 5, defends the negative opinion as the more probable, and cites for the same Valentia, Vásquez, Sylvester, Soto, de Lugo, and others: because, he says, almost all of us sin so often in the course of a year that in Lent we do not remember the true number: and because we are obliged to it by no law, and without a law an obligation is not to be asserted.

IV. This opinion, as my least judgment bears, is false. Do we all sin mortally so often? Is the penance of all therefore unstable? Is there therefore no true penitent in the Church? But that all men sin mortally so often in a year that in Lent they do not remember the certain number, is an assertion which seems to defame the Catholic Church, in which there are very many elect who either never or most rarely sin knowingly and mortally. If we wrote such things, what rumours would the probabilists not stir up? The very law of nature obliges us to guard beforehand against the danger of forgetting mortal sins.

V. QUESTION III. *What is to be said of the following opinion of Fr. Gobat?* ANSWER. Fr. George Gobat writes these things, tract 6, no. 261: "Although, by deferring confession until the article of death, or until Easter, you be certain that on account of this delay you will forget many crimes, yet there does

not thence arise for you an obligation of confessing sooner. So assuredly holds the common sense, as I reckon, both of those confessing and of confessors."

VI. Common sense illuminated by the natural and evangelical light, and not obscured by the prejudices of Probabilism, abhors from an opinion so false and lax.

VII. QUESTION IV. *What is to be said of the opinion of Leander denying the duty of confessing for those who wish to receive other sacraments besides the Eucharist?* ANSWER. Fr. Leander of the Most Holy Sacrament, tract 5, disputation 5, question 19, answers these things to the proposed question: "But MOST CERTAINLY I answer that they are not bound, because no precept exists imposed concerning this, as is clearly gathered from Trent. So Victoria, Sylvester, Angelus, Soto, whom Suárez cites and follows, and Fagundez, de Lugo, Villalobos, and all commonly."

VIII. Do the casuists therefore commonly defend that the faithful need not send confession before, when they must receive other sacraments besides the Eucharist? Let all hear the Catechism of the Council of Trent, part 2, chapter 5, § 43, where it lays down these things: *Again, if we consider what the account of our salvation demands, assuredly whenever a danger of death threatens, or we set about treating some matter whose handling is not fitting for a man defiled with sin — as when we administer or receive the sacraments — then confession is not to be omitted. And the same ALTOGETHER, when we fear lest the forgetfulness of some fault which we have committed take hold of us: for neither can we confess sins which we do not remember; nor do we obtain pardon of sins from the Lord, unless the sacrament of Penance blot them out through confession.*

Chapter II — On the conditions of sacramental Confession

I. The conditions of sacramental Confession are comprehended in these words:

Let confession be simple, humble, pure, faithful, And frequent, naked, discreet, willing, modest; Whole and secret, tearful, and hastened; Strong, accusing, and ready to obey.

II. 1. The condition *simple* signifies that sins be set forth in a simple discourse, episodes being left aside. Women frequently, in order to set forth their own sins, defame the whole household. This defect is to be guarded against. 2. The condition *humble* in gesture, in a modest habit, without a sword, without the luxury which women are wont to carry even to the tribunal itself; therefore they are to be rejected. 3. *Pure* on account of the right end of justification. 4. *Faithful,* without paint and lying. 5. *Frequent,* according to the counsel of a prudent minister. 6. *Naked,* without equivocations and excuse. 7. *Discreet,* in honourable and express words. 8. *Willing,* or spontaneous and free. 9. *Modest,* with modesty and shame. 10. *Whole,* by explaining the number, the species, and the circumstances. 11. *Secret,* for the avoiding of scandal and infamy, and so forth. 12. *Tearful,* that is, with true grief of heart. 13. *Strong* in the purpose of abstaining from sins. 14. *Accusing,* not excusing sins. 15. *Hastened,* without excessive delay after the sin is perpetrated. 16. *Ready to obey* the confessor directing, teaching, and healing.

III. QUESTION I. *Ought Confession to be formally whole?* ANSWER. All affirm it against Luther; and the truth is of faith, defined in the Council of Trent, session 14, chapter 5. It ought to be of all — that is, the confession must be of all the mortal sins which a man recollects after a diligent examination of conscience.

IV. QUESTION II. *What diligence is to be employed in the examination of conscience?* ANSWER. Two extremes are to be guarded against in this most grave business. Excessive diligence, which brings anguish and torture to the mind and disturbs the soul, is to be avoided. For confession is not a butchery of souls, as the Calvinists blurt out, but an emptying of wounds and a remedy for future ones. The other extreme of negligence is also to be avoided. Let us seriously and maturely recall the sins committed. A few admonitions I shall add.

V. 1. Prayers are to be poured out to God, by which divine help may be implored for the routing of the mind's darkness. Let acts of faith be elicited, by which it is firmly believed that sins are remitted by this sacrament. Let hope of obtaining pardon be excited. Let charity toward the God offended be kindled, and grief from the whole heart. Contrition is the antidote of sin. If you wish to vomit forth all crimes, at the beginning of the examination kindle a fervent contrition.

VI. 2. Each man ought to regard his own state and condition, and to weigh what he has sinned against this state. 3. Let sins of the flesh be set forth more severely than they are examined. Adulteries, thefts, fornications, drunkennesses lay themselves open of themselves. But the sins of pride, of envy, of grudge, of ambition, of avarice, and that most crafty love of shining in this theatre of the world, and the rest of that kind, advance so painted and splendid that they hide their whole malice from our eyes, unless they be more inwardly inspected. 4. Each man has his own reigning and dominant passion, which advances hedged about with other sins: let this be brought under examination more severely.

VII. QUESTION III. *What is to be said of the rule of examination which Fr. Viva proposes?* ANSWER. Fr. Viva, question 5, article 1, no. 5, inquires when a confession is to be reputed invalid on account of a defect of examination. And he answers: "If a man, examining his conscience more diligently, finds that there are more sins which he had forgotten than those which he confessed, he can persuade himself that he did not send before the due examination."

VIII. If therefore he has found that he had forgotten a third or a fourth part of his sins, he can then persuade himself that he did send before the due examination. False therefore and vain is the aforesaid rule. The quantity of time to be spent in the examination of conscience cannot be prescribed. The more a conscience is wounded with graver outrages, the more diligently is it to be inspected.

IX. A most grave admonition concerning the examining of sins of injustice, and of delay in paying debts and the wages of workmen and craftsmen. All these things are most severely to be discussed: the masks of preserving one's estate, of clothing a wife, and so forth, being torn away. See more, Vol. IX, Book 1, dissertation 4, chapter 4.

X. QUESTION IV. *Is the number of sins to be expressed?* ANSWER. All affirm it. And when a certain number is not established, let the more likely be expressed. Confession is not, as I have said, a torture of consciences. Let the chief study be directed to this, that the heart be softened with a vehement contrition, and then crimes come out of themselves, as poison is vomited forth when an efficacious antidote has been drunk. Let the penitent sincerely set forth the state of his conscience, and the number of sins which occur to his mind after a serious examination. The rule of Trent, session 14, chapter 5, is excellent: *The remaining sins which do not occur to one diligently thinking are understood to be included as a whole in the same confession, for which we faithfully say with the Prophet: From my*

secret sins cleanse me, O Lord. If the contrition be true, never will the examination be defective. Most frequently negligence occurs in the examination, because the contrition is feigned, conceived from certain temporal things, or even from eternal punishments, and void of any charity.

XI. QUESTION V. *He who has sinned by a long habit, is it enough for him to set forth the time of his vicious state without explaining the number of sins?* ANSWER. A penitent ought to represent his own state in the best manner he can. Let him set forth the frequency of sinning, if he cannot the number — suppose so many times in a day, in a week, in a month — and the time in which he tarried in the vice. If she be a harlot, let her declare the diverse species and the time of her harlotry. He who has had a concubine at home as a wife, let him say the time of the concubinage and the number of fornications, if he can. He who unknowingly increased the number of sins, if afterwards he detect that he did not so often sin, is not bound to manifest this decrease, unless some circumstance demand it. He who by one act detracted from several persons, since he perpetrated several sins, is bound so to express them. He who detracted from a community ought to manifest the community.

XII. QUESTION VI. *What is to be said of the opinion denying the duty of confessing the effects of sin?* ANSWER. In sin there is considered the will of sinning, or the internal act, the exterior action, and the consequent effect. The will of burning a house is completed by the application of fire; the will of killing by a mortal wound: the death and the burning of the house are effects of the sin. Fr. La Croix, Book 6, part 2, no. 944, says: "It seems MORE PROBABLE that there is no obligation, speaking of itself, of confessing the effect. So Vásquez, Salas, Granado, de Lugo, Bonacina, and so forth. And consequently such a man will satisfy by saying: I threw away the Breviary, foreseeing that for so long a time I would not be able to pray; I held out poison to my neighbour, intending his death — keeping silence whether he prayed the hours or not, and whether the death followed or not."

XIII. This opinion seems to me false: and the reasons which are adduced by Fr. La Croix and the others cited by him are vain. For although the death and the burning of the house be not in themselves sins, they are nevertheless effects of the sin; and the knowledge of these effects varies the state of the cause. La Croix subjoins in the same place: By accident such effects that followed ought often to be added; nay, he says, *penitents commonly add such effects that followed, in which they are not to be hindered, but rather sweetly helped*. This alone was wanting, that they should also be hindered. Tell me: why do penitents commonly confess effects of this kind? Because they follow the inmost sense of nature, that light signed upon their foreheads, and are ignorant of these new speculations of certain casuists.

Chapter III — On the obligation of confessing the circumstances of sins

I. That is called a *circumstance* which accidentally stands about a human act, which takes its species from an object either good or evil. One circumstance is physical, as if a man kill another with a dagger, with poison, with a firearm; another moral, which in the genus of morals changes the species, or adds a new species of malice, as if a man kill his father, a religious, and so forth. For besides homicide there is added the crime of parricide, of sacrilege, and so forth. There is an obligation of confessing circumstances not physical but moral, which change the species, as all confess. Seven circumstances are enumerated, contained in this verse:

Who, what, where, by what helps, why, how, and when.

II. The circumstance *who* betrays the state, qualities, and profession of the penitent, as if he be a cleric, a priest, a monk, married, bound by a vow, an advocate, a judge, a father of a family, and so forth.

III. QUESTION I. *What is to be said of the opinion denying the duty of confessing circumstances changing the species, when the sinner does not doubt of them?* ANSWER. Fr. George Gobat, tract 7, no. 524, says: "The malice of a circumstance changing the species is not contracted, and therefore is not to be confessed, unless the penitent, when he was committing the sin, at least DOUBTED whether such a circumstance were present or not, and whether on account of it a peculiar sin were not contracted. So indeed the COMMON SENSE OF THEOLOGIANS. Use, my good man, this rule frequently, especially in receiving the confessions of the rude, and namely when the circumstance is known to the vulgar of the Doctors alone."

IV. What vulgar of the Doctors is that? Sinners commit adultery, fornicate, or perpetrate incest, having their soul absorbed with the delight of the outrage, and think of nothing else besides the circumstance changing the species. Is no one therefore bound to confess circumstances changing the species, unless the penitent, says Fr. Gobat, *at least doubted when he was committing the sin*? That after the deed committed with his sister, with another's wife, with a virgin consecrated to God, he should know the duty of manifesting a circumstance specifically diverse, matters nothing. He must, when he sins, at least doubt, in order to be bound to confess. *Use, my good man, this rule frequently.* Beware, all confessors, I subjoin, of this false rule.

V. QUESTION II. *Is a religious initiated in sacred Orders bound to explain the circumstance of the solemn vow?* ANSWER. The Salmanticenses, Diana, Malfesius, Castropalao, and Antony of the Holy Ghost deny it. But other grave theologians affirm it, whose opinion is true. He who sins with a novice, male or female, in the year of probation is bound to confess this circumstance, whatever some say to the contrary. Since although they have not emitted a vow, they are nevertheless first-fruits, victims destined to be immolated to God in sacrifice. To violate these hosts and victims pleasing to God bears before the common sense an enormous deformity. A bride and bridegroom knowing one another carnally, or knowing themselves with others, ought according to the more probable opinion to manifest this circumstance.

VI. A virgin who spontaneously fornicates for the first time ought to lay open this circumstance: because this virgin inflicts a peculiar injury, as upon her parents, so upon God, from whom she received the gift of virginity, when she squanders such virginity.

VII. QUESTION III. *Is a confessor who sins with a penitent bound to confess it?* ANSWER. The discourse is not of a confessor soliciting, but of a confessor absolutely sinning with a penitent. Some deny it, as the Salmanticenses relate. But other grave theologians affirm it, whose opinion is true. What? A confessor is a judge, a teacher, and a physician. He becomes a wolf devouring the sheep; and is this not to be manifested in confession? Our opinion is favoured by the reservation made to themselves by bishops in various dioceses concerning an act, or an attempt, toward base things with a spiritual daughter.

VIII. If a bishop or a prelate of a Religion fornicate, commit adultery, get drunk, and so forth, he is bound to explain the circumstance, on account of the grave scandal which he brings at least to his

accomplice, whatever some say to the contrary. Similarly governors of a city, judges, rectors, and the like, who by office are bound to hinder thefts and crimes of injustice, if they themselves steal, are not bound, as some say, to manifest this circumstance, although they ought to lay open the omission by which they did not hinder others' thefts. But this opinion is to me false. For they are bound to confess this circumstance. Similarly false to me is the opinion teaching that a priest striking a layman with shedding of blood is not bound in confession to manifest that he is a priest. For a priest by reason of his dignity perpetrates a malice distinct from the malice of simple striking. A eunuch, or a frigid fornicator, is bound to explain the circumstance of impotence for natural copulation, because he perpetrates a sin against nature.

IX. QUESTION IV. *What is to be said of the opinion of those denying the duty of confessing a habit of sinning?* ANSWER. Fr. Claude La Croix, Book 6, part 2, no. 968, answers that, speaking of itself, such a habit is not to be laid open; and for this opinion he cites Suárez, Vásquez, Reginald, and Lupus. The same opinion the Salmanticenses defend, and cite Diana and Castropalao. This is the reason which Fr. La Croix assigns: "No one, speaking of itself, is bound to confess the same sin twice. But past sins, by which the habit was caused, have been confessed heretofore, as is supposed; and the present sin is not aggravated but rather diminished BY REASON OF THE PRECEDING HABIT, which in some manner diminishes liberty. Therefore it is not necessary to make mention of past sins, or of the habit."

X. Fr. Dominic Viva in his *Course of Theology,* Vol. II, part 6, question 5, no. 2: "Although a penitent be bound to answer a confessor questioning him concerning a habit of sin, since the opposite opinion was condemned by Innocent XI … nevertheless, speaking of itself, a habit of this kind is not to be laid open."

XI. *Speaking of itself,* this doctrine is false and condemned, contained in proposition 58 condemned by Innocent XI. Speaking of itself, is a sick man not bound to lay open to his physician the state, the habit, and the length of his bodily infirmity? If crowds, if husbandmen, if plebeian men themselves and minds not learned in the academies but rude, polished by the light of nature alone, were to read doctrines of this kind, they would suffer grave scandal. What? Is sin diminished by an inveterate habit? Do obstinate, hardened, and inveterate sinners therefore sin less than those who sin once or twice? A habit, you say, diminishes liberty. What of this? This diminution is voluntary. The sinners themselves freely fabricate their own fetters. All the Fathers affirm that those who sin from habit sin from a depraved malice. Here the diminution of liberty in those who from habit perjure themselves, blaspheme, and fornicate is consequent, not antecedent, as the true theologians teach with St. Thomas, I-II, q. 78, art. 2, and question 76, article 4, reply 1. It aggravates therefore, and does not diminish, the malice of the sin.

XII. I prove that the described doctrine of Frs. La Croix, Viva, de Lugo, and others is contained in this condemned thesis 58: *We are not bound to confess to a confessor questioning us a habit of some sin.* A confessor can by right question only concerning those sins which a penitent is bound to manifest. Therefore if a confessor can by right question concerning a habit of sinning, a penitent is bound to manifest it. What to this? He ought to manifest it, reply the casuists, if he be questioned, but otherwise if the confessor keep silence. A vain cavil. The duty of manifesting precedes the right of questioning. For unless there were in the penitent a duty of manifesting, the confessor could not question; since he can question only concerning those things which the penitent is bound to lay

open. But, reasonings being dismissed, let the common sense of all Christians be consulted, who, being sincerely contrite, first of all set forth the state, the habit, and the custom of sinning. Scarcely would the recounted doctrine have come into the mind of any Christian, had not the casuists devised it. Hence gather how true it is that which I have more often indicated, namely that by one arbitrary little distinction the theses condemned by the Church are eluded, and the most clear testimonies of holy Scripture itself.

XIII. QUESTION V. *What is to be said of sins perpetrated from habit?* ANSWER. Fr. Claude La Croix proposes this question, namely whether sins which from a morally evil habit are afterwards done inadvertently are to be confessed. He answers, Book 2, part 1: "If we suppose that when those things are done there is present no advertence at all to the malice, such things will have no new malice, as is established from what is said in Book 5, question 2, no. 16 and following; and consequently, since these things are not sins of themselves, nor externally complete any internal sin, but are only effects of sin according to what is said at no. 974, there is no obligation of confessing them. … Which is true according to many with Dicastillo, although that habit be not retracted."

XIV. When therefore Christians blaspheme, perjure themselves, and desire to commit adultery from a habit not retracted and morally evil, if there be present no advertence, are these crimes not to be confessed? Why? Because they are not new sins. Therefore the precepts of not perjuring oneself, of not blaspheming, of not desiring another's wife are impossible to those who sin from a habit not retracted. Therefore you defend Jansenism. Concerning this opinion let the wise judge.

XV. QUESTION VI. *What is to be said of the opinion of Fr. Tamburini saying that the degrees of consanguinity of a sin perpetrated with a mother, or with a cousin, are not to be manifested?* ANSWER. Fr. Tamburini, Book 2, *Method of Confession,* chapter 7, § 7, no. 48, writes these things: "I say it is probable, from St. Thomas, II-II, q. 16, art. 9, and Cajetan in the same place, that consanguinity does not differ in species from affinity, nor one degree of these from the others. So Filliucci, saying that it is the opinion of St. Thomas, Cajetan, Soto, and almost the Thomists; Gregory; Megala — both in Diana. Whence, although without doubt it be graver to offend against one degree, for example against the first with a mother, than against another, for example with a cousin, nevertheless because the species is not changed, I think that these are not specially to be manifested in confession."

XVI. Scarcely is it possible to find any one of the rustics or idiots who, if he lay with his mother or with his sister, would not conceive a horrid malice, and would not be exceedingly ashamed to manifest so great a crime. And does Fr. Tamburini with Fr. Filliucci exempt Christians guilty of so great a crime from the obligation of laying open so enormous a circumstance? Will it be enough for these to say, *I have committed incest,* without declaring whether with a mother or with a sister? There is no need that I should refute this false opinion at greater length. Let the wise judge. Most injuriously is this opinion here fastened upon St. Thomas, as will presently be plain.

Chapter IV — On the obligation of confessing circumstances mortally aggravating within the same species. The doctrine of St. Thomas is vindicated

I. With a full pen I have treated this question in Vol. IX, Book 6, part 1, dissertation 4, chapter 4. In few words I shall here touch upon it. You steal one gold piece, or a hundred, or a thousand. The sin is

within the same species of theft. But a theft of a thousand gold pieces is notably graver than a theft of one gold piece. Theologians dispute on either side whether penitents are bound to confess circumstances of this kind morally aggravating within the same species.

II. First of all the doctrine of St. Thomas is to be vindicated. The Salmanticenses Scholastici, most excellent maintainers of the doctrine of St. Thomas, object the following testimony from Book 4 of the *Sentences,* distinction 16, question 3, article 2: *For some say that all circumstances which add some notable quantity to a sin are of necessity to be confessed, if they occur to the memory. But others say that they are not of necessity to be confessed, unless they be circumstances which draw to another genus of sin. And this is more probable.* Here those illustrious theologians stop, and determine that St. Thomas stands on their side. But if the whole doctrine of the Angelic Doctor be regarded, I do not see whence the Salmanticenses can glory in his patronage in this cause. For thus St. Thomas straightway goes on: *But it must be added, those which draw to another species of mortal sin. … OF WHICH THE REASON IS (N.B.) that venial sins are not of necessity of confession, BUT ONLY MORTAL, which have in a certain manner an infinite quantity: because circumstances which do not give another species to a sin, or which do indeed give one, BUT NOT OF MORTAL SIN, are not of necessity of confession; and yet to confess these belongs to the perfection of confession, as has been said of VENIAL SINS.*

III. A threefold malice can lie in a circumstance: first, that which changes the species; second, that which increases the malice within the confines of venial sin; third, that which mortally increases the malice. St. Thomas in the testimony adduced teaches that circumstances which either do not change the species, or do not mortally increase the malice, are not necessarily to be confessed. For if it increase only venially, within the limits of venial sin, even notably, their confession is not necessary. For one venial sin is graver than another, as is plain in the theft of one farthing and of one chicken. These circumstances *are not of necessity to be confessed,* says the Angelic. For what do these words betray, which govern the whole doctrine of the article? *OF WHICH THE REASON IS, that venial sins are not of necessity of confession, but only mortal, which have in a certain manner an infinite quantity.* Our opponents cry out that St. Thomas expressly treats of circumstances which add some notable quantity. It is true that he teaches this at the beginning of the article; but these words, which bear an ambiguity as to whether St. Thomas is speaking of a notable quantity venial or mortal, the same holy Doctor forthwith in the course of the article expounds as to be understood of a notable venial quantity. THE REASON IS, because venial sins are not of necessity of confession. Tell me: is one venial sin given notably graver than another? All affirm it. By what daring therefore do you wrench this notable quantity by main force to the mortal, when the Angelic plainly asserts that he speaks of a notable venial addition? *The reason is, because venial sins,* and so forth. But that the mouths of our adversaries may be utterly stopped, these other words of the Angelic are to be recalled beneath the eyes: *Aggravating circumstances which do not attribute another species to a sin, or which do indeed attribute one, BUT NOT OF MORTAL SIN, are not of necessity of confession. Of which the reason is, that we are not bound necessarily to confess venial sins.* So decisive, so peremptory are these things that they leave no place for arguing and cavilling. If you desire more, consult Vol. IX, in the place cited.

IV. The doctrine of St. Thomas being briefly vindicated, I say that circumstances mortally aggravating within the same species are to be manifested in confession. I prove this opinion, which the graver theologians defend, by the authority of the Tridentine Catechism, which, part 2, chapter 5, § 43, teaches these things: "The circumstances of sins are to be laid open when a man confesses. But in

confession that highest care and diligence is to be employed which we are wont to put forth in the gravest matters; and all study is to be conferred upon this, that we may heal the wounds of the soul and tear out the roots of sin. Nor is it enough only to explain grave sins by narrating them, but also those things which stand about each sin, and greatly increase or diminish its depravity. For certain circumstances are so grave that from them alone the character of a deadly sin is constituted. Wherefore all these things it behoves always to weigh. For if a man kill another, it must be explained whether that man was initiated in sacred things, or profane; and likewise if he lay with a woman, he must needs lay open whether she was free by the law of matrimony, or another's wife, or a kinswoman, or consecrated to God by the promise of some vow. For these constitute diverse kinds of sins: so that the first indeed is called by the Doctors of divine things simple fornication, the second adultery, the third incest, the fourth sacrilege. Theft also is to be numbered among sins. But if a man steal a gold coin, he sins altogether more lightly than he who steals a hundred, or two hundred, or some vast quantity of gold, and especially he who has carried off sacred money. The same account pertains also to place and to time, whose examples are better known from many books than that they should be enumerated by us. These things therefore, as we have said, ARE TO BE ENUMERATED. But those which do not greatly increase the depravity of the matter can be omitted without crime."

V. As the Fathers of Trent, so the authors of the Catechism always followed the doctrine of St. Thomas, which you see here declared and confirmed. This doctrine the most learned Salmanticenses, to be looked up to by me under many titles, ought to have meditated.

VI. The Venerable Innocent XI condemned this thesis: *We are not bound to confess to a confessor questioning us a habit of some sin.* These two things — the right of questioning and the duty of manifesting — are so conjoined that the one cannot subsist without the other. Nay, the duty of manifesting precedes the right of questioning, as I have said. A habit of fornicating or of perjuring oneself does not change the species, but only aggravates the malice within the same species. The doctrine denying the duty of answering has been condemned. Therefore the doctrine denying the duty of manifesting an aggravating circumstance has been condemned.

VII. Our opinion is demonstrated by reason. He who knowingly keeps silence about an accession of mortal malice does not make a formally whole confession. He who steals a hundred gold coins, of which each constitutes the matter of a mortal theft, perpetrates a theft which is equivalent to a hundred deadly thefts. Therefore he who confesses only the grave matter, namely of one gold piece, keeps silence about ninety-nine mortal sins. By a single act of the will you covet ten persons specifically diverse in the genus of morals — suppose a mother, a daughter, a nun, a married woman, a virgin, a boy, and so forth. Does he make a formally whole confession who does not confess these persons morally diverse in species coveted by a single act? You deny it. Therefore he does not make a formally whole confession who by a single act perpetrated a hundred mortal thefts numerically distinct; or who by a single act coveted several persons distinct by moral number alone. I prove the consequence. You are equally bound to confess mortal sins distinct by number and by species, as all teach. Therefore a virtual numerical multiplication is equally to be confessed as a virtual specific multiplication. See more in the place cited.

Chapter V — On the remaining circumstances

I. QUESTION I. *What are the significations of the circumstance* what? ANSWER. It signifies the quantity and quality of the sin, and of the person with whom one sins. They dispute whether the person is to be expressed concerning whom a man takes morose delight, which would have to be manifested if the deed followed. The affirmative opinion is to me true, the negative false: since common sense itself execrates as something most enormous a venereal delight conceived from lying with a mother.

II. Fr. La Croix, Book 6, part 2, no. 1030, writes: "He who without any desire looks upon a person with a lustful eye is not bound to say (in confession) of what sort the person was." He subjoins there at no. 1031: "He who without desire touched a girl lustfully, according to Diana, satisfies by saying that he touched her so many times basely, saying nothing of the parts in which he touched her." He subjoins again: "Others say PROBABLY that it is to be expressed if he touched a shameful part." He leaves it to the reader, after the sceptical manner, to choose for himself what pleases him more. And why ought he not to express that he looked lustfully upon his mother, his sister, a nun, and so forth? Why ought he not to manifest that he touched a hand, cheeks, breasts, or shameful parts? What is the reason of the silence? The opinions probably denying the duty of manifesting the aforesaid circumstance are false.

III. Fr. La Croix goes on in the same place, no. 1040: "He who has fornicated with three at one time, or thrice with one, satisfies by saying that he has thrice fornicated; nor is he bound to say whether it was one or several, whether they were harlots or others, provided he has not cooperated to the hindering of generation. Bonacina, Tamburini."

IV. Unless the casuists had devised figments of this kind, any Christian by the light of nature would express the three women, because they are three most grave and diverse scandals. But why ought he not to express the three women? Because *the yoke is sweet,* they say, and it ought not to be made heavy. The aforesaid opinion is false and improbable.

V. The same La Croix in the same place, no. 1041: "If a priest fornicate with a daughter of confession, St. Thomas, Soto, Sánchez, and other most grave authors, whom he relates and follows, and Aversa, part 16, § 14, still say that a new species of malice is contracted: because canon law calls it a certain adultery or incest; and in fact it seems to be a species of irreverence and sacrilege against the sacrament. On the contrary, that it is simple fornication, and that it can be kept silent that she was a daughter of confession, teach Ledesma, Vásquez, Sá, Bonacina, Filliucci, Sánchez, Pontius, Hurtado, Ochagavia, Dicastillo, Tamburini, Diana, Lupus — because from confession no spiritual kinship arises, and so forth. … Each opinion is probable. The first is more conformable to canon law; but the second seems from reason the more probable."

VI. Probabilism creeps everywhere. Each is probable, the true and the false. The first is more conformable to canon law; the second from reason more probable, says Fr. La Croix. And why? Because Vásquez, Bonacina, Filliucci, Hurtado, Ochagavia, Dicastillo, Tamburini, and Diana comprehended the rights of reason more deeply than the Fathers, than the Councils, than the Pontiffs founders of canon law. This opinion, which Fr. La Croix calls the more probable, is false and lax, as the most wise Pontiff Benedict XIV declared it, when he took away from confessors the authority of absolving from this crime. Do the Pontiffs then publish canons without reason? Is there an appeal

from the sacred canons to the tribunal of reason? Is not reason darkened by original sin? More things would occur to be said of this first circumstance; but see them, Vol. IX, dissertation 4, chapter 7.

VII. QUESTION II. *What does the circumstance* where *betray?* ANSWER. It indicates the place, and changes the species, as if a man in a sacred place shed human blood, fornicate, pollute himself, steal, or violate ecclesiastical immunity. He who in a sacred place steals a sacred thing perpetrates a sacrilege on a twofold title, and this ought to be expressed in confession. He who steals in a sacred place a profane thing — suppose a purse from a rich man — perpetrates a sacrilege, as authors commonly teach. Fr. Viva nevertheless after his manner adverts, citing de Lugo, Lessius, and Henríquez, that it can probably be thought not to be sacrilege, save when the thing has been placed in the Church for custody. But this figment is arbitrary and false. Fr. La Croix, Book 6, part 1, no. 1090, introduces Dicastillo, who *acknowledges an almost equal probability in each opinion, yet nevertheless inclines to the first*. The first alone is true, the other false.

VIII. Homicide perpetrated in a church without shedding of blood is sacrilege. He who, being in a church, kills another outside the church is sacrilegious. Similarly he who, being outside a church, kills with a missile another within the church is sacrilegious. He who strikes another with shedding of blood commits sacrilege. It is required nevertheless, says someone, that the shedding of blood be great, because *shedding* signifies a copious flow. A mortal wound made with a dagger emits only a few drops of blood. He therefore who strikes with a dagger unto death will not be sacrilegious. What will be the measure of that great flow? But why do I waste time in refuting a false opinion? False also is the opinion of others teaching that a pollution secretly done in a church is not sacrilege.

IX. QUESTION III. *What is to be said of the opinion denying that immodest touches in a church are sacrilegious?* ANSWER. That it is false is certain to me.

X. For whence will you gather that to kiss women and to touch their breasts and other parts, even publicly in a church, is not sacrilege? This doctrine terrifies me. Timorous and pusillanimous the probabilists have said I am. Be it so. But I reject this opinion as altogether false. Then only, subjoins Fr. La Croix, would sacrilege be committed, when a man should publicly touch a harlot immodestly in the presence of the altar. But if a man, behind the altar, or further from the altar, in the middle of the church, should publicly touch a harlot or another woman immodestly, would he not commit sacrilege? Ought it not to be expressed that the deed was done in a sacred place? Whether these be paradoxes repugnant to common sense, let the judgment be others'.

XI. QUESTION IV. *What do the circumstances* by what helps *and* why *indicate?* ANSWER. The circumstance *by what helps* signifies the counsels, persuasions, and means which a man uses for sinning. *Why* betrays the end on account of which a man sins, as if he steal for the sake of committing adultery. A sin of itself venial can become deadly on account of a mortally depraved end, as when a man lies that he may induce a woman to fornication.

XII. The circumstance *how* includes duration of the fault, contempt, and habit. You killed a man. How? Treacherously. Did you rage against the corpse? For how long a time had you the mind of killing? The circumstance *when* indicates the time in which the sin was perpetrated. Upon these last two circumstances also some dispute not a few questions; but I pass them over as of lesser moment.

Chapter VI — Whether doubtful sins are to be confessed

I. In a threefold manner you can doubt. First, you doubt whether you have sinned mortally in this or that matter otherwise mortal. Second, you know that you have sinned, but you doubt whether the sin be mortal or venial. Third, you know certainly that you have sinned mortally, but you doubt whether you have confessed it.

II. Doubt, as St. Thomas teaches, *On Truth,* question 24, is when the intellect, between reasons which occur equally on either side, both for affirming and for denying, is uncertain, suspended, and hesitates, assenting to neither part. Some have devised a *negative* doubt, when on neither part do reasons for doubting occur; but this is mere nescience, or ignorance. The first therefore is a true and proper doubt, which is called *positive,* concerning which we must dispute.

III. QUESTION I. *What is to be said of the opinion teaching that one is not bound to confess sins certainly committed, if he doubt whether he confessed them?* ANSWER. Fr. Dominic Viva in his *Course,* question 2, article 2, no. 3, proposes this question: "Whether he who is CERTAIN of a mortal sin committed, but doubts positively whether he confessed it, so that he has a probable reason that he confessed it, and probable also, nay MORE PROBABLE, reasons that he did not confess it, is bound to confess it? I answer likewise negatively, with the common opinion of the Doctors whom Martin Perez cites against Coninck, in Diana."

IV. What is this community of Doctors? What do you seek? See in Diana. It pleases me to refute the opinion of Fr. Viva by the testimony of the probabilists themselves. The Salmanticenses Scholastici, Vol. XII, part 2, tract 24, doubt 6, § 1, no. 178, page 173, write these things: "We think that he who certainly knows that he has committed some mortal sin, but doubts whether he confessed it, is obliged to its confession. So Navarrus, Suárez, Sánchez, and others commonly. … Whence even Caramuel himself, who in these matters is reckoned laxer or freer than others, when he had learned that certain JESUITS at Vienna had defended a thesis contrary to this common doctrine, and had alleged Caramuel for themselves, refused it, openly excused himself, and asserted that he philosophized otherwise of a doubtful sin, otherwise of a sin certainly committed but doubtfully confessed."

V. Behold a new and indeed clear argument of Probabilism. In a twofold manner Fr. Viva imposes upon his readers, when he says that the Doctors commonly defend his doctrine. Since even if all the probabilists defended it, these do not constitute a *community of Doctors.* Secondly, because even the freer casuists themselves, who are undeservedly called Doctors, disapprove the doctrine of Fr. Viva. If this doctrine were preached from a public pulpit, Christians would be moved and would suffer scandal, as it seems to me.

VI. What? You certainly know that you have drunk a deadly poison, but you doubt whether you have applied the antidote — and do you refuse to employ the antidote? Is a certain debt satisfied by a doubtful payment? It is of faith that a certain sin is to be subjected to confession. But by a doubtful confession this most certain debt is not satisfied. Therefore you are bound to confess it.

VII. The sophisms dug out of the mine of Probabilism which Fr. Viva adduces are vain. The use of Probabilism was condemned in the civil forum by Innocent XI: *I think it more probable that a judge can judge according to the less probable opinion.* Therefore it is far more severely disapproved in the sacred forum. What of this, that Fr. Viva defends that you when doubting are not bound to confession, *even*

if he have more probable reasons that he did not confess? The doctrine of Fr. Viva Fr. La Croix also teaches, Book 6, part 2, no. 602, and cites for the same Gobat, Sioz, Bosco, and other like Doctors.

VIII. QUESTION II. *Whether he who doubts whether he committed some sin is bound to confess it?* ANSWER. Fr. Dominic Viva in the place cited, no. 2, proposes this question: *Whether he who positively doubts whether he committed a sin, so that he has probable reasons that he did not sin, although he have equally probable, nay perchance MORE PROBABLE, reasons that he did sin, is bound to confess that sin?* He offers this answer: *I answer with the common opinion of the Doctors, NEGATIVELY.*

IX. Do the probabilists alone constitute the community of Doctors? It is certain that the more celebrated theologians of the illustrious Gallican nation, of the Dominican and Augustinian Religion, and Jesuit Doctors, and the most learned men of every Institute whatsoever, keenly disapprove the aforesaid doctrine of Fr. Viva. Are those men not Doctors? Are the probabilists alone Doctors in the Catholic Church? By what daring therefore does Fr. Viva write *with the common opinion of the Doctors*? Who are these Doctors whom Fr. Viva cites? Are they Sánchez, Alcover, Bizozer, Burgaber, Sporer, Stoz, Razemberger, Leander, Escobar, Caramuel, Gormaz, Busembaum, La Croix, La Cruz, Veracruz, Zanardi, and other like men? So many parish priests, so many less skilled confessors, when they read in Fr. Viva or another probabilist *So the Doctors commonly teach,* believe in good faith that the Doctors of the Church commonly teach this, and therefore with closed eyes adopt lax opinions and reduce them to execution. Hence it follows that the probabilists for the most part cite no Doctors save their own probabilists. Whether this be to deceive unskilled confessors, and whether this manner of writing savours of sincerity, humility, and a prudent form of writing, let the wise judge. The described doctrine is false.

X. QUESTION III. *Ought we to confess a doubtful mortal sin as doubtful?* ANSWER. All the ancient theologians commonly affirm it, especially St. Thomas in Book 4, distinction 21, article 3, reply 3. The Salmanticenses, both scholastic and moral, testify that this is the common opinion of all theologians, even of the probabilists.

XI. Although the probabilists themselves, as the Salmanticenses say, defend the common doctrine of the Church, very many of them nevertheless implicate it with the paints of Probabilism. They distinguish a twofold doubt. When the intellect is altogether uncertain, because on account of the equal weights of reasons it cannot decline to either part, they say that the intellect doubts; and this doubt they call *negative*. And all the probabilists commonly affirm that a Christian so doubting that he has sinned mortally is bound to confession. But when the intellect has for one part more probable reasons which show that he has sinned, and for the other part probable reasons proving that he has not sinned, then, they say, the doubt is *positive,* which by force of reflex Probabilism can according to them be laid aside, and the obligation of confession ceases.

XII. Hitherto I have refuted the doctrine of Fr. Viva and of others excusing Christians positively doubting from the duty of confession, and have indicated that this distinction is futile, and the figment of a positive and negative doubt vain. But that you may more clearly behold how Probabilism daily enlarges its jurisdiction, it pleases me to transcribe what very many younger probabilists teach against the common doctrine of the Church concerning *negative* doubt.

XIII. Fr. Dominic Viva, question 2, article 2, no. 6, writes these things concerning the obligation of confessing negatively doubtful sins: "I answer that it was almost the MOST COMMON opinion of

the ancient Doctors that a man is bound to subject negatively doubtful sins to the keys; and Thomas Sánchez reputes this altogether certain. … For these causes Fr. Matthew de Moya of our Society, who was confessor to Mary Anne Queen of Spain, in his *Select Questions on the Sacrament of Penance,* after he had asserted that he had taught the contrary opinion for thirty years even in the Schools, disputation 1, question 5, has these things: "Nevertheless, the matter being maturely considered, I judge that we must stand for the contrary and common opinion asserting the obligation of a doubtful sin: to which I am led by this one efficacious argument, that the sacrament of Penance COULD have been instituted with this obligation. But that he did institute it, the more common sense of Catholics persuades, and a tradition continued from the time of the Apostles down to our times, by reason of which the Doctors have not so much proved as PRESUPPOSED, as an UNSHAKEN DOGMA, the precept of confessing doubtful sins equally with certain ones. For, as Augustine says, Book 4 *Against the Donatists,* that which the universal Church holds," and so forth. Thus far Fr. Moya. To these add Leander and Tamburini himself, although patrons of the kindlier opinions."

XIV. Fr. Viva therefore of his own accord confesses that the doctrine obliging Christians to confess negatively doubtful sins is most common. But here he subjoins: "These things notwithstanding, I think the contrary opinion is PROBABLE and SAFE, asserting that negatively doubtful sins are not necessary matter of the sacrament of Penance, which very many authors follow in Mendo and Diana and others … whom Caramuel numbers up to twenty-two. … To whom add Lessius, Sá, Layman, Praepositus, Amicus, Leander, Hounihl, and also Ferrandinus *On Scandal,* question 77, where he cites the Revisers of the Society of Jesus as holding that this opinion can now be permitted in our schools; which openly and of set purpose Marchant, Joseph de Januario, Martinon, and many other writers judge probable — although FORMERLY, according to our rules, it could not be permitted, since scarcely one writer could be found who openly maintained it, as the same men testify in Tamburini. But now, as Diana notes, IT DAILY STRIKES DEEPER ROOTS."

XV. The axe is to be applied to these poisonous roots, which attempt to infect the common doctrine of the Church, lest, as Diana prophesies, they daily grow more. Formerly in the illustrious Society of Jesus it was forbidden that a lax opinion be taught in the schools; is it now struck in public print by Fr. Viva, that it may daily strike deeper roots? If I wrote such things, our adversaries would cry out that I detract from the Jesuits, impose upon them, and calumniate them. And indeed what Fr. Viva writes of his own Society — that an opinion is now defended with approval against the common doctrine of the Church which formerly it had forbidden — I should not dare to publish; nor would I have transcribed it, unless the necessity of unteaching the unskilled urged. Fr. Viva confesses that the doctrine which teaches the obligation of confessing negatively doubtful sins is that of almost all the ancients. He confesses that the kindlier probabilists themselves — Sánchez, Leander, Tamburini — defend it as certain. What more? Even Fr. Matthew de Moya himself, in his work condemned for the heaping up of lax opinions, says that this doctrine *the more common sense of Catholics persuades, and a tradition continued from the time of the Apostles down to our times, by reason of which the Doctors have not so much proved as presupposed, as an UNSHAKEN DOGMA, the precept of confessing doubtful sins equally with certain ones.* This same thing almost all theologians testify, and the probabilists themselves, nay Fr. Viva himself.

XVI. And against the tradition of the Apostles, against the doctrine of all sacred antiquity, against the common opinion of all the more learned theologians and of almost all the probabilists, and against

the long-established rules of his own Society, does Fr. Dominic Viva dare to propose to the Christian people as probable, nay as SAFE, an opinion false, improbable, and — to speak most mildly — full of laxity? This was brought in by Caramuel, Ferentinus, Martinon, Verde, and Januarius, patrons of a laxer Ethics. All theologians commonly detest it, and the most illustrious Society did not formerly permit it to be dictated in the schools. But now, says Fr. Viva, it daily strikes deeper roots. In what soil, in what schools, with what husbandmen and cultivators does this lax opinion daily strike roots?

XVII. Falsely does Fr. Viva cite for this opinion St. Antoninus, Tabiena, and Palude, whom after his manner he reads in Diana, or in Mendo. Whether he truly cites Layman and Lessius let others see: the Salmanticenses in the place cited, no. 195, vindicate Layman from this laxity. But Fr. Viva studies to multiply patrons, that the roots of his opinion may creep more widely.

XVIII. Fr. Claude La Croix, Book 6, part 1, no. 598, after his manner gathers all the opinions, true and false, upon this controversy; and for the opinion denying the duty of confessing negatively doubtful sins, against the common doctrine of the Church, whom does he allege? *Toldet, Stoz, Caramuel, Conmarch.* Then at no. 609 he thus concludes: "The opinion affirming an obligation of confessing negatively doubtful mortal sins is, authority being regarded, MORE PROBABLE, as is plain from what is said at no. 607. But intrinsic reasons being precisely regarded, the negative seems MORE PROBABLE, as will be plain to one comparing the intrinsic reasons adduced at nos. 607 and 608."

XIX. Good heavens! Attend your mind. Toldet, Stoz, Conmarch, and Caramuel devised reasons more valid, more robust, and clearer for denying the duty of confessing negatively doubtful sins than the wiser Jesuit theologians of two centuries, who forbade this doctrine in the schools. Did Toldet and Stoz with a few others penetrate the matter more deeply than the holy Doctors of the Church, than St. Thomas, than the Fathers of the Tridentine Catechism, than all the rest of the theologians, both antiprobabilist and probabilist? Fr. La Croix indeed confesses at no. 610 that our opinion is absolutely more probable. But what thence? For by the benefit of Probabilism it is enough for him that the contrary be probable. The most certain doctrines of the Church they clothe with the mask of Probabilism, and thus render ambiguous truths which formerly reigned beyond controversy. Whither Christian affairs tend, unless this manner of opining be eliminated, let Christian readers judge. The sophisms which are wont to be obtruded, since they all rest upon Probabilism already shattered by me, I pass over. Consult Vol. IX, dissertation 4, chapter 7.

Chapter VII — On the causes excusing from the material integrity of confession. On a dying man destitute of his senses, and on confessions to be repeated. Lax opinions are refuted

I. QUESTION I. *What are the causes excusing from the material integrity of confession?* ANSWER. The following. 1. Physical impotence, by force of which are excused, first, those who labour under invincible ignorance; second, the dumb; third, those who during confession suffer a fainting; fourth, those ignorant of the confessor's idiom, if other ministers be lacking; fifth, those who, war, fire, or shipwreck being imminent, are destitute of time for confessing wholly; sixth, as often as there is grave danger in delay, suppose in a shipwreck. In this case, if there be several penitents, let the priest say: *I absolve you,* and so forth.

II. Moral impotence also excuses from material integrity: first, when a priest cannot without breaking the seal lay open some sin; second, a sick man infected with a contagious disease, whose confession cannot be heard even from afar; third, when from a whole confession a sick man would be gravely oppressed; fourth, when from a whole manifestation of sins a most grave detriment would threaten the confessor or the penitent.

III. QUESTION II. *What is to be said of the opinion asserting that a great frequency of penitents by reason of a solemnity excuses from material integrity?* ANSWER. These things Fr. George Gobat teaches, tract 6, no. 479: "Fr. Coninck, Book 6, no. 98, denies that the opinion is probable of those who think that, when there is present so great a multitude of persons wishing to confess for some celebrated feast that the priest cannot satisfy all by hearing all wholly, he can say to each that they lay open only the graver of their mortal sins and defer the rest to another time. I think, subject to a better judgment, that that opinion can probably be sustained, in the case in which many came from far off for the sake of obtaining some great indulgence which requires confession and communion."

IV. This opinion Innocent XI condemned in this 59th thesis: *It is lawful sacramentally to absolve those who have confessed only by halves, by reason of a great concourse of penitents, such as, for example, can happen on the day of some great solemnity or indulgence.*

V. A man hindered from approaching a superior is not excused from material integrity, so that he can be absolved by an inferior priest from the remaining sins with the burden of afterwards approaching the superior. Nor can he manifest to the superior the reserved sins alone and be absolved from them, and confess the remaining sins to an inferior priest. The opposite opinion authors commonly disapprove.

VI. QUESTION III. *Ought the person of an accomplice to be manifested in confession?* ANSWER. Never without necessity. Wherefore when the circumstance of an accomplice is to be manifested, a penitent ought, while he can, to seek out a confessor to whom the person of the accomplice is unknown. If he cannot find such a confessor, he ought to manifest the accomplice. This has always been the discipline of the Church, as Morinus, Book 2, chapter 11 and following, lays open. For the accomplice by sinning ceded his own right. So St. Thomas teaches, II-II, q. 73, art. 2. Besides, a penitent, either for his own or for his accomplice's benefit, can manifest the accomplice himself to the confessor.

VII. QUESTION IV. *Can a dying man destitute of his senses be absolved, when he asked for confession before the priest's arrival?* ANSWER. All commonly affirm it. Even if he did not expressly ask, if nevertheless he beat his breast, or give signs of confession, he is to be absolved.

VIII. QUESTION V. *Is a dying man suddenly destitute of his senses, who neither asked nor gave signs of confession, to be absolved, if nevertheless he lived piously and in Christian fashion?* ANSWER. Very many and grave theologians affirm it; and John Morinus above the rest illustrated this affirmative opinion, Book 10, chapter 10. Very many others on the contrary deny it. The arguments of each opinion I have given in Vol. IX, dissertation 4, chapter 10.

IX. In few words I now touch upon the matter. The opinion denying seems to me the more probable; since Christ instituted this sacrament after the manner of a sensible and human judgment. When God wills the salvation of someone, he wills by the same will also the means which he himself prescribes. Therefore when he wills the salvation of someone, he grants him time in which he may exhibit such signs that he can by right be absolved. The matter of the sacrament is the acts of the

penitent. If these be lacking, the matter is lacking. And just as, water being lacking, Baptism cannot be administered, so, the acts of the penitent being taken away, the sacrament of Penance cannot be performed. The testimony of St. Augustine which is produced for the affirmative opinion speaks of a catechumen, or of a penitent who by voice or by works had asked for absolution.

X. QUESTION VI. *What is to be said of the opinion of Fr. Gormaz?* ANSWER. I judge probable the opinion of those who defend that Christians destitute of their senses, whose excellent life is established, are to be absolved. But Fr. John Baptist Gormaz goes further, who, disputation 5, section 1, § 1, page 775 and following, teaches this: "It follows sixthly that he also is to be absolved concerning whom it is not established whether he foresaw the peril of life, whether he lived well or ill, if he is found destitute of his senses and near to death. … Wherefore even if perchance someone, while ACTUALLY SINNING, be suddenly deprived of his senses, he is REGULARLY not to be dismissed without absolution, since it most rarely happens that a man near to death should not wish to consult his own salvation at least by attrition, which it is not established that he inwardly lacks, although externally he be deprived of sense: for by the condition an injury to the sacrament is avoided, and so forth. So Bonagratia cited above. See Gobat, tract 7, nos. 577 to 625."

XI. Are wicked and outrageous Christians therefore regularly to be absolved who, ACTUALLY SINNING, are destitute of their senses in a duel, in fornication, in adultery, in blasphemy, and wearied in the way of iniquity? Does a sinner *actually fornicating* wish to consult his own salvation *at least by attrition*? But even the laxer casuists teach that the precept of contrition presses in the article of death. Besides, is not attrition a supernatural gift of God? And will God give this gift to a sinner *actually committing adultery*? If God permitted him to fall into sin, how can it be presumed that in that same moment God wills *regularly* to impart to him such a gift?

XII. QUESTION VII. *What is to be said of the opinion of Fr. Gobat, by which he eludes the decree of his own Society forbidding the absolution of a dying man destitute of his senses?* ANSWER. Fr. Gormaz cites Fr. Gobat; Fr. Gobat cites, tract 7, no. 601, the decree of his own illustrious Society in these words: "Sixthly, the superiors of our Society have most recently and deservedly inhibited their own from teaching hereafter this proposition: *A dying man, even if he give or have given no sign of contrition, so that the priest neither knows nor can prudently think that some sensible confession preceded, can be absolved."* Two things Fr. Gobat devised, that he might elude this prudent decree. Behold his words in the place cited, no. 604: "Moreover, concerning that ordination of our Order of which we have spoken in the preceding number, two things are to be noted. First, that it speaks of a case in which it cannot prudently be presumed that he gave a sign. … The other, that the ordination EXPRESSLY only forbids that that opinion BE TAUGHT, not expressly that it BE NOT PRACTISED." Do you wish for prettier things? What? If even the decrees of his own Society are eluded with witty figments, what obedience can extraneous decrees expect? I pass over in deep silence the corollaries which hence proceed of their own accord. Will they say that the text of Fr. Gobat has been less sincerely produced? I beg all to read in the fount Gobat, and Gormaz, and La Croix, and Viva, and all whom I cite in this work.

XIII. QUESTION VIII. *Is there given a valid but formless confession?* ANSWER. They call that sacrament valid but formless which has all the parts essential to validity, but on account of the indisposition of the subject does not confer the effect of grace. Very many theologians defend that there is given a valid but formless confession; very many deny it. The question is merely speculative.

XIV. QUESTION IX. *In what case is confession to be repeated?* ANSWER. In very many cases. 1. If sufficient grief was lacking. 2. If a penitent knowingly keep silence about some sin. 3. If through mortally culpable negligence some mortal sin was omitted. 4. If a man confess for a depraved end. 5. If a man gravely lied in confession. 6. If, being conscious of an excommunication, whether greater or lesser, he conceal it. 7. Those who solicitously seek out half-learned or too kindly confessors, that they may obtain absolution from the sins into which they frequently relapse, most certainly make sacrilegious confessions. If a confessor from a frequency of confessions and communions sees no reformation of morals, nor amendment of outrages, but the same crimes perpetrated thereabouts, let him not doubt, but judge the confessions to be sacrilegious.

Chapter VIII — On satisfaction, the third integral part of the sacrament of Penance

I. QUESTION I. *What is sacramental satisfaction?* ANSWER. It is the acceptation of a penalty and the voluntary endurance of it, enjoined by the confessor, for the reintegrating of friendship with God violated by sin, and for compensating the injury inflicted upon him. This satisfaction has the name of *penalty,* whence it is called *penance.* Fasts, alms, prayers, vigils, and disciplines are penalties, because they are contrary to the body. A short prayer scarcely obtains the name of a penalty. Wherefore let confessors remember that satisfaction is a penalty. It is called *voluntary acceptation,* and so forth, because unwilling and forced it would not be accepted by God. *Enjoined by the confessor* — by this particle sacramental satisfaction is distinguished from penances which are undertaken of one's own accord.

II. This satisfaction must necessarily be offered to God in vengeance for offences, as all Catholics teach against the innovators. Obvious are the testimonies of the Scriptures. *Be converted to me with all your heart, in fasting, and in weeping, and in mourning.* Joel 2. *Bring forth fruits worthy of penance.* Matthew 3.

III. QUESTION II. *What are the works by which a man can satisfy God for sins?* ANSWER. Three: prayer, fasting, almsgiving. To these three the rest are reduced. Prayer includes all things which regard divine worship. Fasting comprehends all chastisements of the body, hair-shirts, lying on the ground, disciplines, and vigils. Almsgiving restrains avarice, cupidity, and the concupiscence of the eyes. To these three works are reduced also the scourges and calamities which are inflicted upon us by God.

IV. The execution of satisfaction is not necessary to the essence of the sacrament, which precedes the satisfaction itself. Therefore it is called an integral part. Theologians dispute on either side whether a satisfaction made in mortal sin be valid. But each opinion is easily reconciled, if we distinguish a meritorious satisfaction from the precept of fulfilling the satisfaction. Penitents who in the state of mortal sin fulfil the precept of satisfaction are not bound again to perform the same satisfactory works in order to fulfil the precept. But here the satisfaction is not meritorious, as being made in mortal sin.

V. One satisfaction is medicinal, destined for the curing of the infirmities of the soul; this one cannot perform for another. The other is of penalty, by which the punishment owed to sin is paid; in this sense one can satisfy for another, as all Catholics teach, excepting that which is enjoined in the sacrament to be done by the penitent himself.

VI. QUESTION III. *What are the effects of satisfaction?* ANSWER. Several. 1. Satisfaction tears out the relics of sins. 2. It restrains the appetitions and concupiscence. 3. It offers an argument of a sincere conversion, when it is in fact true. 4. It turns away the wrath of God. 5. It renders penitents in a certain manner like to Christ their Head. 6. It restores the rights of the Church injured. 7. It pays the debt for the temporal guilt which remains after the fault is remitted.

VII. QUESTION IV. *What was the ancient discipline of the Church in imposing satisfactions?* ANSWER. More things would have to be said, which the brevity set before me forbids. At the beginning of the Church a most severe penance was performed, with no prescribed manner or measure. On occasion of the Novatian schism four states of penitents were instituted. 1. Of the *weepers,* who, clothed in sackcloth and mournful garb, before the doors of the church, their outrages being laid open, commended themselves to the prayers of the faithful entering. 2. Of the *hearers,* who in the vestibule of the church heard the lessons of sacred Scripture and the sermons of the priests. 3. Of the *prostrate,* who were received within the compass of the temple as far as the ambo. In this station they remained at the bishop's discretion, and expiating their offences by the reading of the Scriptures, by tears, by fasts and prayers, they received absolution. 4. Of the *consistent,* who sat in the church, partakers of all the prayers.

VIII. This discipline of penance flourished in the Latin Church down to the seventh century. About this time there came forth, against the severity of the ancient canons, certain *penitential books,* which under the paint of kindliness dared to temper the ancient penitential canons. The Second Council of Chalon abrogated these books: *of which,* it says, *the errors are certain, the authors uncertain.*

IX. All inculcate upon confessors the knowledge of the ancient canons, as Benedict XIV adverts, Book 7 *On the Synod,* chapter 41, that from them they may gather by what reason they can temper, increase, or diminish the penances to be imposed. For although the exterior penalties be diminished, the spirit of penance nevertheless is unchangeable, and always perseveres the same in the Church. If a milder exterior penance is now imposed for the gravest outrages, the internal fervour of spirit ought to supply.

X. St. Charles Borromeo collected together the ancient penitential canons, and distributed them through the ten precepts of the Decalogue: which collection I have given entire in Vol. IX, dissertation 5, for the convenience of confessors.

XI. The spirit of penance always perseveres the same in the Church, unchangeable, as I have said. The exterior discipline of penance flourishes in our age most mildly. Individuals diminish it according to their own bent, since the canons of that unchangeable spirit do not now obtain. A rule nevertheless Trent prescribed, which I shall presently give.

XII. But what ought more deeply to move and to break our soul is that not only the exterior discipline of penalties has been changed, but the very interior spirit of penance is utterly extinct among the greatest part of Christians. When a severer exterior penance flourished, the charity of Christ burned in men's hearts, a true contrition glowed. Upon the ancient external discipline, tempered and as it were grown obsolete, there has succeeded a servile attrition conceived from fear of punishments not only eternal but, according to certain casuists, even temporal. There succeeds an inconstant and implicit purpose. Finally the precepts of charity and of contrition have gone into desuetude among certain kindlier casuists. Christ would have aggravated, say Viva, Sporer, and the

rest like them, and not lightened the yoke of Christians, if together with confession he required a grief formed by charity even inchoate. More things would have to be said by me, if I wished to set forth worthily the laxities that have been brought in. You, ministers of Christ, consult the ancient canons, and touch with your own hands to what a state our sacramental matters have been reduced.

XIII. An admonition to confessors. Consider, ministers of Christ, that in our age pride, concupiscence, luxury, avarice, display, ambition, and effeminacy rage more shamelessly than in the first centuries of the Church. No less now do adultery, fornication, perjury, and so forth inflict injury upon God than of old. Therefore the same payment will discharge them. They will pay, say some, in Purgatory. Be it so. But in the meanwhile medicinal penances curing diseases and restraining concupiscence and the other unbridled appetitions, unless they be strong and severe, do not heal the sick. But has a new and gentler medicine been found, hitherto unknown to the Church, by which pride may be pressed down, the flesh sweetly and kindly crucified, and concupiscence restrained? Awake, ministers of God, and according to the Gospel of Christ institute your reckonings.

Chapter IX — On the quality, quantity, and time of the satisfaction to be enjoined upon penitents

I. QUESTION I. *Of how many kinds is satisfaction?* ANSWER. Twofold, as is established from what has been said, and as the Council of Trent declares. One satisfaction is called *medicinal,* apt for the curing of the diseases of the soul; the other is called *vindicative,* which imposes a chastisement for the offences perpetrated.

II. QUESTION II. *What did Trent prescribe concerning the quantity of the penance to be enjoined?* ANSWER. The Council of Trent, session 14, chapter 8, prescribed this rule, which ought to be more deeply imprinted upon the minds of confessors. *Let therefore the priests of the Lord, so far as the Spirit and prudence shall have suggested, according to the quality of the crimes and the faculty of the penitents, enjoin salutary and fitting satisfactions; lest perchance they connive at sins, and deal too indulgently with penitents, by enjoining certain very light works for the gravest offences, and so become partakers of others' sins. But let them have before their eyes that the satisfaction which they impose be not only for the guarding of a new life and a medicine of infirmity, but also for the vengeance and chastisement of past sins.*

III. QUESTION III. *In enjoining penances ought confessors to look to the ancient canons?* ANSWER. The Catechism of the Council of Trent affirms it, part 2, chapter 5, § 79, in these words: *In inflicting the penalty of satisfaction, priests will reckon that nothing is to be determined at their own discretion, but that all things are to be directed by justice, prudence, and piety. And that by this rule the sins of penitents may seem to be measured, and that they may the more acknowledge the gravity of their crimes, it will be worth the labour sometimes to signify to them what penalty was appointed for certain offences by the prescript of the ancient canons which are called penitential. Therefore he will temper the manner of the whole satisfaction, according to the reason of the penitent.*

IV. This Council, this Catechism, ought the ministers of the sacraments to turn over with hand by day and by night, and seriously to meditate in their soul after the holy Scriptures. There would have to be transcribed here the doctrine of St. Charles Borromeo and of very many bishops upon this matter. But consult Vol. IX, dissertation 5, chapter 7.

V. QUESTION IV. *What is to be said of the practice of certain men imposing a light satisfaction for grave offences?* ANSWER. Fr. Claude La Croix, Book 6, part 2, no. 1255, § 5, writes these things: "The RIGORISTS say that the cause of relaxing discipline as regards penances is the growing cold of the charity of the faithful. But on the contrary it is so; for rather among the causes was: first, lest confession, impugned by the heretics as impossible, be rendered still more odious by hard penances. Second, because with the passage of time there were more priests, among whom confessions most useful to amendment were frequented, and who in this internal forum otherwise healed sins by kindlier medicines. Third, because it was observed that kindly penances profit more than rigid ones, because by kindly ones the faithful are the more allured to the sacrament of Penance and of the Eucharist. Fourth, because on occasion of the sacred war against the Turks the use of indulgences was introduced, which is a manner of satisfying for sins MORE USEFUL and MORE CERTAIN than the observance of the penitential canons. Fifth, because with the passage of time Religious Orders were instituted, which are a most useful state of penance. See Francolino, *Roman Clergy,* part 2, chapter 1." These reasons Fr. Balthasar Francolino enlarges upon more fully in the cited book, chapter 1 of the *Roman Clergy.*

VI. Are the Fathers of the Tridentine Synod, and of its Catechism, Rigorists? Are all the Fathers of the Church Rigorists? Are the holy Evangelists Rigorists? Is it therefore a dream of the Rigorists that the cause of relaxing discipline was the growing cold of the charity of the faithful? Assuredly, replies La Croix; *but on the contrary it is so,* he says. Let him therefore hear, and with him let all the kindly casuists hear, the Fathers of the Tridentine Catechism, part 2, chapter 5, § 67: *But afterwards so much was remitted of the severity of the ancient discipline, and charity so grew cold, that now most of the faithful think no inward grief of soul and groaning of heart necessary for obtaining pardon of sins, but reckon it enough if they have only the appearance of one grieving.*

VII. But let the reasons of Frs. La Croix and Francolino come into examination, as it were in passing. First: *Discipline was relaxed, not because charity grew cold, but lest confession, impugned by the heretics as impossible, be rendered odious by hard penances.* Truly an excellent reason! Did the holy Fathers of the Church therefore, who framed the sacred canons against the Novatians and the assailants of the power of the keys, render the sacrament of Penance impossible and odious? Second: *Priests being multiplied, they found a secret of healing souls by kindlier medicines.* And did these kindlier medicines lie hidden from the holy Fathers of the Church for thirteen centuries? Assuredly, replies Fr. La Croix. Hear his third reason: *Because it was observed that kindlier penances profit more than rigid ones, because by kindly ones the faithful are the more allured to the sacrament of Penance and of the Eucharist.* A happy and fortunate observation, which most clearly confirms all sacred antiquity of harshness in the government of souls! Assuredly men are allured by kindlier penances to frequent the sacraments and the churches, just as buyers are allured to frequent those shops where wares are sold at a lesser price. Do kindlier penances more efficaciously heal diseases? Do they more strongly press down pride and concupiscence? Do they make morals holier? Are the Christians of our age therefore holier, chaster, and more fervent than the Christians of the three first centuries under the discipline of the Apostles and of the holy Fathers? What of these things? Do you say yes? The whole world cries out against it. Do you deny it? Therefore the faithful are more happily sanctified by severe than by kindly penances. The narrow and strait way alone Christ designates. But, a new manner of opining being brought in, a smoother and kindlier way has been marked out.

VIII. The fourth reason is worthy of meditation. *Because,* he says, *on occasion of the sacred war against the Turks the use of indulgences was introduced, which according to what is to be said at no. 514 is a manner of satisfying for sins MORE USEFUL and MORE CERTAIN than the observance of the penitential canons.* Can these things be read without the soul being moved? He who with servile attrition has confessed adulteries, fornications, and blasphemies — if he enter some temple on a solemn feast, visit the altars, and pray for a quarter of an hour, intending to gain indulgences, does he satisfy God more securely and more certainly than those Christians who for seven, for ten, for twenty years, or through a whole life, by fasts, hair-shirts, and disciplines, clothed in ashes and sackcloth, busied themselves to appease the avenging God? Is the use of indulgences a manner of satisfying for sins more useful and more certain than the observance of the penitential canons? I will not refute at greater length this doctrine consonant with the new manner of opining. Let the wise judge how festive it is.

IX. The fifth reason is prettier. *Because with the passage of time Religious Orders were instituted, which are a most useful state of penance.* See Francolino, *Roman Clergy.* In the centuries in which the observance of the penitential canons flourished, did not innumerable phalanxes of holier monks and anchorites shine forth? Are our cloistered men now holier? Is their poverty severer? Are their fasts severer, their buildings humbler? But however these things stand, do the penances, hair-shirts, and fasts of Regulars press down the concupiscence, pride, and ambition of lovers and mistresses?

X. QUESTION V. *What is to be said of the opinion of those teaching that no penance, or a moderate one, is to be enjoined when penitents confess for the gaining of an indulgence?* ANSWER. Fr. Sporer here, part 3, chapter 4, question 1, § 3, no. 45, page 137, writes: "A confessor is excused for enjoining no penance, or a very light one. … When a man gains a plenary indulgence, he can be dismissed without any other little penance, since by that indulgence he satisfies the debt of punishment. And although this rarely happens for certain, it suffices that it be probably believed."

XI. Similar and kindlier things de Lugo teaches, as Fr. Dominic Viva himself testifies, question 6 *On Penance,* article 2, no. 1, in these words: "Nay, de Lugo, disputation 27, section 3, no. 24, thinks that he who gains a plenary indulgence is not obliged to a penance, even if it be given as a medicine: because a physician does not command but persuades a remedy, and a judge alone commands a penalty. Wherefore if a penitent by reason of an indulgence is not bound to the penalty which is commanded, neither will he be bound to the medicine which is only persuaded; unless perchance he be sometimes obliged to it by natural law, lest he easily fall."

XII. The words of de Lugo in the place cited are these: "They say that a penance is imposed not only for satisfying, but also as a medicine, and so forth. … It is answered that it is indeed frequently imposed as a medicine. The confessor nevertheless cannot oblige, save inasmuch as he imposes it as a penalty for sin. Just as, although a judge ought to procure that the penalty of the offender be such that it be at the same time a medicine for the future, yet he could not impose that penalty, nor beat the accused, if the penalty were condoned by the Prince. So a priest, who is at once physician and judge, can punish sins by imposing a penalty for them, which, because he is a physician, he ought at the same time to take care that it be such as to be also a remedy and a medicine for the future. But for the rest, if the penalty be totally condoned, he cannot oblige to the medicine: because a physician as physician does not oblige but counsels. Which is always to be understood of a medicine not simply necessary for avoiding future evils."

XIII. They are utterly ignorant of the force and nature of the sacred indulgences, which are a supplement for that which our infirmity cannot render to God. The reason adduced is acute beyond what can be said. A confessor as physician does not command but counsels. A confessor as judge imposes or remits a satisfactory penalty. But medicinal penances he imposes as a physician, and as a physician he can counsel, not command. But a penitent is not bound to fulfil the counsels of a confessor. Let readers bring forth their judgment upon this doctrine, which I judge false and adverse to the divine Scriptures, to the Council of Trent, and to the tradition of the whole Church.

XIV. QUESTION VI. *What is to be said of the opinion of those saying that light penances are to be imposed for the gravest offences?* ANSWER. The casuists cry out: If we impose fasts, if lyings on the ground, if hair-shirts, penitents flee, and our churches remain deserted. De Lugo answers, disputation 25 *On Penance,* section 5, no. 60, in these words: "In the first place regard must be had to the spiritual utility of the penitent, lest namely snares be cast upon him, so that he commit new sins. From this head above all can the PRESENT-DAY PRACTICE be excused, by which LIGHT PENANCES ARE IMPOSED FOR THE GRAVEST SINS: for this is often done on account of the spiritual infirmity of penitents, because they will be scandalized by graver penances, or will flee confession, or certainly will approach unfit confessors who know not how to cure them." These other words of de Lugo Fr. Tamburini transcribes, Book 4, *Method of Confession,* chapter 1, no. 12, where he thus concludes: *These things prudently de Lugo.*

XV. Nay, an imprudent counsel do all those enter upon who, setting aside the admonitions of the Fathers of the Church and of the Council of Trent, flatter sinners with an excessive kindliness of sacramental satisfactions, and take away the horror of sins, whence it comes about that they more easily relapse into crimes. If the zeal of souls be at heart to anyone, he will assuredly give to the sick a medicine apt for driving away diseases, though hateful to flesh and blood; nor will he catch at the favour of penitents, or gape after a multitude to be conciliated to himself, but will strive solely to reconcile sinners to God. He who shall do otherwise treasures up for himself wrath in the day of wrath.

Chapter X — On the obligation of penitents to accept the satisfaction imposed by the confessor for deadly sins

I. QUESTION I. *Are penitents bound under mortal sin to accept the penance imposed by the confessor?* ANSWER. The Salmanticenses Morales, tract 6, chapter 10, point 4, advert out of others that they are not bound to accept it when it should be established to be unjust, but that they are bound when the excess should not be established. Shall penitents therefore be judges of the measure of the penance to be enjoined? Are litigants bound to accept the sentence of a supreme judge when they themselves judge it just, but otherwise when they reckon it unjust? What if the penances were unjust because too light and soft? For injustice can happen by defect as well as by excess. Are penitents skilled in the sacred canons and the discipline of the Church, so that they can bring forth a right judgment in their own cause? What of this, that very many casuists — as Rutz, Villalobos, and Zerola, cited by the Salmanticenses — deny that penitents are bound to accept even a just penance? This opinion is false, and contrary to the tradition of the whole Church. Wherefore the common opinion of theologians is affirmative, and the opposite opinion enjoys no probability, whether extrinsic or intrinsic. Hence it is that penitents who should omit the penance imposed for mortal sins

first confessed would sin mortally, as the common opinion teaches, whether the penance imposed be grave or light. For a penalty for deadly sins first confessed is by its own nature grave. And although a confessor through unskilfulness should impose only the Psalm *Miserere* for the said faults, he who should deliberately omit this penalty would sin gravely, because this penalty, as it is satisfactory, is an integral part of the sacrament, and imposed for deadly sins; and although it be materially light, it is nevertheless formally, so to speak, grave.

II. Similarly a penance imposed for venial sins, or for mortal sins otherwise confessed, is to be accepted by the penitent; and if he should deliberately omit it, he would sin gravely, whatever some say to the contrary. Since although the said sins be not necessary matter, yet, granted that the penitent subjects them to the keys as the matter of the sacrament, he ought to fulfil the parts of the sacrament. But satisfaction is an integral part of the sacrament.

III. They dispute at what time the penance is to be fulfilled. Some teach that it can be deferred for a year, when the confessor has not defined the time. This opinion is false. For in this case the penitent ought to pay the debt as soon as he can. If the confessor determines a time — the day of some feast, a week, a month, and so forth — the penance ought to be fulfilled within the prescribed time, unless a lawful impediment excuse.

IV. A penitent cannot commute for himself the penance imposed, or fulfil it through another, as some contend, whose opinion Alexander VII condemned, no. 15: *A penitent can by his own authority substitute another who may fulfil the penance in his stead.* Any confessor can commute penances, the confession nevertheless having been heard of the sins for which it was imposed. Wherefore he cannot commute this penance outside confession. Similarly he cannot commute a penance imposed by a superior for reserved sins, because, as the sins, so also the penance is reserved to him.

V. What is to be said of a crafty sinner who, on account of a grave penance, approaches another confessor, the former confession being concealed, and confesses again, that he may receive a lighter satisfaction? Fr. La Croix writes these things: "Dicastillo nevertheless, no. 119, thinks it not improbable that one confessing the same sins CAN KEEP SILENCE, and afterwards perform the penance which he shall have willed, the first or the second." In this fashion buyers are wont to act. They explore several shops, and where it is sold at a lesser price, there they buy the wares. And those who sell in this fashion have a greater concourse, says St. Bernardine of Siena: *It happens in confessions as in trade: as merchants who give at a lesser price have a greater concourse,* and so forth. This opinion, which out of Dicastillo Fr. La Croix proposes without after his manner confuting it as false and favouring the craftiness of penitents and not the holy Scriptures, I reject with the common consent of theologians.

VI. QUESTION II. *Are penances therefore suspect because they are enjoined by mendicants?* ANSWER. That this calumny was formerly laid upon the mendicants is established from the following thesis 21 condemned by Alexander VIII: *A parishioner can suspect concerning mendicants who live on common alms that they impose a too light and incongruous penance or satisfaction for the sake of gain or of temporal profit.* Ancient is this calumny, which first of all Guilielmus de Sancto Amore laid upon the mendicants. As it is of extreme rashness and malice to form such a judgment concerning mendicants, so must it in the highest degree be watched and guarded against that occasion be afforded to none of forming so iniquitous a suspicion.

Chapter XI — On indulgences

I. In few words I touch upon the doctrine of indulgences. These things concerning indulgences Trent prescribes, session 25: *Since the power of conferring indulgences has been granted by Christ to the Church, and she has used such power divinely delivered to her even from the most ancient times, the holy Synod teaches and commands that the use of indulgences, most salutary to the Christian people and approved by the authority of the sacred Councils, is to be retained in the Church; and condemns with anathema those who either assert that they are useless, or deny that there is in the Church a power of granting them. In granting them, nevertheless, she desires that moderation be employed, according to the ancient and approved custom in the Church, lest by excessive facility ecclesiastical discipline be enervated. But the abuses,* and so forth.

II. Three things the Council lays down: first, the power given by Christ to the Church of granting indulgences; second, that they are salutary; third, moderation in the bestowal of them. An indulgence is a remission of temporal punishment. Indulgences are imparted out of the common treasury of the Church. But that treasury is the infinite merits of Christ, and afterwards of all the saints, which receive their value from Christ himself the Head.

III. It is of faith that there exists in the Church a power of granting indulgences, and that the use of them is salutary to the faithful.

IV. Some conceive a false idea of indulgences, because they think, and in fact teach, that satisfactory works are attenuated by the use of indulgences. That this false idea may be blotted out, you must know that we are unequal to paying the price for the debts contracted with the divine justice on account of sins committed after Baptism. A part nevertheless of that debt we are able to pay by our own laborious works. The most clement mother the Church opens the treasury of the merits of Christ, of the Blessed Virgin, and of the saints, that it may supply what our infirmity could not render. Indulgences therefore are in supplement of our poverty: indulgences do not free us from paying that part of the debt which we can render, but supply that which we cannot furnish. If indulgences freed us from the laborious works and the due satisfactions which we are able to furnish, they would foster the sloth and torpor of Christians, and would enervate the discipline of the Church.

V. Cardinal Cajetan wisely, after his manner, sets forth the true doctrine of indulgences, in his treatise *On Indulgences,* question 3, where he has these things: "Penitents are of a twofold order. Some are solicitous to satisfy by themselves for their own sins; some are negligent to satisfy by themselves. The first either ask that condign penances be imposed upon them by the confessor, being ready to fulfil them; or of their own accord they take them upon themselves, and forthwith study to satisfy by their own holy works, by fasting, praying, giving alms, and so forth. But the second either ask a very light penance, or take one up unwillingly, and when they have fulfilled it, which they know to be the least, they care no more about satisfying: and these are they to whom indulgences do not profit, in my judgment. For no one unworthy truly obtains the fruit of an indulgence by another's satisfaction for the punishment owed by himself. But anyone negligent to satisfy by himself is unworthy of another's satisfaction for the punishment owed for his own sins. Therefore no one negligent to satisfy by himself acquires the fruit of an indulgence. Besides, in any well-ordered commonwealth, however reasonable a cause might sometimes exist for dispensing the common treasury among citizens burdened with debt, yet those negligent to pay would be reckoned unworthy of the help of the treasury. For from the fact that they can pay of their own and care not, they render themselves

unworthy of such relief: unless such men were held for unworthy, their negligence would be fostered, and others by their example would be provoked to a like negligence. But it is of law to make men not negligent but virtuous. Since therefore the Church is ordained by God, it is not equitable that the spiritual dispensation of the treasury should hold for worthy those negligent to satisfy: for this would truly be to enervate penitential satisfactions. Indulgences therefore do not profit those negligent to satisfy by themselves, since they are unworthy of an indulgence. … But those ready to satisfy by themselves are not those who neglect to satisfy by themselves, but those alone whose will is so ready to satisfy that it does not retard the work unless hindered."

VI. The most celebrated Bishop BOSSUET in his *Instruction on Indulgences* hands down rules consonant with the doctrine of Cajetan, drawn from the Council of Trent itself. Take courage, O ministers of God, restore the documents of holy mother Church; hear them expressed in the voice of Trent. For thus Trent speaks, session 14, chapter 2: *Moreover the fruit of Baptism is one, and another that of Penance. For by Baptism, putting on Christ, we are made in him altogether a new creature, obtaining a full and entire remission of all sins: to which newness and integrity, nevertheless, we can by no means arrive through the sacrament of Penance without great weepings and labours on our part, the divine justice exacting it; so that Penance has deservedly been called by the holy Fathers a certain laborious Baptism.*

VII. This testimony of the Church being premised, Bossuet thus addresses his people: "Hear, sons, the words of the Church your mother. She proposes to you great weepings, great labours, a laborious Baptism: she teaches you that the divine justice exacts it. This rigour of the Church arises from her first spirit, which will never be extinguished; nor will she herself ever cease to declare war upon laxity. What does it avail to detest with the Council the softness of the heretics who rejected the holy rigours of satisfactions, if we ourselves fall into a like languor, and in fact contemn that which in words we confess?"

VIII. In few words it is proved that plenary indulgences profit little those who neglect according to their strength to satisfy the divine justice by laborious works, as Trent teaches. *Bring forth fruits worthy of penance,* says Matthew. St. Paul did not indulge the incestuous Corinthian save after an austere and long-lasting penance. From the time of the Apostles down to about the fourteenth century we read of no plenary and general indulgence indiscriminately for all the faithful. Now a frequent use of indulgences obtains, which are imparted according to the dispositions of the faithful. They are called plenary indulgences, because the Church on her part remits the whole temporal punishment, which the faithful cannot execute, to those who are disposed for receiving so great a benefit. But we say that those faithful are indisposed for this benefit who do not execute those laborious and satisfactory works which they can. They ought to render that part of the debt which they are able; that which remains the plenary indulgence fully supplies.

IX. Recall to mind the example indicated by Cajetan. A most wealthy Christian bequeaths his whole most opulent patrimony in fruit-bearing lands never to perish to the commonwealth, that every year the debts of poor citizens may be paid. If those who could pay their own debts, if not wholly, at least in part, should refuse, and should wish with their own moneys to live more sumptuously and to clothe themselves more ambitiously, so that all their debts might be paid out of the public treasury — would you not cry out that these debtors were crafty, cunning, and cheats? *Render,* you would say, *what you can; then the treasury will supply your want.* Assuredly like to these fraudulent debtors are those penitents who, abusing the clemency of holy mother Church who opens her treasury to supply what

is lacking to them, ungrateful and crafty soothe their senses, fatten their body, foster concupiscence after adulteries, fornications, and perjuries perpetrated, and indulge in delights and enticements, that the whole debt may be paid out of the treasury of the Church. They could contribute their own fasts, alms, vigils, scourges, lyings on the ground, and other works of piety toward paying a portion of the debt; but, seized by a pernicious error, they contend that all their debts be paid out of the treasury of the Church. But they are deceived, blind and wretched men.

X. The supreme dispenser of indulgences is the Supreme Pontiff. What indulgences bishops and archbishops can grant it does not concern me to discuss. Indulgences granted without cause are not ratified before God.

XI. Only the baptized faithful are apt for gaining indulgences, if they be free from mortal sin. Since indulgences remit temporal punishment, which cannot be remitted so long as the guilt of the fault remains. It is nevertheless not necessary that all the works prescribed in the bull of indulgences be performed in the state of grace, provided they be fulfilled with a penitent mind. The state of grace nevertheless is required at least when the last work is fulfilled, because then the indulgence obtains its effect.

XII. Sacramental confession is to be sent before for the gaining of indulgences even by those who are in the state of grace, because in the bull the indulgence is granted to *the contrite and confessed.* And this is the common opinion. When alms are prescribed in the bull, they ought to be more or less according to the riches of the persons. For that is another opinion, of those saying that it is enough that even the least alms be given by the rich, that indulgences may be obtained; and that it is enough for the poor to say some short little prayer. Innumerable other little questions I pass over, as of no moment, and such as the graver theologians disapprove, because they afford a handle to the heretics for deriding indulgences, and would take away satisfactory works out of the midst. Wherefore guard is to be kept against petty opinions of this kind.

XIII. That indulgences can be extended to the souls of Purgatory all Catholics teach against the innovators, *by way of suffrage,* not of judgment and absolution, because the Church cannot exercise jurisdiction over those souls.

XIV. Indulgence is manifold. Some are perpetual, others temporary; some plenary, others partial. Those partial indulgences, which are granted only for several days or years, have respect to the ancient penitential canons, which enjoined so many days or years of penance.

XV. Plenary indulgences are of two kinds. Some are absolutely such, which remit the whole punishment to disposed faithful. The other is the indulgence which is called *jubilee,* from the Hebrew word *jobel,* which signifies liberty and remission, by which the Jews in every fiftieth year recovered their possessions. More things would have to be said here of the jubilee. But because the discussion of these matters would conduce more to wrangling than to instruction, I pass them over. The doctrine given in few words concerning indulgences suffices for the instruction of confessors.

XVI. Let the most learned BOSSUET impose an end upon this chapter, who in the place cited, point 7 and following, writes these things: "The doctrine of the Council of Trent in the adduced decree is enough that there be restored in the practice both of penance and of indulgences the ancient spirit of the Church. There is no need at all to weave a curious history of indulgences, nor to indicate the degrees by which the ancient rigour of the canons was relaxed. Nor is it to be discussed whether

those canons in some manner subsist at present, or whether the Church in granting indulgences looks to them, as the Doctors commonly reckon. Plenary indulgences, set over against indulgences of seven years, of fourteen years, of twenty years, of twenty days, of forty days, and others like them, seem to indicate that the penitential canons have not been utterly handed over to oblivion, since in these indulgences she looks to them. But, these questions of the schools being dismissed, that we may meditate those things which serve for our edification, the Council of Trent abundantly shows us that the Church preserves the right and has the intention of exercising her holy rigours, and of enjoining penances that are medicinal and proportioned: penances which may make us conformable to Christ crucified and satisfying for us to the justice of his Father; penances which may cast a bridle upon licence, which may not only be a remedy to us against vicious habits, but also a satisfaction to God for the vengeance and punishment of past crimes. Behold a specimen briefly touched of the doctrine of the Council of Trent, session 14, chapter 2 and 8. Is not this enough that we may understand that it is the perpetual purpose of the Church to continue the ancient right with which she is endowed, and severely to exercise upon penitents the justice which God has deposited in her hands? This doctrine of the Council contains virtually the whole austerity of the ancient canons. The gravity of the sins which Christians perpetrate is not less; the crime of an ungrateful mind against the Holy Ghost, whom they received in Baptism, is not less horrid; the justice of God has not changed its rules; the inclination of depraved habits is not less pernicious, nor the licence of sinning less to be dreaded than in the first centuries. The Church in the Council of Trent confirms all these reasons with so great strength that it yields in nothing to those things which the Fathers adduced. Nor is penance a second Baptism, save at this price, and, as the Council says, save if it be joined with our great weepings and labours: nor will that be a laborious Baptism which brings us back to the pristine purity and integrity of morals. But if the vigour of the ancient spirit of Christianity stood in its whole strength, we should always have need of the indulgence and clemency of the Church. … All things in these decrees of the Council savour of piety and of antiquity; nor can we sufficiently admire either the wisdom of the Church or the purity of her doctrine. And at the outset it is established that the holy Council recalls all things to the ancient discipline approved in the Church and in the Councils. But the spirit of the ancient Councils, and above the rest of the Nicene, is wholly in this, that it grants indulgences to those who compensate by fervour of spirit for a diminished austerity of body. Hence it appears to follow that the spirit of the Church is the same today also: namely, that the faithful, restoring this spirit, may love the more ardently the more they receive, as Christ pronounced with his own mouth. Secondly, the Council desires a moderation of indulgences, lest by excessive facility discipline be enervated. And, that we may pass over those things which regard the vigilance of pastors, nothing more valid occurs for hindering this mournful relaxation of discipline than that the faithful, by the use of indulgences, restore a fervour of spirit consonant with the Gospel and with antiquity."

Dissertation III — On the minister of the sacrament of Penance, and his jurisdiction

Chapter I — On the sublime dignity and the eminent endowments of a confessor

All the treatises of moral theology more or less pave the way to the sacrament of Penance; and all things which have been said or can be said of the sacrament of Penance come back to this, that an upright confessor be found, skilled in evangelical doctrine and in ecclesiastical discipline, and prudent, who may know how rightly to administer this sacrament. But of the skilled in this art there are very few.

II. No dignity in the Christian commonwealth is more eminent, no grade more sublime. A confessor bears the place of God, to whom all men, even the Supreme Pontiffs themselves, are subject. The Jews cried out: *Who is this who forgiveth sins also?* Assuredly they knew that this faculty belonged to God alone, and to those who sustain the place of God.

III. Confessors are the fathers of the Christian country, the preservers of public tranquillity, the avengers of outrages, the guardians of evangelical sanctity. These promote the felicity of citizens and reciprocal tranquillity, while they compel subjects to obey princes, to pay them tributes, and to obey their laws. They render princes clement, provident, and just avengers toward their subjects; among the subjects themselves they foster mutual benevolence and justice; and finally they bind both princes and subjects to God.

IV. Hence it is plain that this office is to be committed solely to upright, learned, prudent, and experienced men. Those who are inept for the ministry and for governing chairs, who are of blunt talent, and unequal to the transacting of any grave civil business whatsoever, are to be kept from this province: for it would be handed over to their own and to the faithful's ruin; and there would be undertaken a burden of this kind fearful to angelic shoulders.

SECTION I — On the spirit of fortitude and liberty of a confessor

I. A confessor must needs be a man of God, since he exercises the office of God. Let him therefore imitate God, setting himself above all things which are of the world; let him respect no person, so as to dread that person in this ministry. Let him contemn all things for Christ. Hear Paul crying out to the Philippians 3: *Furthermore I count all things to be but loss for the excellent knowledge of Jesus Christ my Lord: for whom I have suffered the loss of all things, and count them but as dung, that I may gain Christ.*

II. The ministers of Christ, while they sit in the tribunal bearing the place of God, ought not to seek the favour, the breeze, or the esteem of magnates, of matrons, or of princes; nor to fear contempt or exile. Let them have more deeply imprinted upon the heart the documents of Christ, necessary to all Christians: *For he that shall be ashamed of me and of my words, of him the Son of man shall be ashamed, when he shall come in his majesty.* Luke 9. And again Matthew 10: *Every one therefore that shall confess me before men, I will also confess him before my Father who is in heaven. But he that shall deny me before men, I will also deny him before my Father who is in heaven.*

III. For many centuries the bloody persecutions of the mysteries of the Christian faith have ceased. But wars burn, and indeed internal ones, and therefore more mournful, against the rules and mandates of evangelical sanctity. The battles of opinions grow hot; fights for the soothing of human appetitions are daily renewed; because these conciliate to themselves the favour and acclamation of a raving world. But hear Augustine, ministers of Christ, thundering in his sermon on Psalm 48: *Thou art advanced, when thou hearest a reproach concerning Christ; thou art advanced, if thou art such. What dost thou fear for thy forehead, which thou hast armed with the sign of the cross?* Again on the Psalm, with a fuller discourse, he inculcates this endowment of fortitude and liberty: *Let the lips therefore say what the heart has: let it not have fear and simulation. Let the heart have what the lips say: on the contrary, let the lips have what the heart believes. For sometimes there is fear, and thou darest not say what thou knowest, what thou believest: sometimes there is simulation, and thou sayest what thou hast not in thy heart. … Let thy lips agree with thy heart.*

IV. In the first centuries of the Church the Neros, Domitians, Diocletians, and the rest of those savage lions assailed the soldiers of Christ not by mines but straightforwardly. There was no place for hesitating: either Christ was to be renounced, or death to be undergone. But in our age the opinions favouring the world, pomps, and theatres have their own Christian patrons, and indeed powerful ones, and they smile upon the mind so much the more efficaciously as they more kindly favour cupidity and concupiscence. There is added the authority of the multitude walking by the broad and spacious way, which, after the manner of a torrent, snatches away all things with itself; so that even the elect, if it could be, would be led into error.

V. These two kinds of persecution all the Fathers, especially St. Augustine, represent to us. An inward love of one's own little glory, of excelling others and occupying the first benches, tempers the theology of Christ more than is just to the desires of men. Certain confessors, asked by Christians and by girls whether it be lawful to approach theatres and dances, reply what certain men replied in the time of St. Augustine, in his book *On the Pastor,* chapter 3: *Be secure: God destroys no one. Only hold the Christian faith. He will not destroy those whom he redeemed: he will not destroy those for whom he shed his blood. And if spectacles should wish to delight your souls, go — what evil is there?* Do they not openly say such things today? What evil do the delights of theatres, comedies, and dances present? *Go, what evil is there?* The holy Doctor goes on: *Great is the mercy of God, which pardons all. Crown yourselves with roses before they wither. … If we say these things, we shall perchance gather larger crowds: if there be certain men (the Rigorists) who feel that we saying these things are not rightly wise, we offend a few, but we conciliate the multitude.* The multitude hears our smooth-tongued and kindly discourses, brought forth by self-love. A few skilled in the evangelical law are offended; but in the meanwhile the multitude flows together, applauds, and acclaims us. Do you see how monstrous, how savage, how crafty, how continual this persecution is?

VI. Afterwards the authority of the multitude, custom, universal usage, is a tyrant more truculent and savage than the Neros, Diocletians, and Domitians, which continually cries out, subjoins Augustine on Psalm 73: *For the serpent does not now cease to whisper and to say: Is God truly about to damn such great crowds? Is he about to free only a few? What else is this than: Do against the precept, and you shall not die the death? But as then, so now. If thou shalt do what the devil suggests, and shalt contemn what God commands, the day of judgment will come, and will find true what God threatened, false what the devil promised.* Again on Psalm 45 the holy Doctor relates this treacherous persecution: *How many do this! And who does not do it? Is God about to destroy all?* O great temptation! O great persecution! cries Augustine elsewhere. How is it to be conquered, how overcome? *The lovers of the world* (Augustine goes on, on Psalm 136) *sometimes*

question us and say to us: Set forth the reason. … What do we answer? Hear the answer of Augustine, which he forthwith exhibits in the same place: *Babylon carries thee, Babylon contains thee, Babylon nourishes thee, Babylon speaks of thee. Thou knowest not how to grasp save that which shines for a time: to meditate the eternal thou art ignorant; thou dost not grasp what thou askest*. But self-love, a persecutor, lies in ambush and rages. If we answer in this fashion, we are despised, derided, defamed. Great temptation! Great persecution! *Truly, brethren* (Augustine goes on in the same place), *so it is. But begin to be willing to preach the truth, however little you know, and see how necessary it is that you suffer such mockers and exactors of truth, full of falsity … but see how you are engaged among them, lest, if they be loved by thee, and thou affect their friendships and fearest to displease such men, Babylon begin to delight thee and thou forget Jerusalem. Fearing this therefore, see what he subjoins, see what follows. … If I forget thee, O Jerusalem,* and so forth. *Behold, thence was that citizen who questioned the Lord: Good Master, what shall I do that I may obtain eternal life? … And the Lord said to him something of the canticles of Sion, which he knew that he would not grasp; but he gave us an example how many there are who seek as it were counsel unto eternal life; and so long do they praise us (N.B.) as we answer what they seek. But that you are engaged among these clamourers binds you not to wish to please them, lest you forget Jerusalem while acting here on earth. "If I forget thee, O Jerusalem, let my right hand be forgotten."*

SECTION II — On the charity and prudence of a confessor

I. That common axiom, *No one gives what he has not,* is in the highest degree opportune for illustrating our argument. If a confessor be void of the love of God, how can he kindle in penitents the ardour of charity? *He that is evil to himself, to whom will he be good?* says Ecclesiasticus, chapter 14.

II. Very many confess that they are ignorant; no one acknowledges himself imprudent, as Seneca himself adverts, epistle 56. Very many yield to others the prerogative of knowledge; but they arrogate prudence to themselves, and the more ignorant they are, the more prudent they reckon themselves. The learned can be imprudent; the ignorant, of blunt talent and slow of mind, cannot be prudent. For prudence needs an acute and perspicacious mind, which may foresee things future; a strong memory, which may hold things past; things present; a keen talent, by which it can compare events at once, and thence deliberate. The mute, the sluggish, the torpid are commonly reputed prudent by the vulgar. But these often lack this one vice only, that they are not talkative and vain-speaking.

III. Unless it be given as a holy gift by God, this precious gem can scarcely be gained. If the seed be present, it can be perfected by industry, study, and experience. The prudence necessary to confessors is acquired not so much by industry and study as by continual prayer and the cultivation of humility. A confessor is a peacemaker of sinners with God. Unless he be cautious and prudent in procuring this most lofty business, he will profit nothing. I shall exhibit a few rules of prudence.

IV. THE FIRST RULE is that a confessor, before he ascend the tribunal of God, put off utterly all affections of the flesh, of the world, of hope and of fear, and put on the armour of God, the spirit of fortitude, and the ornament of an evangelical and not human overflowing mercy; since he must sit as arbiter upon a throne not only of wrath but at once of clemency and of vengeance. Let him recall to mind the spirit and marrow of evangelical doctrine, let him hold firm in his hands the evangelical balances. Let him judge that better which approaches more nearly to the incorrupt sanctity of the Gospel, and that worse which stands further from evangelical truth. Let him consider more deeply that he betakes himself thither to this end, that he may restore sinners to the grace and friendship of God, and make them conformable to the image of his Son.

V. THE SECOND RULE. Let the confessor above all explore the disposition and quality of the penitent, and according to the diversity of temperament allure, incite, and animate him to lay bare his conscience, and to open his inmost recesses and more hidden wounds, and to manifest all things to him who bears the place of God. If he detect a shame and a certain repugnance, let him with skill, dexterity, and gentleness raise him up, help him, and add courage. When it comes to the sixth mandate of the Decalogue, let him employ a tongue excellently instructed: let him use words which savour of modesty: let him above all beware lest he bring in the knowledge of crimes unknown, or question anything too curiously. In this business let him study in the highest degree brevity: let him bend to this, that he soften the heart of the penitent, and the abscess will of its own accord and speedily flow out, and forthwith with a brief hand he will close the wounds, lest the mind both of the speaker and of the hearer be defiled. He will temper or continue his questions, as prudence shall have suggested.

VI. THE THIRD RULE. Let him weigh the grief of the penitent, and see whether it be conceived from the love of God above all things. If he shall have seen penitents to lack this love, let him incite and inflame them to it. Let him set before them the immense benefits of God, and above all that most cruel death which Jesus Christ underwent for us; let him set before them the punishments of hell and the terror of the last judgment. Let him employ various incitements for various persons, let him urge with diverse goads according to the diversity of penitents; let him terrify some, animate others. Let him begin, nature herself leading, from the more imperfect acts, from fear of punishments let him ascend to hope; but let him not break off the journey until he has come at last to charity. Let the confessor direct all his industry to this, that he may have, so far as can be done, this sincere conversion of the sinner thoroughly known. But this living plant of the penitent he will know from its fruits. Let him instruct his penitents that a true conversion is set not in beatings of the breast, or in the narration of crimes, and in vain promises made to the priest. For thus the Pharisees and the Sadducees, bearing before them an appearance of sanctity, approached to receive the baptism of John, but did not bring forth worthy fruits of penance. But of this the discourse will return again.

VII. THE FOURTH RULE. The prudence of a confessor ought chiefly to shine forth in this, that with Christian patience and evangelical meekness he receive, hear, and embrace his penitents as brethren, whom he ought to snatch from the servitude of the devil and to gain for God. *Patience is necessary for you* — for all assuredly, but for you above all.

VIII. THE FIFTH RULE. With the oil of kindliness let a prudent minister join the vinegar of severity, lest the festering sore become more dangerous. After he has with patience and meekness heard the sins, let him apply remedies opportune for the curing of the wounds, and impose satisfactory works consonant with the age, state, health, and gravity of the crimes. If penitents show themselves difficult toward undergoing the yoke of satisfaction imposed by you prudently and moderately according to the evangelical and Tridentine rules, there occurs a foundation for doubting of their disposition, unless they allege evident and manifest reasons for refusing.

IX. THE SIXTH. Let a confessor not accept gifts from penitents: because the Holy Ghost says: *Thou shalt not accept person nor gifts: for gifts blind the eyes of the wise, and change the words of the just*. Deuteronomy 16. Let him altogether decline familiarity, especially of women. Eve by her blandishments led Adam back. The breath, and the voice, the sighs, the very tears are enchantments and prodigies, which by a certain magnetic force infect the hearts of men. With that caution and

circumspection are women to be handled with which they would be handled if they laboured under a most savage plague.

SECTION III — On the knowledge of a confessor. Whence he ought to draw it. The axioms of Frs. La Croix, Gobat, and others are refuted

I. Here the water sticks, and whence to take my beginning I know not. A confessor sits as judge, that he may judge and avenge crimes perpetrated against the law of God. An exact knowledge therefore of the divine laws is more or less necessary, so far as human weakness permits. Where is that law? In the holy Scriptures, in the Gospel, in the epistles of Paul, Peter, James, and the other Apostles. These books a confessor ought to turn over with hand by day and by night. The reason is evident. Any judge must be skilled in the laws of princes; any craftsman must have the rules of his art thoroughly known.

II. I have attentively read the moralists who above the rest are today in the hands of confessors — the Salmanticenses, Tamburini, Leander, Sporer, Gobat, Viva, La Croix, Reiffenstuel, and others like them who dispute concerning the knowledge of confessors. None of these sends you to the holy Scripture, to the Fathers, to the Councils to be learned. They propose Summists and casuists; but of the Gospel, of Paul, of Trent and its Catechism they are silent.

III. Fr. Claude La Croix, Book 6, part 2, no. 1788, writes this: "Lamas and Sioz think that those are sufficiently learned for this office (of confessor) who have diligently read an entire SUM, or attentively heard it explained. But if anyone doubt of himself, let him present himself to the examiners appointed by the bishop or superior: and if they judge that he knows enough, he can acquiesce and with confidence in God undertake the function, although it be the greatest and gravest of all. So Sporer."

IV. Lamas published a little Sum, overflowing with lax opinions, as anyone can see. The author is of no name. Stoz I have not seen. Sporer I have read, and, as he himself testifies, he is a collector of Tamburini, Sánchez, Gobat, and other like authors, often concluding: *So my Doctors*. Less aptly therefore does Fr. La Croix propose to confessors a rule prescribed by Lamas, a casuist assuredly of no authority and knowledge, so far as from his book appears to my weakness.

V. He subjoins in the same place, no. 1791, Fr. La Croix: *Rightly does GOBAT admonish, tract 7, no. 521, that a confessor ought to know SEVERAL OPINIONS which are truly probable concerning moral matters, because often, where it is not a question of the validity of the sacrament, he cannot nor is it expedient to direct penitents ACCORDING TO A SINGLE DOCTRINE, any more than a physician could heal all men by a single medicine; but according to the diversity of the subject and of circumstances he ought to apply these or those; nevertheless he ought to observe this which I have said at no. 1727.*

VI. A purse therefore of several contrary opinions must a confessor have — for if they were not contrary, one would suffice — and according to the diversity of penitents weigh them. *It is not expedient to direct penitents according to a single doctrine*? Who ever heard such things? Is there therefore not one divine law, not one doctrine of Christ, not one Gospel, not one faith, not one Baptism? Take a step further, and hear what Fr. Gobat writes, tract 7, no. 511: "It helps very much toward prudently administering this sacrament to have in fresh memory and use certain rules, documents, or aphorisms, scattered here and there through the books of the most wise theologians." Who are these

most wise theologians? Lamas, Stoz, Burgaber, Sporer, Caramuel, Tamburini, Diana, Bonacina, Leander, Zanardi, La Cruz, and so forth.

VII. But let us meditate one of the aphorisms which Fr. Gobat assigns in the same place, no. 515: "Since in the *Shield of Judges* we shall show that it is morally almost certain that, speaking of itself, it is lawful to follow either of two opinions truly and practically probable; but since it is also certain that sometimes by reason of various circumstances there lies upon a confessor an obligation of using one rather than the other; therefore let confessors note the most true doctrine of Fr. Lessius, which he hands down in the preface of his work *On Right and Justice,* namely that a knowledge of contrary practically probable opinions is MOST CONVENIENT and almost NECESSARY for the forum of conscience. Wherefore I do not reckon that those confessors can discharge their office well enough who are, as it is wont to be said, doctors of one opinion only."

VIII. Two things here Fr. Gobat teaches, the one true, the other false. He said what was true, when he says that a purse of contrary practically probable opinions is MOST CONVENIENT. For what more convenient than to abound in various contrary opinions — namely true and false — and according to the diversity of penitents to adopt now one, now the other, and all as a safe rule? The other is false, namely that confessors who, the use of these contrary opinions being rejected, use a single evangelical doctrine, or that which they judge nearer to the Gospel, do not discharge their office well. If of two contrary doctrines one is true, the other must necessarily be false. Therefore a confessor, if he holds out a remedy to one penitent, imparts poison to another. But falsity is poison, and especially if the falsity be known, which kills souls. But in the case proposed the falsity is known. Since a confessor employing contrary doctrines knows that one is false, if the other is true, since contrary doctrines cannot be true at once.

IX. Another aphorism which Fr. Gobat exhibits in the same place is of this kind: "When a confessor sees a penitent exceedingly studious of his own salvation, and greatly desirous of perfectly fulfilling the divine will either in all things or in certain matters, it is commonly advisable that with such a one he proceed according to the SAFER and therefore MORE RIGID doctrines: for such a penitent is reckoned tacitly to will it so. And why should not the confessor acquiesce in this excellent opinion and most praiseworthy will?"

X. This aphorism is marvellous. When a penitent is *exceedingly studious of his own salvation,* then he is to be directed according to the SAFER and therefore MORE RIGID doctrines. Rightly, well. But why this? Because, answers Fr. Gobat, *such a penitent is reckoned tacitly to will it so.* Is evangelical doctrine therefore to be adapted to the bent of the penitent? What if a penitent were not *exceedingly studious of fulfilling either in all things or in certain matters the divine will?* What if he were unwilling to be directed according to the more rigid doctrines? What is then to be done?

XI. Fr. Gobat answers in the same place, no. 516: "So also, for altogether the same reason, SEVERE OPINIONS ARE TO BE MITIGATED, OR RATHER FORSAKEN, when it so conduces to the salvation of that same penitent. And just as the same Coninck, no. 73, admonishes that a confessor ought never to enjoin such a penance as he believes the penitent will not perform, so neither ought a confessor to propose to a penitent any one of the probable opinions as NECESSARILY TO BE FOLLOWED, IF HE SEE THAT HE WILL REPUDIATE IT (N.B.). Wherefore it is not to be doubted that a confessor can sometimes strike against the law of charity, while he imitates Catonian (to speak

from Tully) severity, Caesarian lenity being set aside, so as flatly to deny absolution to an accused man who has confessed, when he could impart it from a probable opinion."

XII. When formerly I read in a certain book that certain confessors drew to themselves very many good Christians, pious and upright, and at the same time dissolute men, prevaricators, the luxurious, usurers, and so forth — because they direct the upright, pious, and studious of fulfilling the divine will either in all things or in certain matters by a sound, safer, and more rigid doctrine, but others by the opposite, lesser, kindlier, and less probable doctrine — when, I say, I read these things, I certainly reckoned it a most atrocious calumny laid upon certain confessors. But whether from the doctrine of Fr. Gobat, who cites for the same Lessius and Coninck, and which Fr. La Croix adopts, it be inferred that this is the truth, let the wise judge.

XIII. First, the doctrine of Fr. Gobat, absolutely brought forth, concerning imparting absolution from a probable opinion, has been condemned by Innocent XI. Therefore Fr. La Croix added, *where it is not a question of the validity of the sacrament,* that several probable opinions are to be employed. That the unheard-of doctrine of those moralists may be clearly and plainly understood, the remedies are to be distinguished from the doctrine itself.

XIV. The single doctrine of Christ, as has been explained from Trent, prescribes that according to the diversity of crimes and of habits of sinning medicines be applied. For to inveterate sinners, to luxurious, vain, and proud young men, remedies are to be prescribed diverse from those which ought to be prescribed to penitents rarely falling from infirmity. Of this no one doubts. And all admit what Gobat and La Croix teach in the place cited: *A physician cannot heal all men by a single medicine; but according to the diversity of the subject and of circumstances he ought to apply these or those.*

XV. What seems to me to fight with the Gospel of Christ is that a confessor should have SEVERAL OPINIONS AND NOT A SINGLE DOCTRINE concerning altogether the same testament, concerning altogether the same contract, the same occasion of sinning, the same action. Fr. La Croix in the place cited remits the reader to no. 1727, where he teaches that a confessor ought to follow the safer opinions if he can; if he cannot, he ought to accommodate himself to the opinion of the penitent. "Besides (he says), if he can, he ought to follow the safer. For without a just cause to will to expose oneself or the penitent to a danger of error, however material, is imprudence. Whence if a penitent show himself prepared to follow that which is MORE PROBABLE or SAFER, the confessor is bound, SPEAKING OF ITSELF (N.B.), to direct him according to the more probable and safer opinions. But how a confessor can, or ought, TO ACCOMMODATE HIMSELF TO THE OPINION OF THE PENITENT, I have said in Book 1, article 2, no. 445."

XVI. A confessor therefore, if he can, ought to direct penitents according to the more probable opinions, SPEAKING OF ITSELF. For even if he can, speaking BY ACCIDENT, it will be expedient to direct them according to contrary and less probable opinions, which are certainly false if the more probable ones be true, since contradictory opinions cannot be true at once. But how, when a confessor cannot direct penitents according to the more probable opinions, he ought, speaking of itself, to accommodate himself to the opinion of the penitent, he taught in Book 1, no. 445.

XVII. This system seems to my weakness to fight with the Gospel of Christ. Whether I myself am deceived, let the wise judge. The Gospel of Christ commands simplicity of speech. *Let your speech be yea, yea; no, no.* The Apostle Paul with the rest of the Evangelists commands that we all be of one

mind — namely of the single and simple doctrine of Christ. What more? Christ the Lord admonishes us that we decline these various opinions, and beware of them, lest we fall into seduction. *Take heed that no man seduce you. … For you shall hear of wars and opinions of wars. See that ye be not troubled. For these things must come to pass.* Let them not therefore object to us: *So the Doctors teach.* The use of contrary opinions and of the opposed doctrines of several Doctors has been confirmed by authority: *So it is practised by many upright and grave Doctors.* Let them not, I say, object these things to us, because Christ answers: *For these things must come to pass, for the proving of the elect.*

XVIII. Let confessors therefore read the Gospel of Christ, let them read the Pauline epistles, let them read the Fathers, let them read Trent and its Catechism, as I have said more often and shall repeat a thousand times, and shall never inculcate enough. You will object that in the holy Scriptures there are not found the resolutions of cases, nor doctrine sufficient for the government of souls. Is it so indeed? Do the casuist Doctors therefore — Caramuel, Reiffenstuel, Sporer, Tamburini, Leander, Gobat, La Croix, and the rest like them — pour forth a clearer light for the ruling of souls than the Prophets of God, than the Evangelists, than Paul, than the Councils, than Christ Jesus? In the holy Scriptures you will not find the opinions of battles, you will not find the resolutions of controversies which very many men have drawn up for circumventing the law; but you will find every doctrine necessary for the sanctifying of souls. You will find in the Councils, and in the Catechisms, and in the Synods of bishops, and in the constitutions of the Pontiffs, those things which regard discipline. But now the discourse is for us not of ecclesiastical sanctions, but of the doctrine which God revealed to us in the holy Scriptures for the rules of faith and of morals.

XIX. But let the most wise Jesuit Fr. Michael Elizalde speak, who overthrows the aforesaid little objection, Book 8, question 8, § 8, in these words: "Very many books of the moralists being opened, it is established that there is in them almost no use of sacred doctrine and of the saints. … These books are full of contrariety and contradiction; whence therefore at least half must needs be false. But no falsity can be reconciled with sound doctrine. … You will say again that in the book of God, in the doctrine of the saints, there is lacking the doctrine necessary to salvation for ruling peoples and directing consciences. But it has been shown that this doctrine has never failed in the Church any more than faith, and that a MASTER OF MONSTERS has now come to give the knowledge of salvation to his people. For to this indeed he came who enlighteneth every man that cometh into this world, and who built the Church, the firmament, and"… … "the pillar of truth, to which he entrusted the deposit to be guarded, which without doubt she preserves. Nor is there here need of doctrine, but of consideration, and at least of the least degree of humility."

XX. Nor should you suspect that the acquisition of this divine knowledge is difficult and too laborious. Give me a priest upright and of excellent sense, or of a well-squared mind (and unless these be present, all things are superfluous), studious of the evangelical law: and hold him for the best, most learned, and most prudent confessor. The knowledge of a confessor looks chiefly to this, that he know how to soften the heart of the penitent, to illuminate his mind, and that he have the gift of persuading, of rebuking, and of conforming his penitents to the exemplar of Christ Jesus. But this knowledge is drawn not from the books of certain casuists, but from the Gospel. Christians are damned because they refuse to observe the evangelical law, because they are ignorant of its spirit. That priest is a wise confessor who knows how to kindle in his penitents the fire of evangelical charity. If some cases occur against the positive precepts of God, of the Church, and other laws of

discipline, he will be able, as I have said, to consult the casuists, but the graver ones. In his hand nevertheless let him always have the touchstone, or the rule, of the evangelical law, and let him choose that which he shall have seen more, not less, conformable to it. Concerning the spirit of the evangelical law see my Vol. II, *History of Probabilism,* dissertation 4, chapter 3, where it is most abundantly explained out of St. Thomas wherein that spirit is set.

SECTION IV — The extremes of laxity and of undue rigour are to be avoided

I. Nothing is more difficult than to decline these two extremes and to tread the narrow and strait way alone. Who is secure to himself that he does not depart from the true track either by excessive remission or by a severity stricter than is equitable? Let each sing to the Lord mercy and judgment; therefore, says St. Gregory the Great, Book 4, *in the ark of the testament there was the rod and the manna,* that mercy justly consoling and discipline raging might be in the same. The true mercy of God remits outrages perpetrated to the contrite of heart, but it does not foster them, nor grant liberty of frequenting dangers and of relapsing into sins; it does not grant leave to frequent theatres, comedies, dances, games of dice and of chance, and the reciprocal conversations of either sex, which either allure you to sin, or, even if you do not sin, present a scandal to others, and make you a partaker of the same crimes.

II. All these things are too universal. What extremes ought a confessor to avoid, that he may securely direct his penitents? Two I assign: Jansenism and Probabilism. St. Augustine turned his mind against Manichaeus and Pelagius, and dreaded lest Christians declining Manichaeism should fall into Pelagianism. Between the one and the other he was so cautious that he so declined Manichaeus as not to incline to Pelagius, and so severed himself from Pelagius as not to be joined to the Manichees: on Psalm 118. The same counsel therefore I suggest with so great a Doctor in the cause of morals. Jansenism by an excessive rigour in certain points by adding, Probabilism by an excessive laxity in diminishing the law of Christ, are two extremes to be avoided. The Jansenists constitute certain precepts of God impossible, and an invincible ignorance of the precepts; they contend that this does not excuse from fault. But in Italy, Spain, Germany, nay not even in France, are there found moral books published by Catholics in which that extreme is discovered, so far as it has been permitted me to trust. Rare therefore is that extreme. On the contrary, not a few probabilists frequently call vincible ignorance invincible; and by this ignorance they make very many precepts of God impossible in respect of the ignorant. They say that the grace of God is universally poured into blinded and hardened sinners, and at the same time contend that the ignorance is invincible: unless you advert that you sin, you are free from sin. They teach that the law of God, called into controversy by the casuists, is made doubtful; and being made doubtful, they take it out of the midst by force of reflex principles. The former urge us to things impossible; the latter free very many Christians from the observance of possible mandates by the benefit of ignorance and inadvertence. The former open a way to despair, the latter to presumption, as it seems to me. The former put too much, the latter too little, of burden. But St. Augustine cries out on Psalm 118, conference 4: *Too little and too much are contrary to each other. Too little is that which is less than is fitting; and too much is that which is more than is fitting. The mean of these is what is called enough, and assuredly it is useful in life, that in morals we do nothing at all more than is fitting.* From these extremes therefore prudent guard is to be kept. The Jansenists reproach the probabilists with excessive laxity; the probabilists reproach the Jansenists not so much

with errors against morals as with heresies against faith. In a like cause St. Augustine writes these things, tract 71 on John: *There is that concerning which you are mutually to be admonished by one another: each of you owe it. … By erring you go into diverse parts. In the midst is the way which you forsake.*

III. Graver always was, and today far graver is, the danger lest confessors decline into the extreme of Laxism rather than of Rigorism. Scarcely in all Italy, Germany, and Spain will you find one Rigorist, so far as it is permitted to conjecture from books and from manifest experience, who should deny the sacraments to Christians sincerely contrite. All human reasonings detract from Rigorism. He who sins by excessive rigour is altogether foolish, because he provokes God and the world against himself. By the world he is traduced as a fanatic, a misanthrope, a Rigorist, a Jansenist; and by God he is punished for an erroneous severity. Unhappy therefore is the Rigorist both in this and in the future age. On the contrary the Laxists, if they shall be unhappy in the future, are at least happy in the present age.

IV. Toward the extreme of Laxism that most sagacious betrayer above all impels — namely self-love, the love of pleasing men and the world. Men commonly shudder at the narrow way and for the most part at the evangelical cross of penance; they extol those Doctors and confessors who speak pleasing things, who sew together soft and smooth cushions and pillows. Secondly, the fear of derisions and censures. Thirdly, the dread of conciliating to oneself enemies who may intercept the course of dignities, and wage war upon our ambition. Fourthly, that vehement desire of having a multitude of penitents, who by their concourse may increase the beauty of the churches and the splendour of the community, and may proclaim us as prudent masters and grave doctors. Of whatsoever state and condition — plebeians and nobles, the poor and magnates, matrons and maidservants — they seek out and love confessors kindly, smooth-tongued, indulgent, sweet, and most gentle. The splendour, favour, grace, applause, and acclamation of these move our humanity, and sharpen the mind to soften and bend the law of God. These are tyrants more monstrous and truculent than Nero, Caligula, and Diocletian for pressing down our constancy. Fifthly, a strong enticement also is the most tender love of a spiritual father toward his spiritual sons and daughters. Sixthly, an allurement of seduction is natural commiseration, and a propensity to console and not to disturb those who come to us.

V. Wherefore unless confessors be armed with the spirit of divine fortitude; unless they have the whole world beneath their feet; unless they make of no account the favour and patronage of men; unless there burn in their breast the love of discipline and of evangelical charity — they will easily rush headlong into Laxism.

SECTION V — By the authority of the saints, both ancient and more recent, the little that has been said is confirmed

I. Vehement and fiery are the invectives of the holy Martyr Cyprian, in his book *On the Lapsed,* against the laxities of confessors. Since it is written: "They who call you happy send you into errors, and disturb the paths of your feet" — he who caresses the sinner with flattering blandishments supplies fuel for sinning, nor represses offences, but nourishes them. … *It behoves a priest of God not to deceive by deceiving compliances, but to provide by salutary remedies. Unskilled is that physician who handles the swelling folds of wounds with a sparing hand, and, the poison being shut up in the deep recesses of the veins, preserves and increases it. The wound must be opened, and cut, and, the corrupted parts being amputated, cured with a stronger remedy. Let the sick man cry out, let him clamour, let him complain, impatient with pain: he will give thanks*

afterwards, when he shall have felt his health restored. For there has emerged, dearly beloved brethren, a NEW KIND OF DISASTER. … THERE HAS ACCEDED, UNDER THE TITLE OF MERCY, A DECEIVING EVIL AND A BLAND DESTRUCTION. Against the RIGOUR of the Gospel, against the law of the Lord and God, by the rashness of certain men communion is RELAXED to the incautious (that is, the remission of sins). Void, false, dangerous to the givers, about to profit the receivers nothing. … They think that to be peace which certain men sell with deceiving words. That is not peace but war. … What is injury, they call a benefit. What is impiety, they name by the term of piety?

II. I pass over the testimonies of Ambrose, Jerome, Chrysostom, Augustine, and others, that I be not long. A few from later Fathers I shall cull. St. Gregory VII, Book 1, epistle 10, says: *From the unskilfulness and negligence of priests, as from a most pestilent root, innumerable evils have arisen, so that down to these our times, among the other evils which sprout, the custom of a false penance has nevertheless prevailed.*

III. The Second Lateran Council, canon 22: *Because among other things there is one which most greatly disturbs the holy Church, namely a false penance, we admonish our brethren the presbyters that they suffer not souls to be deceived by false penances, and to be dragged down into hell.*

IV. St. Thomas of Villanova, sermon 6 on the fourth Sunday of Lent, writes these things: *Him who, vivified by the Lord, comes forth from the sepulchre of vices by a desire of salvation, do you, O priests, loose. … Let him therefore go first, let him cast the concubine out of his house, let him restore another's money, let him break usurious contracts, let him repair his neighbour's injured reputation as far as he can, let him pay the labours of hirelings and the debts of the poor, let him be reconciled to the brother he has offended, and ask pardon: then let him return to the confessor, and be absolved. This is the right order: this was preserved by the Lord in the raising of Lazarus. Transgress not this order. O physician, why dost thou loose one merely confessing? Why dost thou promise pardon to the unworthy? Why, in exhibiting the benefit of absolution, dost thou not discern? Two keys did the Lord give thee, one of discerning and the other of judging, namely of absolving and of binding. And dost thou without the examination of discretion bind no one and absolve all? Thou usest one key only, and not even an entire one, but a halved one.*

Alas, alas! I grieve in my bowels. In the house of God I have seen a horrid thing. Pastors of the Lord butchering their own sheep, physicians of their own people killing the sick, judges flattering the base, censors caressing outrages, blind men directing the flock of the Lord. Is not this horrid? … O WRETCHED MEN, NOT CURATORS BUT MURDERERS OF SOULS, NOT COUNSELLORS BUT DECEIVERS — what will you answer to the Lord for the flock which you have deceived by your blandishments, which you have butchered by your counsel? WHAT DESTROYS THE CHURCH OF GOD TODAY, IF NOT THE FLATTERING ADULATION OF CONFESSORS? … Alas for the wretched! … They anoint wounds and extinguish the worm of conscience, they take away the goad of sin, they send sinners secure to hell. Who, if they struck fear into the people, would perchance have called them back from vices. To whom shall we compare THESE FLATTERERS? … They are like men who from the bank stretch out a hand to those perishing in the river, and by the violence of the river are themselves plunged in with the others. For by the weight of sins they snatch their own flatterers after them into the precipices with the sinners, and thus lead them down with themselves to hell.

Let these things be said against certain confessors of our time, PIOUSLY IMPIOUS, IMPIOUSLY PIOUS, who, lest they in any wise sadden those confessing, permit them to remain in their own wickedness. But how much better were it to sadden them a little than to damn them eternally! … Let it not irk thee, O priest, to sadden the sick in morals unto penance.

V. St. Charles Borromeo in his *Instructions,* part 2, § 1, teaches this: *It is in the highest degree to be guarded against by many confessors, lest their industry fall into grave reprehension, since out of so great a number of those confessing we see a scanty amendment in those who so often, or for so many years, have frequented this sacrament.* Again he subjoins in his *Instruction to Confessors,* chapter 12: *Either through carelessness, or negligence, or from another cause, it often happens that the benefit of absolution is imparted to those who in very truth are unworthy; and consequently in the same they often sin and stick fast, with the nevertheless lamentable ruin of their souls.* Again in the same *Instruction to Confessors,* chapter 17: *And here vigilance must be kept the more diligently, as it is manifest that confessors by their carelessness afford in this part the greatest cause why in almost all trades, exercises, and public dealings the gravest sins and intolerable abuses are found.* Likewise chapter 18 he inveighs against those same confessors who by facility of absolving foster luxury, pomps, and display. *In this season,* he says, *your luxury seems to have gone forth to the highest summit which it could climb, in great part by the fault and negligence of confessors, who with no scruple absolve them.*

VI. St. Francis de Sales in his synodal constitutions, title 1, chapter 5, has this: *Nothing so dishonours the Church, nothing so violates her discipline, nothing so fosters sinners in a drowsy habit of sinning, as that shameful custom by which certain presbyters relax sins, not as judges who by a prudent and grave discussion of crimes may discern whether they can pronounce for him, but as bondmen who with a headlong and flattering indulgence caress sinners. Of these flatterers Cyprian says that they bring into the Church a sweet cruelty, palliated with the name of mercy and clemency, and that they thus spread abroad peace (absolution). The same Cyprian asserts that peace to be void and false, dangerous to the givers and about to profit the receivers nothing. For if absolution be given without a probable hope that the penitent will stand by his promises, THE BLOOD OF CHRIST is exposed to profanation, and the presbyters constitute themselves guilty of the repeated relapses and of those evils which are born of false absolutions: BY WHICH THERE PERISHES AN INFINITE MULTITUDE BOTH OF PRESBYTERS AND OF PENITENTS.*

VII. Innumerable other documents both of holy bishops and of graver theologians I pass over from a study of brevity. If you desire more, consult Vol. IX, Book 1, dissertation 1, chapters 9 and 10, where I have transcribed the testimonies which four most learned Jesuits — Bellarmine, Elizalde, Camargo, and de Alberti — exhibit.

VIII. In few words I conclude the whole matter. The endowments of a confessor are these. 1. A singular vocation of God: for unless he be called by God with a singular grace, he will be a most inept minister for bearing the place of God, who will destroy himself and others. 2. Fortitude, contempt of the world, and a study of the glory of God alone. 3. Prudence, meekness, humility, charity. 4. Let him always have before his eyes the image of Christian justification, and it is necessary that he know exceedingly well what is the spirit of the Christian profession. From the holy Scriptures, from the Gospel, from the epistles of Paul let him conceive the true image of the spirit of Christ and of justification.

Chapter II — On the jurisdiction of the minister of the sacrament of Penance

I. QUESTION I. *Is a priest alone the minister of the sacrament of Penance?* ANSWER. The innovators deny it — the Waldenses, Hussites, Wycliffites, and Lutherans — whose errors Trent condemned, session 14, canons 9 and 10. It is therefore a dogma of faith that bishops and priests alone can administer the sacrament of Penance. It is established from John 20: *Receive ye the Holy Ghost: whose sins you shall*

forgive, they are forgiven them; and whose sins you shall retain, they are retained. Which words the perpetual tradition of the Church has declared to pertain to the Apostles alone and their successors, laymen being excluded. The testimonies of the Fathers and of the Councils which confirm this tradition are obvious, and therefore I pass them over.

II. Fr. Claude La Croix, Book 6, part 2, no. 1485, teaches that, although the more common and more probable opinion be that a layman, a cleric being absent, does not even in the article of death validly absolve from censures, the opposite nevertheless, he subjoins, grave authors defend probably, whom Diana and Moya relate, because they think that the pious mother Church grants the same. Whence Sánchez infers that a layman in such a case is bound to absolve from censures. Whether these pious figments of Probabilism be arbitrary, and afford a handle to the heretics for extending this faculty to absolving even from sins, let the more learned judge. From the piety of mother Church all things can be inferred, unless a certain rule be prescribed. The aforesaid opinion I reject as false. But grave authors teach it probably. These authors, who *probably* call the common doctrine of the Church into controversy, are not grave to me.

III. QUESTION II. *Of how many kinds is priestly power?* ANSWER. Twofold: one of order, which is conferred by ordination; the other of jurisdiction, which is the faculty of ruling subject souls and of governing the people, as Trent, session 14, chapter 7, declared.

IV. QUESTION III. *Whether a Regular presented to the bishop and unjustly rejected acquires jurisdiction and validly absolves?* ANSWER. All confess that the bishop's approbation is necessary to all priests, both secular and regular, that they may validly receive the confessions of seculars. The opposite opinion was condemned by Alexander VII, proposition 12: *He satisfies the precept of annual confession who confesses to a Regular presented to the bishop but unjustly reproved by him.* Regulars therefore must needs be approved by the bishop. Those approved by the bishop of one diocese are not approved for other dioceses: the contrary opinion has been disapproved both by the Gallican Clergy and by Alexander VII in the decree to Henry of Angers. Those approved for seculars are not approved for nuns; and the opposite opinion Gregory XV disapproved in the year 1621. Regulars approved for one monastery cannot without a new approbation hear the confessions of the nuns of another monastery.

V. Regulars, even though laureate and learned, are bound to undergo the bishop's examination as often as it shall have seemed expedient to bishops. As regards this therefore, let them employ the bishop's prudence.

VI. Concerning Regulars approved by a bishop without the presentation of their regular superiors, and these being unaware or unwilling, authors dispute on either side. Very many theologians teach that such Regulars so approved absolve invalidly, and not merely unlawfully. On the contrary the Salmanticenses, several authors being cited, defend that they absolve validly but unlawfully. They dispute also whether such Regulars so approved sin mortally in hearing confessions. The disputations concerning valid or invalid absolution being dismissed, I say that Regulars who obtain this approbation with their superiors unaware or unwilling are not called by God to this task, but are intruders. What corollaries flow hence are known to all. Most imprudently would bishops approve Regulars against the will of their superiors, at least unless, the cause of the opposition being known, it were openly established that the superiors resisted unjustly. For any human law whatsoever sometimes admits its own exceptions.

VII. Regulars approved in one diocese can absolve the faithful of another diocese who come to them, as the common opinion teaches, and universal custom obtains. Superiors also of Regulars need approbation — as Provincials, Priors, Guardians, and so forth — because Trent excepts no one. Wherefore the opposite opinion is utterly false. They can nevertheless absolve without approbation the seculars dwelling in their houses as of the household, otherwise if they dwell there not continuously and not as of the household and do not enjoy the table. Regulars making a journey, if confessors of their own Order be lacking, ought to confess to an approved priest, because this is the safer opinion.

VIII. QUESTION IV. *What is ordinary and what delegated jurisdiction?* ANSWER. The first belongs to someone by reason of his office, that is, to the curate of the souls of whom he is the pastor. Of this kind are the Pope, the bishop, the abbot, the parish priest, the perpetual vicar of a bishop, a capitular vicar, the supreme Penitentiary, a cardinal in the church of his own title, the vicars general of the Pope, legates *a latere* in the province of their legation. Among Regulars there are Generals, Provincials, and local Superiors. All these come under the name of Ordinary, and by the name of one's own priest. Hence the Pope has no Ordinary, since he is the supreme pastor of all. The Ordinary of a bishop is the Pope, and of a parish priest the bishop. An archbishop has the ordinary faculty of absolving sacramentally while he visits the diocese of a suffragan.

IX. Delegated jurisdiction is that which is granted to some priest, not by reason of the cure of souls, but from the will of him who has ordinary jurisdiction and can lawfully delegate it, if he to whom the jurisdiction is to be delegated be capable: for the suspended and excommunicated who are not tolerated are not capable. A bishop can delegate, but not a parish priest, because he who cannot delegate jurisdiction over his own sheep to a priest not approved by his own bishop.

X. Priests not approved cannot absolve from venial sins, as Innocent XI declared in the decree for frequent communion given in the year 1679. In this decree the Fathers of the Society also are comprehended. Wherefore Fr. La Croix is deceived, who at no. 1553 excepts the Jesuits; the decree nevertheless he did not ignore.

XI. Fr. Viva, question 8, article 1, no. 5, says: "Innocent XI in the year 1679 willed that bishops should not permit confession of venial sins to be made to a simple priest not approved by the bishop or Ordinary. … I think nevertheless with the Cardinal and others in La Croix that it is not invalid, and that the sacrament would not be exposed to the danger of frustration. For since it is probable that jurisdiction is conferred immediately upon a priest by Christ the Lord, and that with probable jurisdiction the sacrament of Penance is validly conferred, as we shall say in the ninth question, therefore the sacrament is validly conferred by a simple priest absolving only from venial sins, or from mortal sins otherwise absolved."

XII. The Supreme Pontiff forbids that simple priests be able to absolve from venial sins; Fr. Viva probably teaches the opposite, because priests have jurisdiction immediately from Christ the Lord. Behold how true is Probabilism adverse to the power of the Pontiffs, of bishops, and consequently of princes. Assuredly priests have power from Christ the Lord, but by force of the ecclesiastical hierarchy subject to the Pontiff and the bishop. Otherwise it would have to be said, by force of the doctrine of Fr. Viva, that simple priests can absolve also from mortal sins not absolved. What displeases more is the progress of Probabilism. First they say that a simple priest can absolve from venial sins; then from mortal sins confessed; then from mortal sins invincibly forgotten, as the

Salmanticenses, tract 6, chapter 11, no. 61; and at last from mortal sins confessed in good faith to a simple priest, as with other probabilists Leander, tract 5, disputation 31, question 14, teaches. All these things are false, and disapproved by Innocent XI.

XIII. QUESTION V. *Whether every priest in the article of death has jurisdiction of absolving from sins and from censures?* ANSWER. In the article of death, if an approved priest be present, a simple priest cannot impart absolution, because no necessity urges. It must be said otherwise if the approved one were unwilling to hear the confession, or if the simple priest had already begun to hear the confession.

XIV. To mendicants approved by the Ordinary there is delegated jurisdiction of absolving from all cases and censures reserved to the Pope, the cases of the Bull *In Coena* being excepted, and six others reserved by Clement VIII outside the city and within Italy. But Benedict XIV reserved to himself and his successors the faculty of absolving an accomplice of a crime against the sixth precept, as will be said below.

XV. Those who have ordinary power can, say authors commonly, exercise it in another's diocese with their own subjects, provided that in the formula of the faculty there be no limitation for such a place, as is wont frequently to happen. But custom is to be regarded.

XVI. QUESTION VI. *Who is the proper minister of vagrants, of pilgrims, and of those who have a domicile in a twofold parish?* ANSWER. Those are called vagrants who have no proper domicile; their parish priest is he under whom they are found at the time of confession. Those who go on pilgrimage, although they have a proper domicile, can confess to any approved confessor to whom they turn aside. Those who have a twofold domicile in a twofold parish can confess to either parish priest.

XVII. Jurisdiction is not acquired by custom alone, unless there accede the consent, at least tacit, of the superior. Nor does a presumed or interpretative consent suffice. A confessor excommunicated and not tolerated loses all jurisdiction. One excommunicated and tolerated absolves unlawfully but validly. That a parish priest excommunicated and not tolerated, but not deprived of his parish, can grant to another that he assist at a marriage, but not delegate jurisdiction of hearing confessions, very many teach; because, they say, to assist at a marriage is not an act of jurisdiction, but of testimony. But this opinion is false. What? Is assisting at a marriage not an act of jurisdiction? All men therefore indiscriminately will be able to be ministers of matrimony, just as they can be witnesses. But this is absurd. Neither therefore can the aforesaid parish priest grant. A priest absolving one excommunicated ought to send before absolution from censures before he absolve from sins.

XVIII. Bishops can from a just cause limit the jurisdiction of hearing confessions in a church, before sunrise, after sunset, and of women. But without a just and reasonable cause they cannot limit this jurisdiction, at least in respect of Regulars. If nevertheless a bishop should limit it, even without a just cause, the limitation would hold, and the absolutions would be invalid, just as when without a just cause men are reproved, they remain reproved.

XIX. QUESTION VII. *Whether jurisdiction expires by the death of him who granted it?* ANSWER. Jurisdiction delegated in this forum in general by the Supreme Pontiff does not cease by the death of the granter, as the common opinion teaches. But theologians dispute concerning jurisdiction granted by inferior prelates, by a bishop, and so forth. Very many affirm that it expires; but more commonly they teach that it continues, until either the predetermined time elapse, or it be revoked by the successor. And this they gather from common custom, the prelates consenting. Nor does it stand in

the way that, the bishop being dead, his Vicar lacks power, because the Vicar general makes one tribunal with the bishop.

XX. A delegate cannot subdelegate, because a delegation is personal, granted to this person and not to another. Therefore he who receives it cannot communicate it to another. The contrary opinion, which some defend, is not approved by me.

XXI. QUESTION VIII. *Whether common error, a coloured title being lacking, is enough that jurisdiction be said to be conferred?* ANSWER. Someone is a simple priest lacking all jurisdiction. Him all the faithful of some place hold as pastor or confessor. This is *common error* concerning the jurisdiction of that priest. But if a simple priest obtain from the bishop a parochial benefice, yet on account of some canonical impediment — suppose excommunication, or simony, or another obstacle — obtain it invalidly, and possess the parochial benefice; by force of this he is held by all as parish priest or curate. This is common error conjoined with a coloured title: for he possesses a title, namely the collation of a parochial benefice conferred by a lawful superior, namely by the bishop; but because the benefice was invalidly conferred, he possesses indeed a title, yet not a true but a false and apparent one, and therefore called coloured. But he who does not obtain a benefice, but by false letters feigns himself parish priest, has no title, not even a coloured one.

XXII. The common opinion teaches that common error conjoined with a coloured title, by which someone is held as parish priest or curate, is enough for jurisdiction, so that such a man can validly absolve and administer the other sacraments: because on account of the public utility the Church in this case of a benefice conferred, though invalidly on account of an occult impediment, in fact confers jurisdiction, as the common opinion of theologians and canonists teaches.

XXIII. Fr. Viva with others teaches that even common error alone suffices, provided the error be not supine and gross but probable.

XXIV. The most celebrated of canonists, Fagnanus, Book 5, *On the Crime of Forgery,* chapter *Supra eo,* that he may prove that a coloured title conjoined with common error suffices for jurisdiction, adduces in support of canon law the civil law itself, namely the law *Barbarius,* where a slave, when he was thought free, by delegation pronounced sentence. But he rejects common error alone, defended by certain men.

XXV. QUESTION IX. *Whether doubtful and probable jurisdiction suffices?* ANSWER. Some affirm it. And Fr. Viva teaches these things in his *Course,* question 8, article 2, nos. 1 and 2: "It seems not to be lawful to confect the sacrament of Penance with probable jurisdiction, at least when certain jurisdiction can be had. Nevertheless I think it lawful to absolve with probable jurisdiction. … Hence it follows that by Innocent XI in the first of his proscribed theses this opinion has not been condemned: BECAUSE HE OUGHT TO HAVE CONDEMNED IT OPENLY, if he had willed that not only in those things which pertain to the matter and form of the sacrament, but also in those which pertain to jurisdiction, we should follow the safer opinion, the probable being omitted, as many learned men reckon."

XXVI. Unless all things deceive me, this opinion is contained in the first proposition condemned by Innocent XI. For in that condemned thesis mention is made neither of matter nor of form. There is a deep silence concerning these: the thesis is indefinite, and comprehends every opinion concerning the validity of the sacrament. Nor indeed can a reason be assigned why he should have condemned

this and not that. Anyone can say: this probable opinion, the safer being forsaken, is condemned, but not that one; another would say: that one is condemned, but not this one; and in this fashion the pontifical decree would be illusory, and would condemn nothing. An indefinite proposition therefore, being condemned, comprehends every probable opinion operating in the sight of a safer one concerning the validity of the sacrament. But all men, even Fr. Viva, confessing it, jurisdiction pertains to the validity of the sacrament. Therefore a probable opinion concerning probable jurisdiction, the safer being forsaken, seems condemned.

XXVII. Fr. Viva replies that in the proscribed thesis there is condemned the use of a less safe opinion in those things which are adverse to ecclesiastical law. Which answer is altogether false, and disapproved by Fr. La Croix himself, Book 6, part 3, no. 15, page 3551; nay, he testifies that all disapprove it.

XXVIII. Fr. Viva insists: "It is not probable that a hundred and thirty Doctors related by Gobat were deceived in a matter of so great moment, and are worthy of censure." It is false that Gobat cites 150 Doctors, nay not even 100. Unless the brevity set before me hindered, I should wish to transcribe the words of Fr. Gobat; but see Vol. IX, Book 2, dissertation 2, chapter 5, no. 5. For the rest, even if Fr. Gobat cited six hundred probabilists, these being passed over, place must be given to the pontifical decree.

XXIX. They insist that the pious mother Church supplies, when a probable opinion concerning jurisdiction is present. I answer that the pious mother Church, through her own head Innocent XI, condemned this doctrine. Therefore she refuses to supply.

XXX. The probabilists object that most grave authors — Suárez, Filliucci, Reginald, Lessius, Bonacina, Diana, and others whom Gobat cites — defend the use of probable jurisdiction. I answer that the aforesaid authors, like Fr. Gobat, wrote before Innocent XI condemned this opinion, and are therefore to be excused; but they are not in this to be followed.

Chapter III — On the reservation of cases

I. The power of reserving certain more atrocious crimes, as Trent, session 14, chapter 7, declares, is called into hazard by no one. To reserve sins belongs to those to whom it belongs to confer the power of jurisdiction. These are the Supreme Pontiffs in respect of the universal Church, bishops in respect of inferior presbyters, and regular superiors in respect of their subjects. Reservation here renders absolution invalid, and not merely unlawful.

II. Venial sins are not reserved, because such reservation would be useless, since these sins can be blotted out without the sacrament. That internal mortal sins can be reserved the graver theologians teach — Suárez, Soto, Sylvius, Vásquez, and others: because these mortal sins are in fact subjected to the interior forum of the Church, and are remitted by a judicial sentence. Therefore they can be reserved. Such reservation nevertheless is by no means expedient. Nor hitherto have either the Roman Pontiffs or bishops ever reserved such internal sins.

III. The cases reserved to the Roman Pontiff are contained in the Bull *In Coena Domini,* which for brevity's sake I do not transcribe. Clement VIII also reserved to himself the six following cases: 1. Of the violation of ecclesiastical immunity within the terms of the constitution of Gregory XIV of holy

memory, whose beginning is *Cum alias nonnulli.* 2. Of the violation of the enclosure of nuns for an evil end. 3. Of those provoking to and fighting a duel, according to the decree of the sacred Council of Trent and the constitution of Gregory XIII of holy memory beginning *Ad tollendam.* 4. Of those laying violent hands upon clerics, according to the canon *Si quis suadente,* and so forth. 5. Of real simony knowingly contracted. 6. Of beneficial confidence.

IV. Other Pontiffs also have reserved to themselves certain other cases. An excommunication reserved to the Supreme Pontiff is incurred by him who hears the confession of an accomplice in some base and dishonest sin committed against the sixth precept of the Decalogue. Benedict XIV in his constitution *Sacramentum Poenitentiae,* published in the year 1741, deprives confessors of jurisdiction of absolving from this crime. The same constitution he confirmed by another constitution published in the year 1745, whose beginning is *Apostolici muneris partes.* He declared nevertheless that in the article of death it is not forbidden to priests to hear a confessing person who is an accomplice, and to absolve her when duly disposed, provided nevertheless there be not present another priest, who, if he can be had without scandal, even though he be a simple priest, ought to receive the whole confession. Nay, the partner of the crime ought to take care that another priest be found who may hear such confession, when this can be done without scandal. Otherwise, if the priest who is a partner of the outrage shall have been negligent in taking care that another confessor be found, and himself hear the confession, the absolution will indeed be valid in respect of the penitent accomplice; but the confessor who is an accomplice incurs the excommunication laid down in the said constitution.

V. He who by apostolic indult absolves from the fault in these cases to which excommunication is annexed absolves also from the censure. The aforesaid cases are reserved even in the time of a Jubilee, unless they be expressly excepted.

VI. Concerning the cases which bishops can reserve to themselves, it is not ours to bring forth judgment. They are wont to reserve to themselves only those more atrocious crimes which greatly disturb the discipline of the Church and bring in a grave scandal.

VII. QUESTION I. *Whether ignorance excuses from the reservation of cases?* ANSWER. All subjects of the superior reserving are subject to the reservation. To the proposed question someone answers that he who is ignorant either of the reservation or of the censure, or he who while he actually sins does not advert to it, incurs neither. This opinion is to me false. For those who sin from an impotent lust or stirred by anger think nothing of the reservation. Those who are ignorant of a censure do not incur it, because it is laid down against the contumacious. But contumacy cannot be had without knowledge. Reservation on the contrary is a subtraction of the power of absolving from certain sins. Some distinguish a medicinal and a penal reservation. They assert that the former, but not the latter, is incurred by the ignorant. This distinction is vain and arbitrary. For every reservation is both medicinal and penal.

VIII. In few words I refute this opinion. Reservation is a subtraction of jurisdiction from the confessor, as all teach, in respect of reserved crimes. Does the ignorance of the penitent confer jurisdiction upon a confessor not having it? Is a penitent approaching ignorantly and in good faith a confessor not approved by the superior validly absolved? Does a confessor ignorant of a reserved case validly absolve? All deny it. The confessor's ignorance does not hinder the case from being reserved.

Therefore neither does the penitent's ignorance take away that the confessor is deprived of the faculty of absolving from reserved cases.

IX. When a case is reserved upon the effect following, as the procuring of abortion or homicide, if the effect do not follow the case is not reserved. If a man administer poison, or mortally wound, and confess before the effect succeed, the case is not reserved, and he is validly absolved, provided the confessor oblige the penitent that, if the effect follow, he present himself at the tribunal of the superior for absolution from the reservation. Otherwise those procuring abortion and administering poison could elude every reservation by confessing the sin immediately after the poison was given. Wherefore it is to me more probable that, the effect following, these should approach confessors who have the faculty of absolving from reserved cases.

X. QUESTION II. *Whether sins are understood to be reserved when there is doubt concerning their reservation?* ANSWER. Doubt is twofold. One of right, as if a man should doubt whether this or that sin be reserved. For then he would doubt of jurisdiction, and then the confessor could not absolve. Since when it is certainly established that the sin is matter of reservation, and it is doubted whether the superior has reserved it, jurisdiction is doubted. But with doubtful jurisdiction a confessor cannot absolve, as has been shown above. Besides, Clement VIII forbade all confessors dwelling in Italy that any of them under pretext of privileges should absolve from any one of the cases certainly or doubtfully contained in the Bull *In Coena,* or otherwise in any manner whatsoever reserved or to be reserved to the Apostolic See. From which it is inferred that in all sins reserved to the Apostolic See there are included also doubtful cases. But in a doubt of fact authors commonly teach that a simple confessor can absolve. The sin of drunkenness is reserved: you doubt whether you fell into true drunkenness: this doubt is called of fact.

XI. When a man is absolved from a doubtful sin by an inferior priest, if he afterwards detect it to be certain, he is bound to approach a confessor endowed with the power of absolving from reserved cases, whatever some say to the contrary.

XII. QUESTION III. *Who can absolve from reserved cases?* ANSWER. All who can reserve can also absolve; besides, all those who have jurisdiction delegated by a superior. In a twofold manner jurisdiction can be delegated. First, directly, when the Ordinary delegates this or that confessor to absolve from reserved cases. Second, indirectly, when the Ordinary grants a faculty to some penitent that he may choose for himself some confessor by whom he may be absolved from reserved cases.

XIII. Pilgrims coming in good faith, and all fraud being removed, from a diocese in which a sin is reserved to a diocese in which that sin is not reserved, can be absolved by a simple confessor. Otherwise if in each diocese it were reserved, or if it were reserved in the diocese in which the confession must be made.

XIV. Bishops can absolve their own subjects in their own diocese from all occult cases, even those reserved to the Apostolic See, either by themselves or by a Vicar specially deputed for this. But from occult heresy only by themselves in the forum of conscience, as Trent, session 24, chapter 6, declares. Under the name of bishop do not come abbots or regular prelates, although very many affirm it.

XV. This faculty nevertheless granted by Trent to bishops of absolving from occult heresy has been revoked by the Bull *In Coena,* and the contrary opinion is proscribed by Alexander VII, no. 5. It is therefore certain that from occult heresy neither bishops nor regular prelates can absolve their own

religious subjects, much less laymen. Clement VIII and Urban VIII expressly forbade regular prelates to absolve from the cases in the Bull *In Coena*. But they can only do in respect of their subjects what bishops can with their own subjects. Condemned also is the opinion which defended that mendicants could absolve from cases reserved to bishops, the faculty not having been obtained from the bishop.

XVI. A superior, the reserved cases being heard, cannot sacramentally absolve a penitent by remitting him to another confessor for absolution from the non-reserved. Nor can confessors lacking power over reserved cases directly absolve from non-reserved and indirectly from reserved. Absolutions of this kind would be invalid. Nay, neither can he who lacks power over reserved cases absolve from the non-reserved alone. For the confession must be whole.

XVII. He who in the time of a Jubilee makes a void confession is not absolved from reserved cases. Similarly he who confesses with the mind of gaining a Jubilee, afterwards changes his will and refuses to fulfil the works: if in that confession he omit by inculpable forgetfulness some reserved sin, he cannot, when he remembers it, be absolved by any priest whatsoever: because the Pontiff takes away the reservation in respect of those who in fact intend to gain the Jubilee. Therefore if he of his own accord refuses to gain the Jubilee, by that very fact he refuses the privilege of the reservation.

XVIII. If in the time of a Jubilee absolution be deferred to an indisposed penitent, and after the Jubilee has elapsed he fall into a reserved sin, he cannot be absolved by any confessor whatsoever, but only by him who is endowed with the faculty of absolving from reserved cases. But he can be absolved from reserved sins perpetrated before the Jubilee and invincibly forgotten, if he gave his labour to the gaining of the Jubilee.

XIX. Those who have the faculty of absolving from cases reserved to the Supreme Pontiff can also absolve from censures. He who in the article of death confesses to a priest not approved, or excommunicated, is absolved even from reserved cases, if he be disposed; nor is he bound, if he recover, to approach the superior: because, as has been said, in the article of death there is no reservation, unless it be otherwise disposed by the superior, as happens in sins having a censure annexed, and chiefly those contained in the Bull *In Coena*. Authors dispute on either side whether a dying man can be absolved by one excommunicated and not tolerated, or by a heretical priest. Many affirm it, and many deny it. Since the resolution of this depends upon the sole authority of the Church, bishops are to be consulted, that a true and safe decision may be had. St. Raymond, Book 3, § 16, dissuades the faithful from such a confession.

XX. A priest who, being destitute of the power, inadvertently absolves from reserved cases ought, if he can, to admonish the penitent. If, all diligence being employed, he is ignorant, he is excused before God, says St. Antoninus, part 1, title 17, chapter 4. The penitent also is absolved, if he invincibly is ignorant of the reservation. I said above that a reservation is contracted even by one ignorant of it. For the rest, since reservation is of human law, there can be given an invincible ignorance of it both in the penitent and in the confessor. But in a case of necessity there is no reservation. And what greater necessity than inculpable forgetfulness and invincible ignorance?

XXI. There would have to be treated here of the cases which regular prelates can reserve to themselves. But these cases are known to all Regulars from the decree of Clement VIII and of Urban VIII. And the many disputations which some stir up upon these I pass over as superfluous.

Dissertation IV — On sacramental absolution to be imparted, deferred, or denied; on the seal of the confessor; and on solicitation

Chapter I — On the form of sacramental absolution

I. QUESTION I. *By what words is the sacramental form made up?* ANSWER. That the deprecative form formerly obtained down to the middle of the thirteenth century, and even now obtains among the Greeks, very many theologians teach, and chiefly Morinus, Book 8, chapter 8. Certain men in the time of St. Thomas contended that the indicative form was null. Their error the Angelic overthrew, opusculum 12, chapter 2. The indicative form maintained by St. Thomas Trent approved, session 14, chapter 3.

II. Among all Catholics it is certain that these words, *I absolve thee,* pertain to the essence of the form. They dispute whether this pronoun *I* pertains to the essence. They wrangle also upon the pronoun *thee.* But these arbitrary little questions being dismissed, the form prescribed by the Councils both of Florence and of Trent is to be employed: *I absolve thee from thy sins. In the name of the Father,* and so forth. Commonly nevertheless theologians teach that these words *from thy sins* do not enter the essence of the form; and this the Tridentine Catechism seems clearly to teach, part 2, § 14. A confessor nevertheless would sin gravely unless he pronounced the whole form, as if he omitted the following words *from thy sins. In the name,* and so forth. Confessors would also sin if they said: *I forgive thee thy sins; Thy sins are remitted to thee; I condone thee all thy sins.* For although forms of this kind be valid, since they are equivalent, nevertheless to neglect the rite of the Church in a most grave matter is not free from deadly crime.

III. The sense of these words, *I absolve thee,* does not declare that the sins are remitted by God; but the priest himself pronouncing those same words, by the authority received from Christ, remits the sins, as Trent defined against the innovators, session 14, chapter 3. Not only ought confessors to bring forth the aforesaid words, but they are bound also to observe exactly the rite prescribed by the Church. Therefore these prayers ought to be sent before: *May our Lord Jesus,* and so forth; *May he have mercy,* and so forth; *Indulgence,* and so forth; and the others which follow the form, *May the Passion of our Lord,* and so forth. In more frequent and shorter confessions, by the Roman Ritual, they can be omitted. It will nevertheless be more advisable, necessity excepted, to perform the whole rite.

IV. QUESTION II. *Is it lawful to add a condition to the form of absolution?* ANSWER. It is agreed among all that a condition affixed concerning the present or the past — for example, *If thou art capable, if thou art not yet absolved* — does not overthrow the value of the sacrament. That Baptism, necessity urging, can be conferred under a condition has been said above. The case of a dying man, concerning whom it is doubted whether he be alive or dead, is that in which very many graver theologians defend the use of conditional absolution.

V. Very many, as it seems to me, teach too easily that this condition is to be added. Fr. Sporer, part 3, chapter 5, question 1, § 4, no. 612, teaches that absolution is to be imparted under a condition: 1. When the confessor doubts whether the penitent be rightly disposed. 2. When he doubts whether rude boys be endowed with the use of reason. 3. When the penitent brings forward only doubtful

sins in mortal matter. 4. When the confessor doubts whether he have jurisdiction over this penitent, or over his sins.

VI. In these four cases conditional absolution, as it seems to me, is both idle and contrary to the reverence due to the sacrament. In the third case he doubts of the matter, namely of the sincere grief. But it is forbidden outside the article of necessity to use doubtful matter. When a confessor doubts whether penitents be rightly disposed, whether boys be endowed with the use of reason, why does he not defer absolution until they be disposed and show the use of reason? Why do they neglect these obvious means of instruction? Why? Because, they say, there is a great affluence of penitents. And if absolution were to be deferred, or penitents to be instructed, or time to be granted for disposition, and so forth, very many would have to be dismissed without confession: murmurings and censures against confessors would be heard. Would that the fear of displeasing men, or of diminishing the affluence of penitents, were not the cause why this use of conditional absolution is sometimes usurped. Relapsing penitents, doubtfully disposed, are absolved with a conditioned absolution. How many sacrileges hence? Penitents ignorant of this rite of conditional absolution reckon themselves in fact absolved. What thence? They resume courage for sinning, they put off the horror of sinning, since they see the easy use of absolution, and believe the Christian life to be set in a perpetual circle of sinning and confessing. In great hazard, as my least opinion bears, are those confessors who outside the article of necessity — namely of death, or of doubtful frenzy — employ conditional absolution. A condition concerning the future is altogether to be disapproved, and in fact is commonly rejected by theologians.

VII. QUESTION III. *Is absolution to be imparted to one absent?* ANSWER. Some formerly affirmed it; but Clement VIII proscribed their opinion. It was forthwith interpreted that the Clementine decree was to be understood *copulatively,* not *divisively.* But this interpretation also the Supreme Pontiff forbade. The decrees both of Clement VIII and of Paul V I have given entire in Vol. IX, Book 2, dissertation 2, chapter 3. I have also adduced there the document which stands in the most celebrated Angelica Library, by which it is clearly proved that an eminent Doctor maintained the opinion proscribed by Clement VIII. Now I add that this adduced document stands also in the Vatican Library, where the author of the *Literary History* will be able to read it, and to correct what he has written upon this matter.

VIII. QUESTION IV. *What presence of the penitent is required that absolution can be granted?* ANSWER. Moral, not physical presence. That presence suffices for absolution which is enough for common conversation among men. If a priest from a window should see men shipwrecked, or ending their life, and time be lacking in which he might descend and approach them, and the article of death urge, he can absolve them with a single absolution, provided the distance be not too great, but such as suffices for conversation with raised voice among men. If a confessor has forgotten to absolve a penitent, he ought to recall him, and to warn him of the forgotten absolution, and to absolve him.

IX. Absolution is to be given immediately after the completed confession of sins. When it shall be needful, let him send before admonitions and exhortations. When a penitent after absolution received recalls some mortal sin, or a mortal circumstance, or a greater number of mortal sins, both the contrition and the absolution ought to be repeated. If a priest distracted pronounced the absolution, he ought not to repeat it, because distraction does not hinder its validity. He sins nevertheless if he impart it voluntarily distracted. Before absolution from sins there is to be sent

absolution from censures. In the article of death it can be said: *I absolve thee from censures and from thy sins.*

Chapter II — The true image of a converted sinner, from the holy Scriptures and the Fathers

I. *Never too much, which is never enough,* runs the common axiom. I have depicted above the image of Christian justification. This would be enough that a confessor might be able to detect when a penitent is in fact converted. But because the business is of the highest moment, since upon this — if not solely, at least in the highest degree — depends the right administration of penance, I have reckoned it worth the labour to touch briefly upon the specimen and idea of a true conversion. For hence a confessor will gather when he ought to impart and when to suspend absolution.

II. To those God promises pardon who with their whole heart are converted to him. Deuteronomy 6: *When thou shalt seek the Lord … thou shalt find him: yet so, if thou seek him with all thy heart, and all the affliction of thy soul.* The Prophet Ezechiel, chapter 18: *Cast away from you all your transgressions by which you have transgressed, and make to yourselves a new heart and a new spirit.* This spiritual life of a new heart and a new spirit is infused by God and is divine. Therefore it is robust, firm, strong, and stable.

III. Paul the Apostle, Romans 6, writes these things: *What shall we say then? Shall we continue in sin, that grace may abound? God forbid. For we that are dead to sin, how shall we live any longer therein? Know you not that all we who are baptized in Christ Jesus are baptized in his death? For we are buried together with him by baptism into death; that as Christ is risen from the dead by the glory of the Father, so we also may walk in newness of life. … Knowing this, that our old man is crucified with him, that the body of sin may be destroyed, to the end that we may serve sin no longer. For he that is dead is justified from sin. … Knowing that Christ, rising again from the dead, dieth now no more, death shall no more have dominion over him. … So do you also reckon that you are dead to sin, but alive unto God, in Christ Jesus our Lord. … Let not sin therefore reign in your mortal body, so as to obey the lusts thereof. Neither yield ye your members as instruments of iniquity unto sin; but present yourselves to God, as those that are alive from the dead, and your members as instruments of justice unto God. … For as you have yielded your members to serve uncleanness and iniquity unto iniquity, so now yield your members to serve justice unto sanctification.*

IV. Behold the image of the Prophets and the Apostles expressed to the life. You have here a full and entire change of heart. The interior you do not see. But this true and entire change of soul bursts forth outwardly. Just as the perfect health of the body, set in pure blood, in the best disposition of the vitals, nerves, and stomach, betrays itself visible and manifest to all outwardly in the colour of the countenance, in the eyes, and in all the members; so the spiritual life of the soul, divinely infused by a sincere conversion, lays itself open visibly outwardly, brings forth new fruits, and severely animadverts upon the very members of the body as the offspring and accomplices of crimes. Lascivious and wanton eyes it afflicts with tears; it turns away from vanity, with David, the countenance once smeared with pigment for the capturing of souls; it presses it down with modesty, sadness, and pallor; and the other members, which indulged luxury, drunkenness, banquets, and revelling, it presses down, crucifies, and tortures with fasts, disciplines, and lyings on the ground, more or less according as they more or less kick back. Pomps, luxury, and display it transmutes into a humble adornment, into wailing and howling. These are the signs of a sinner to be absolved and absolved. Here there is no place for tergiversation, no lurking-hole open for escape. Since all the

testimonies of the holy Scriptures demand these signs, and with these colours delineate the true image of a converted sinner.

V. All penitents testify to the confessor that with a whole and full heart they detest their sins, and that they are converted to God; and after a few days they will relapse into the same outrages. This their feigned and lying will St. Augustine thus censures, Book 8 of the *Confessions,* chapter 9: *Whence this monstrous thing, and why is it? The mind commands the body, and it obeys forthwith: the mind commands itself, and it is resisted. The mind commands that the hand be moved, and so great is the facility that the command is scarcely discerned from the service. And the mind is mind; but the hand is body. The mind commands that the mind will, nor is it another; and yet it does not do it. Whence this monstrous thing, and why is it? It commands, I say, that it will, which would not command unless it willed; and yet what it commands is not done. But it does not will with the whole heart; therefore it does not command with the whole. For in so far does it command as it wills; and in so far is not that done which it commands as it does not will. Since the will commands that there be a will, nor another, but itself. Assuredly it does not command in fullness, and therefore that is not which it commands. For if it were full, it would not command that it be, because it would already be. It is not therefore a monstrous thing partly to will and partly not to will, but a sickness of the mind: because it does not wholly rise, being lifted up by truth, weighed down by custom. And therefore there are two wills, because one of them is not whole; and this is present to the one which is lacking to the other.*

VI. The keen argumentation of St. Augustine the common sense of men confirms in the individual duties of human life. Who would say that he wills fully and with his whole heart who does not execute that which he testifies he wills, if it be in his own power that it be done? For two things are required for the execution of a promise: power and will. Which of these is lacking in a sinner? Is it power? God forbid to assert this, cry out all Catholic theologians. Power therefore is present. And is that not done which penitents say they will to do? Therefore will is lacking. Therefore the will which they falsely allege is feigned and masked. Wherefore skilfully does St. Thomas teach, I-II, q. 10, art. 4: *A will is not perfect unless it be such that, opportunity being given, it operates.* Does a soldier panting with his whole heart for glory not furnish all things consonant with the attaining of this end? Does a miser neglect any of those things which he judges necessary for the acquiring of riches? Does not a sick man swallow even more bitter medicines, when with a full will he desires health? If therefore sinners willed with their whole heart and with a full will to reform their morals, they would omit none of those things which conduce to the attaining of this end. And this the more, because they ought to will their own amendment through the observance of the mandates with a greater ardour, a more powerful endeavour, and a more diligent study than a soldier glory, than a miser gold, than a sick man health.

VII. Beware therefore, O confessor, of giving credence to a penitent who, when he can amend himself, refuses to abstain from those things which fight with amendment. Long experience has taught that games, comedies, friendships, and the enticements of little women are the cause of their relapses. He neglects to break off these covenants of iniquity. Therefore he does not will amendment with his whole heart. Penitents have, you say, a full will of amending themselves while they confess; but afterwards the inconstancy of human sickness changes it.

VIII. This is a most vain hallucination, and the more pernicious as it is the more frequent. That a full and constant human deliberation can be changed no one denies. But this rarely happens, as all the just testify. Tell me: why does it come about that the avaricious, gamesters, and the lustful are rarely

changed? Because, answers the Prophet, Psalm 72, *they have passed into the affection:* because the will of fornicating, of acquiring riches and spending them on games, is full, and dominates in them. But why do the just, the chaste, the sincere and ingenuous rarely fall, rarely or never lie, rarely or never fornicate? Because their will is full, entire, constant. Therefore the will of penitents, which they display as full while they confess, and which they frequently and most frequently change, is not a full and firm will, but weak, infirm, a mere velleity, extorted by mere servile fear, and utterly void of the love of virtue, of justice, and of God. Why were the Jews inconstant in the obedience of God? *Because they failed* (says David, Psalm 105) *they forgot his works, they did not sustain* his counsel. Because from mere fear, by no means from love, they served God. Human nature is weak, frail, changeable. But by the grace of God and due vigilance it becomes robust and dominant. Why do you obtrude frailty? cries St. Augustine, homily 28 among the 50, now sermon 17. *Glass, although it be frail, yet lasts long. You will find cups from grandfathers and great-grandfathers, out of which you drink.* I urge again. Is a man inconstant and changeable in the business of eternal salvation alone? Why in any other business whatsoever does he rarely recede from that which he sincerely and with his whole heart conceived and deliberately promised, unless the reasons or the circumstances of the promise be changed? Because, although he be changeable and weak, yet when with his whole will and full mind he wills, he in fact furnishes that which he promised with his whole heart. In the one and only most grave business of eternal salvation he promises with a full heart, not to man but to God, an amendment of morals; and after a few days he becomes lying, perfidious, and rebellious. What is the cause of so sudden and frequent a change? A defect of power? God forbid. A change of circumstances, or of the end? By no means. The same God who forbids, the same hell, the same paradise, the same malice of crimes, the same sanctity of amendment. What of this, that in this one business above the rest divine helps are ready, and the sacrament itself of Penance confers a healing and strengthening grace? Therefore it is evident that penitents frequently relapsing into the same crimes are therefore not amended because they do not will amendment with their whole heart and with a full will. Therefore imprudently do confessors give credence to the sayings of penitents, when their frequent relapses prove the fallacy of promises of this kind. Nature is prone to pleasures, to enticements, to delights; but it is repugnant to virtue and to heavenly things. Be it so. And yet from all these things the men of the world abstain, that they may serve one lying idol alone. What does a soldier not endure that he may attain glory? What does a merchant not bear that he may grow rich? What does the luxurious man not suffer that he may become brutish, or the gamester that he may become a conqueror? And do you contend to gain the kingdom of heaven, which suffers violence, without labour and grief? O most foolish of all fools, if you believe it.

IX. Innumerable testimonies of the holy Fathers, which I have given in Vol. IX, Book 1, dissertation 5, chapter 4, I could transcribe hither; but it pleases me to subjoin a few from Cardinal Bellarmine, sermon 8 on the fourth Sunday of Advent: *Many today are found to be unskilled stewards, who understand neither their office, nor their place, nor their grade. Those lastly do not acknowledge themselves ministers and dispensers, who, as though they were not about to render an account to the Lord, with the highest facility lay hands upon all; and both the contrite and the not contrite, both those confessing with a full perfidy and those prepared to satisfy for their sins and those not prepared, as it were by their own power and authority, ABSOLVE. THESE BY THEIR UNSKILFULNESS AND PRIDE CORRUPT PEOPLES AND CLOSE TO THEM THE WAY OF TRUE PENANCE. For there would not be today so great a facility of sinning, if there were not so great a facility of absolving. Men laden with sins come, and who have fallen a thousand times into the same, often without any sign of*

grief, either on the day before or on the very day of a great solemnity; and they wish at once to be absolved and to approach the communion of the holy mysteries. And we, inconsiderate judges and unfaithful dispensers, lay hands upon all, and say: I absolve thee: go in peace. But woe to us when the Lord shall set his reckoning with his servants.

Section, the Only One — Few sinners of habit, or relapsing sinners easily falling back into pollutions, into fornications, into kisses and touches, are converted within a short interval of time. And this is confirmed by the authority of all preachers, and by the instructions for missionaries

I. A Christian by mortal sin turns his back upon God, breaks the covenant entered upon with Christ in Baptism, crucifies Christ himself again on his own part, repudiates the eternal inheritance, and becomes a bondman of the devil, that he may indulge the filthy pleasures of the world, and roll himself again like a swine in the mire of lust or of avarice. All the Fathers, all the Evangelists testify that within a short interval of time the covenant between such sinners and God is commonly not reintegrated. But let us hear Trent itself, session 14, chapter 2, where it has these things: *Obtaining a full and entire remission of all sins (by Baptism), to which newness and integrity nevertheless we can by no means arrive through the sacrament of Penance without great weepings and labours on our part, the divine justice exacting it; so that Penance has deservedly been called by the holy Fathers a certain laborious Baptism.*

II. Those who have been touched with a sincere penitence and true grief so pursue their outrages with hatred that they execrate also all things which impel to sin. And because concupiscence, the flesh, and the senses continually urge to sins, therefore they severely animadvert upon their own body with weepings and great labours, as Trent says. *What does it profit* (says St. Gregory the Great, or another author, Book 6 on 1 Kings, chapter 2) *to confess outrages, if the affliction of penance do not follow the voice of confession? For then do we discern a sinner well converted, when he strives to blot out by a worthy austerity of affliction that which by speaking he confesses. Whence also the Lord cursed the tree adorned with leaves but barren of fruit, because he does not receive the ornament of confession without the fruit of affliction.*

III. Similar things have Chrysostom, Basil, Jerome, Augustine, and all the rest of the Fathers. Tell me: when you seriously meditate these testimonies of the Scriptures and of the Fathers, do you not feel yourself moved? They mutter: the Doctors of the times have set forth for us the resolving of the cases of the times. The image of conversion and justification depicted in the holy Scriptures and in the Fathers is diverse by the whole heaven from that which you behold delineated in the books of certain men. To whom is credence to be given? Be thou the judge.

IV. All the preachers of our age with one mouth cry out from the pulpit that the conversion of a sinner of habit, habituated and relapsing, as it is vulgarly said, is most difficult. They urge that this cannot be done without fasts, tears, labours, vigils, and laborious works sent before. Fr. Claude de la Colombière of the Society of Jesus, a fervent preacher, in sermon 72, against those who violate only the Lenten fasts and confess at Easter, writes these things, rendered into Latin from the French: *Do you, hearers, contend to persuade me that your penance is true? So false do I reckon it, that I should fear to profane with you the blood of the Redeemer, if I absolved you before I disposed you to penance by the fasts of forty days after the feasts have elapsed (N.B.), that by this experiment I might gather whether it truly repents you of the violated Lent.*

V. Fr. de la Colombière is plainly neither a Rigorist nor a Jansenist. While the hearers hear these things, they grow pale, they weep, they approach terrified the confessors forestalled by the books and

opinions of certain casuists, and, their faults being manifested — which thereabouts for several years are the same — they are absolved; and, their tears dried and their fear driven out, they joyfully reckon themselves just. But because the justification is feigned, after a few days they will relapse into the same outrages. There is added that some confessors, that they may make their penitents joyful and triumphant, are wont to say: *Preachers declaim oratorically, figuratively, emphatically; they exaggerate and amplify.*

VI. These things are known to the whole world: namely that preachers by the clearest testimonies of holy Scripture prove that the conversion of the relapsing, the habituated, and those of habit is rare and most difficult; and that on the other hand those of habit, entangled in habits, are absolved three and four times in a year. These things, I say, are explored by the whole world. To whom is credence to be given? Whence, I ask, so great a diversity between preachers and confessors? Whence? From the variety of the books which they read. Preachers form their sermons from the holy Scriptures and from the testimonies of the Fathers; therefore they represent the true idea of the conversion of penitents. Confessors on the contrary, the holy Scriptures and the Fathers being almost dismissed, turn over Summists full of contrary opinions. But those opinions are therefore opposed, because they proceed not from the limpid and single fount of the Scriptures, but from the diversity of human talents.

VII. What if those very apostolic ministers who from the pulpit hand down the best idea of the conversion of sinners, passing from it to the confessional, should enter upon an altogether different reckoning, and should at once, no distinction being made, absolve inveterate sinners terrified by the sermon, God inspiring, but not yet converted as they ought? Whereby it comes about that sinners of this kind, putting off the horror of their faults on account of the too easy pardon, as soon as the struck fear has vanished (compelled by which alone, and not by divine charity, they execrated their faults), return with all speed to their pristine vomit, and their last state becomes worse than the first. Consider, ministers of Penance, that truth is one, in whatsoever place it must be spoken, and that practice ought to consent with right theory: and that this is that which Christ, the Apostles, the Fathers, and the perennial tradition of the Church have confirmed. Being therefore nothing solicitous of the world's favour, nothing of the concourse of many to your churches, intend only the salvation of souls redeemed by the blood of the immaculate Lamb.

VIII. Let the most learned Guy de Seve, Bishop of Arras, impose an end upon this chapter, who in his most ample pastoral instruction, part 3, writes these things among very many others: "How many merchants who gain by any art whatsoever? How many works of iniquity among those who ought to administer, or to take care that justice be administered? How many priests in a life altogether idle? Religious, who after they have separated themselves from the world return to the spacious way of the world? Do all these walk by the narrow way? Do they not rather walk by the spacious way, and consequently by the way of perdition? All these … satisfy the precepts of the Church concerning annual confession and communion. Meanwhile no change. Whence this? Is it that we are not practically convinced that the narrow way must be held, that one may come to heaven? Is it that this truth remains barren of salvation in the mind, nor passes even to the heart? Is it that it does not perchance reach even to the mind itself? Is it that cupidity itself blinds? Is it that they are engaged in ignorance? Is it that perchance the Directors and Confessors themselves are ignorant of that truth, and are blind guides who give guidance to others? Is it that they neglect to instruct their penitents concerning this, or that penitents contemn their admonitions? Which briefly is the ORIGIN of that

blindness, which has all but overthrown the FOUNDATION OF CHRISTIANITY, AND ESTABLISHED A CERTAIN APPEARANCE OF HERESY IN MORAL MATTERS MORE DANGEROUS (if it be permitted to say it) to Christians than that which regards the mind. Since it is as frequent in the Church that practical truths of this kind be impugned, as it is rare (among Catholics) that those be there impugned which stick in speculation alone. Moreover our age supplies examples over which we cannot but groan. And all the errors with which the moral field is sprinkled, of which some strike against the very principles of the law of nature — from what other fount could they have gushed forth, save that there was ignored both that great principle concerning the necessity of entering the narrow way, and that indispensable precept by which a Christian is bound to fight against the senses and desires of his own nature? Further, since that ignorance is born from no other source than that the authors of such evil dogmas, who have provoked upon their own head the threats and anathemas of the Apostolic See and of very many bishops, ARE NOT WONT TO CONSULT FOR THEIR OWN DECISIONS THE SACRED SCRIPTURES, OR THE HOLY FATHERS, OR THE COUNCILS, which you will find so rarely cited among them as you will there frequently see huge crowds of certain theologians OF THE LAST CENTURY," and so forth.

IX. Very many like things the most learned bishop has in the same instruction, which from a study of brevity I pass over. Unless the truths of faith be considered immovable by the sacred Scripture and by the definitions of the Apostolic See and of the Councils, it would be all over with Religion. Altogether the same will happen with the truths of morals, unless we have before our eyes the holy Scripture, the pontifical decrees, the tradition of the Fathers, and the canons of the Councils. And it is heresy to deny the truths of morals as well as the truths of faith. Moreover self-love, concupiscence, and cupidity lie in ambush more impotently against the truths of morals than against those of faith. Since the precepts of morals crucify the flesh, restrain the senses, afflict the appetitions, and condemn and execrate the idol of ambition, and all the enticements, pleasures, and prestiges of a raving world. Wherefore it is more easily erred in the rules of morals than in those of faith. Turn yourselves therefore from the word of men to the word of God, to the Fathers, to the sacred Councils: let these be turned before your eyes, that you may learn what is the narrow way, and how it is to be trodden. Imbued with these divine Scriptures, and strengthened by the canons of the Supreme Pontiffs, of the holy Fathers, and of the Councils, you will be able with unstumbling foot to read the moral authors, and to distinguish the true from the false; and to hold those things which are true, and to reject utterly those which are false under whatsoever roof and mask.

Chapter III — Several questions concerning absolution to be imparted or deferred to relapsing sinners, and to those engaged in an occasion of sinning

I. Concerning the occasion of sinning some things have been said above, where I set forth the purpose of not sinning. But because the argument is of the highest moment, the knowledge of it must be more widely explained: for this is the reason why Christians do not abstain from sins, because they refuse to leave behind the sweet enticements and fuels of sinning. Very many casuists fashion for themselves arbitrary definitions of a proximate occasion, of a near one, of a nearer one, of one proximate of itself, of one proximate by accident, of a probable occasion, of a more probable occasion: and finally they reason concerning dangers and occasions as they feel concerning probable opinions.

II. The most wise Jesuit Fr. Michael de Elizalde rubs down the thoughts of these men, Book 8, question 15, § 3. *For there are* (he says) *who most unskilfully philosophize concerning dangers as concerning probable opinions, by saying that some are more, others less, others equally probable. Those they call equally probable in which as often as one sins more or less, so often one does not; those dangers more probable in which one sins more often, those less in which one does not sin so often, but nevertheless often offends. They resolve nevertheless according to the way of probable opinions that we are bound to avoid none of these dangers, because in all of them the opposite is at once probable — namely that I am not about to sin. Therefore, they say, there is a grave foundation, therefore it is probable; I follow it, and thus I prudently commit myself to the danger. This is the best logical consequence from the way of PROBABILISTS, but one which alone would overturn the way of paradise and fill up hell. For who, being fully consistent with himself, would confess that it is lawful for a young man to enter that house in which either he himself, or men like him, or better than himself, entering, so often or even more often slip and fall? It is plain that this cannot be said from principles, and that it is to commit one's soul to fortune or chance: which is a crime. Lastly, that we may not delay in confuting absurdities, the matter comes to this one word, that there is no danger at all to be avoided, but that we are obliged only to avoid the necessity of sinning: for after those probable dangers there follows a necessity; and those which exist beneath necessity, they say, are probable on either side. But I am bound to avoid no probables: therefore no dangers, but only necessity. But necessity is not danger. And of the proper character of danger is some contingency in the opposite; and everyone seeing fire applied to tow says that there is a danger lest it burn: so in other necessary things. O men!*

SECTION I — Propositions concerning the proximate occasion condemned by the Church

I. Alexander VII condemned the following proposition, which is the 41st: *A concubinary is not bound to cast out his concubine, if she were exceedingly useful for the delight of the concubinary — commonly called* regalo *— when, she being lacking, he would live too wretchedly, and other foods would affect the concubinary with great weariness, and another maidservant would be found with difficulty.*

The Venerable Innocent XI the following. *Absolution is not to be denied nor deferred to a penitent having a habit of sinning against the law of God, of nature, or of the Church, even if no hope of amendment appear, provided he bring forth with his mouth that he grieves and purposes amendment.* This is no. 60.

Someone can sometimes be absolved who is engaged in a proximate occasion of sinning, which he can and will not dismiss, nay which he directly and of set purpose seeks, or thrusts himself into. This is 61.

A proximate occasion of sinning is not to be fled when some useful or honourable cause of not fleeing occurs. This is 62.

It is lawful to seek directly a proximate occasion of sinning for the spiritual or temporal good of ourselves or of a neighbour. This is 63.

II. From the recounted proscribed opinions, flatly fighting with the Gospel of Christ crying out *If thy eye,* and so forth, gather of what sort is the theology of those who maintained them. And yet those very men taught these things, whose books very many confessors use. They disapprove indeed the condemned theses; but they absorb with a poisonous straw the corollaries which follow thence; nay, certain casuists either elude or extenuate with arbitrary figments the very proscribed theses. Lest this seem to be asserted by me gratuitously, I subjoin an example.

III. Fr. Viva in his *Treatise* on proposition 41 of Alexander VII, no. 16, writes these things: "It is doubted here whether he can be absolved who has been engaged in a proximate occasion of sinning before he take it away, especially if in another confession he promised it, and then did not stand by his promises. Some, with Coninck, disputation 8 *On Penance,* no. 133, Filliucci, Azor, Sánchez, think that he cannot be absolved outside the case of necessity. Nay Cardenas, difficulty 40, chapter 5, article 4, no. 108, thinks that this is gathered from proposition 61 of Innocent XI, where it is condemned that he can be absolved who is engaged in a proximate occasion of sinning which he can and will not omit. And the reason seems to be, because he who approaches the sacrament of Penance before he take away that occasion is reckoned to be unwilling to cast it out, and consequently to approach without the due efficacious purpose of not sinning thereafter; since in this very thing, that the occasion of sinning is not taken away when it can be taken away, he sins. Nor does it stand in the way that he says he has the purpose of taking it away. For he only purposes to take it away in the future; and if he do not take it away at once, by that very fact he wills to remain for the present in that occasion, and consequently sins; just as he who, when a lion is approaching, purposes to flee and does not flee at once, is reckoned to will to remain in the danger of death. More commonly nevertheless, with Suárez, disputation 32, section 3, Tabiena, and others, they think that a penitent of this kind can be absolved once and again, if here and now there appear true signs of grief and of an efficacious purpose of taking away at once the proximate occasion. Nay Córdoba, Cajetan, and others think that he can be absolved even a third and a fourth time, although it be often expedient to defer absolution until that proximate occasion be taken away. He ought nevertheless altogether to be absolved even before the separation from it, both if a danger of death threaten, and if, absolution being deferred, it be believed that he will not have the opportunity of returning, or from another cause will not return. And the reason why he seems able to be absolved the first and second time is because the penitent could, either immediately before, or by hearing a sermon, or by hearing the admonitions of the confessor himself, be excited to a true and efficacious purpose of not sinning; in which case he is sufficiently disposed. Thus everywhere penitents are absolved by this, that they purpose to restore, although before confession they had not restored as they could: because from the admonitions of the confessor there can here and now arise a true purpose of restoring, which before confession was either weak, or was thought sufficient; although for some opportune time the restitution would have to be deferred: therefore this same thing can be done in him who is bound to take away a proximate occasion. Nor from that proposition 61 of Innocent XI is it drawn that he cannot be absolved. For he who purposes to take away the occasion at once cannot be said to will it for the present, just as neither is he said to will the danger of death who, when a lion is approaching, purposes to flee as soon as he can. Cautiously nevertheless is one to proceed in this, because everywhere a purpose of this kind is not efficacious in him who could antecedently have taken away the occasion of sinning and has not yet taken it away."

IV. That the author may prove that a concubinary can be absolved once and again — concerning whom the discourse is in the thesis proscribed by Alexander VII — he opposes the parity of debtors, who *everywhere,* he says, *are absolved by this, that they purpose to restore, although before confession they had not restored as they could.* Everywhere assuredly, and would that not everywhere, debtors are absolved, although before confession they had not restored as they could, by confessors forestalled with false doctrines. Is it validly? Is it not sacrilegiously? Let us hear the doctrine of St. Francis Xavier, Apostle of the Indies, related in Book 6, chapter 17, by Turselline: *Let absolution forthwith follow confession. … If*

they owe anything, let them restore it. … If they have any quarrels, let them lay them aside, let them return into favour with their enemies, and let them be disentangled from the lust and habit and from the outrages in which they are implicated. Let all these things run before absolution. Is not the doctrine of this Apostle of the East, drawn from the divine Scriptures and the Fathers, of more account than the interpretations of Leander, Tamburini, Busembaum, Escobar, Diana, Bonacina, Viva, and others? But let us hear another Apostle of our Italy, St. Charles Borromeo, who in the First Council of Milan prescribes these things: *Let confessors beware lest before due satisfaction they absolve those to whom, when the faculty is present of restoring another's goods, or of paying out the legacies which have been made for pious causes, and when it has been most cautiously enjoined upon them by their superior that they do it, they have nevertheless neglected to perform it.* What of this, that holy Scripture itself, Tobias 4, cries out: *If any man hath done any work for thee, IMMEDIATELY pay him his hire*?

V. The doctrine of Fr. Viva, as it seems to me, is included in this thesis condemned by Innocent XI: *Someone can SOMETIMES be absolved who is engaged in a proximate occasion of sinning,* and so forth. This proscribed thesis does not assert that one engaged in a proximate occasion is to be absolved as often as it happens, or twice, or thrice, or four times; but *sometimes*. Therefore according to the pontifical decree such a man is never to be absolved, unless first, when he can, he forsake the occasion. And the cited author teaches that this man can be absolved the first and second time. Why this? Because, he says, *he who purposes to take away the occasion at once cannot be said to will it for the present*. And who among Catholics has been so mad as to teach that he is to be absolved who wills the occasion of sin for the present? Did the authors of the condemned theses not require a purpose of dismissing the occasion for the present? *Cautiously nevertheless,* subjoins Fr. Viva, *is one to proceed in this*. This alone was lacking, that absolution should be imparted to such sinners even incautiously and indiscriminately. It is false that the eminent Doctor Suárez, and Cajetan, whom the author alleges as his own safeguard, teach this false doctrine. Fr. Suárez I have vindicated from this lax doctrine in Vol. IX, Book 2, disputation 5, chapter 4, § 3, no. 7 and following, as also Cajetan — that it may be known to all that I am immune from party zeal.

SECTION II — The false opinions of Leander, Tamburini, Gobat, Sporer, La Croix, and others are refuted

I. QUESTION I. *Whether a concubinary can be absolved before he expel the concubine?* ANSWER. Fr. Leander, tract 5, disputation 7, question 35, writes these things: "I answer more probably that a concubinary can lawfully be absolved once and again before he cast out the concubine, provided he anew firmly purpose to the confessor to cast her out of the house. … The reason is, because from a second, nay from a third or fourth promise made concerning the casting out of a concubine, or another proximate occasion, there is not taken a grave judgment concerning a DEFECT OF THE DISPOSITION OF THE PENITENT. Therefore he can lawfully be absolved." Weigh, reader, the reason which this most kindly probabilist here brings forth; and gather thence the character of the recent kindly theology. From this author Fr. Viva transcribed his own opinion, not adverting that this author wrote before the condemned theses.

II. QUESTION II. *Whether a concubinary can be absolved, the concubine not being cast out of the house, because he cannot do it without great detriment to his life, his honour, or his money?* ANSWER. Fr. Leander, question 36: "I answer more probably that he can be absolved, nay ought to be, as often as he shall have truly repented — not only when there is present some amendment, but even when NO PROGRESS

APPEARS; provided, as we have said, such a concubinary have grief for his sins, and a true purpose of guarding against them in the future, and so forth. … Our answer is proved: because even after that experience of no progress there can stand a true grief and the requisite purpose, without a will of taking away that occasion with so great a detriment. Therefore the penitent can be absolved. … So Vivaldus, Sánchez, Diana, and most recently and MOST LEARNEDLY (as he is wont) de Lugo, disputation 14, nos. 155 and 156, Hurtado, Candidus, Bonacina, Sá, Layman, Brunius, and so forth." Do you see how these probabilists reconcile with the retention of the occasion the purpose of amendment? Do you see how the leading probabilists maintain it *most learnedly?* But it is condemned, and anti-evangelical.

III. QUESTION III. *Whether a concubinary can be absolved, the concubine not being cast out of the house, because he would lose his reputation if he expelled the concubine?* ANSWER. Fr. Leander, question 38: "I answer more probably that he himself can be absolved, nay she herself also, if by the same a mark of infamy would be incurred, or if he could not cast her out without grave loss or scandal. … So Sánchez, de Lugo, Bonacina, Candidus." This opinion is the daughter of the preceding, and false, and condemned by the Church.

IV. QUESTION IV. *Whether a concubinary can be absolved, the concubine not being cast out, who lent to the said woman, for example, a hundred gold pieces, and believes that he will lose them if he expel her from the house?* ANSWER. Fr. Leander, question 39: "I answer more probably that he himself can be absolved, and likewise the woman herself, in the case in which he would not recover the hundred gold pieces owed to him, if he should cast her out of the house — provided he purpose not to sin any more. Because no one is bound to avoid a proximate occasion with great detriment to himself, even temporal." So Sánchez, de Lugo, Bonacina. The Gospel of Christ cries out: *What doth it profit a man, if he gain the whole world, and suffer the loss of his own soul?* And the younger casuists cited defend that for the avoiding of the loss of a hundred gold pieces the concubine is not to be dismissed.

V. QUESTION V. *Whether a penitent can be absolved who even after repeated admonition fornicates now with one, now with another?* ANSWER. Fr. Leander, question 44: "I answer that he can, as often as he approaches confession with grief and a purpose of not sinning, provided he retain or maintain no woman elsewhere. So Bonacina, Sá, Lublinus, Trullench." A concubinary is bound to feed a concubine at his own expense at home or elsewhere, and sins with the same one alone. But this sinner without so many inconveniences can lie now with one, now with another — that is, multiply scandals and seduce several women; and nevertheless as often as he approaches confession with grief he will have to be absolved. This grief is chimerical. This doctrine is contained in the proscribed theses, and is to be disapproved by all.

VI. QUESTION VI. *Whether a confessor can be absolved who out of devotion receives confessions in the hearing of which he is frequently and voluntarily polluted?* ANSWER. Fr. Leander, question 46: "Joseph ab Horto affirms it, and Castropalao, in his *Mirror of Parish Priests,* chapter 10, in Diana, teaching that such a confessor can be absolved, provided he approach with grief and a purpose of not sinning." This opinion is false, lax, and full of scandal. The addition of grief and purpose is a mere chimera, as is also the other, the *devotion* of receiving confessions in which that confessor is voluntarily and indeed frequently polluted.

VII. QUESTION VII. *Whether a physician or a surgeon can be absolved who in healing women often sin, if they have no purpose of ceasing from the cure?* ANSWER. Fr. Leander, question 48: "I answer more probably

that they can be absolved, however much they cannot forsake their own office, provided they repent and purpose not to consent any more. It is plain from what has been said." From what has been said, namely, is plain the falsity and laxity of this poisonous antecedent. Either physicians and surgeons ought to amend themselves or to relinquish their arts; and the same would be of advocates, judges, and the rest, when their own professions were to them a proximate occasion of sinning.

VIII. QUESTION VIII. *Whether a hostess can be absolved without a purpose of not receiving a guest with whom she has sinned several times, when without great scandal or detriment she could not forbid him her lodging?* ANSWER. Fr. Leander, question 55: "I answer more probably that she can be absolved, provided she promise and purpose that she will never be alone with him alone in any separate chamber, and that she repents of the past from her soul, even if she had confessed and purposed that she would never sin with him any more. So Navarrus and other Doctors, to whom add Stephen Baum thus speaking: It follows from what has been said that a woman can be absolved who receives at home without a husband a man with whom she often sins, if she cannot honourably cast him out thence, or has a cause of retaining him, provided she firmly purpose that she will not sin with him any more."

IX. Very many other like and unheard-of figments I pass over, and having transcribed them I set down nothing; but I submit the same to the judgment of readers, nothing doubting but that all who shall read them ought to disapprove and detest them.

X. QUESTION IX. *Are dancing-women, mime-women, singing-women, and comic actresses to be absolved?* ANSWER. Unless they first relinquish their art, which, all things being regarded, is in fact vicious and evil, they are not to be absolved. The Fathers of the Church and the Councils of all ages detested theatrical representations as the iniquitous relics of pagan superstition. Some prate that the ancient Fathers condemned theatres because they were most base and stained with superstition. These men have never read the Fathers. The Fathers condemn that men put on a woman's garment, as being forbidden by God; they condemn harlot-like music and fornicating song; they condemn the meeting of men and women, being seen and seeing. All these things are done today. Nay our theatres are for the most part baser than those which were represented in the time of the Fathers: for then women did not act as mimes, as in our age, unless you except the theatres of the goddess Flora and the *Floralia,* at which not even honourable pagans assisted.

XI. Certain men are not ashamed to oppose the authority of St. Thomas. Elsewhere of set purpose I have proved more clearly than the noonday light that those opponents labour under a supine ignorance. In Book 4, distinction 16, question 4, article 2, question 2, he says *that if spectacles be of base things provoking to sin, the studious inspection of them is a sin, and sometimes so great a lust can be employed in them that it be even mortal. Whence all ought to keep themselves from such inspection.* All therefore according to St. Thomas *ought to keep themselves. Sometimes* therefore, not always, it is mortal. A most inept opposition. Assuredly a man can sometimes behold base things without being mortally delighted. But if he shall have done it frequently, he will sin mortally, because he exposes himself to the danger of sinning mortally. For the rest, that the ignorance of the objectors may be more evidently plain, the Angelic subjoins what must be brought into the midst from 2-2, question 168, article 3. Although those beholding base things should experience no delight, they sin the sin of cooperation. For here St. Thomas adds in the same place: *But if any men bestow superfluous things upon such, or even SUPPORT (N.B.) those actors who use unlawful games, they sin, as it were fostering them in sin. Whence Augustine says on John, tract 100, that to give one's goods to actors is a monstrous vice.* All who frequent theatres, although they

were immune from lust, sin mortally, because they foster actors in mortal sin by paying them a wage. In the time of St. Thomas there were actors, or jesters, commonly called *saltimbanchi,* who exercised lawful games. That their art was not of itself unlawful he says in the place cited — which holds true if the games be lawful, as in the time of St. Thomas they were. Which I prove by an evident demonstration. St. Thomas in the place cited, II-II, q. 169, art. 2, reply 3, teaches this: *Of itself it is vicious that a woman use a man's garment, or conversely; and especially because this can be a cause of lasciviousness, it is specially forbidden in the law.* Therefore when in the preceding question, article 3, reply 3, the Angelic says that the office of actors is not of itself unlawful, he does not speak of actors of whom one puts on a man's garment and another a woman's garment, as is done in our age. For this *is of itself vicious,* says St. Thomas. Therefore it is clearer than the noonday light that St. Thomas disapproves as vicious the theatres of our time, in which either emasculated men put on a woman's garment, or women themselves shamelessly come forth upon the stage — which no one would deny to be a grave sin.

XII. QUESTION X. *Whether it be lawful to approach an occasion in which it is probable that you will fall?* ANSWER. Fr. George Gobat answers, tract 7, case 16, no. 349, page 594: "For when it is only probable that you will succumb to temptation, it is certainly also probable that you will not succumb. But just as in very many other matters it is lawful for you to deduce a conclusion pleasing to yourself from either of two speculatively probable opinions, so it will be lawful here to argue: There occur to me grave temptations, on account of which a prudent man can wisely judge that I shall fall into a new mortal crime if I shall have approached this house. Conversely there are other reasons, also grave, on account of which another and equally prudent man would pronounce that I shall not fall. Therefore I can, without the note of rashness and imprudence, commit myself to that occasion — I who certainly would not commit myself if I clearly knew that I should admit that grave sin. And so it is lawful, speaking of itself, to commit oneself to a probable danger of sinning mortally."

XIII. This probabilistic principle being laid down, corollaries worthy of so great a principle Fr. Gobat elicits in the same place, no. 350, page 596: "If a concubinary cannot dismiss his concubine without the loss of a hundred gold pieces or ducats, the confessor will be able, as the matter arises, to embrace the opinion of John Sánchez, or of Oviedo, related a little before." Another corollary no less to be detested Fr. Gobat deduces in the same place, no. 351. Hear: "If she herself be so brazen that, being dismissed, she is about to publish the occult concubinage, very many of those cited will patronize him who wills to retain her; but he will assuredly have to be fortified with peculiar purposes and other means: just as they patronize him if she be his own maidservant, and he cannot obtain another without peril; since nevertheless he could by no means be without any maidservant at all."

XIV. QUESTION XI. *What is to be said of the opinion which defends that absolution is not to be denied to plebeian young men lying stripped in the same bed with girls, unwilling to purpose separation?* ANSWER. Here Fr. George Gobat, tract 5, chapter 31, nos. 19 and 20, page 552 and following, writes: "You will ask perchance whether the actions which we have said suffice for a violent presumption of adultery suffice for a violent presumption of fornication, namely if they be engaged in concerning persons altogether free? I answer that absolutely all and each do not suffice, because it is established that very often among the free actions of this kind are exercised as some disposition toward espousals. I clearly know that it frequently happens, especially among plebeians and rustics, that in the same bed for

some hours clothed and stripped they lie, and yet do nothing at all immodest, or nothing save kisses and base handlings."

"Whence I judge that absolution cannot be denied by a confessor to all those plebeian girls (I feel otherwise of noblewomen, for various considerations) who do not seem to have a purpose of never admitting into their bed their own wooer. But if some one, as sometimes happens, should allege that he lay with her six or eight times in the same bed, but that he sought or did nothing evil, she seems to have to be absolved, although she purpose not to admit him no more. The reason is, because a confessor ought not to deny absolution to a penitent for this cause alone, that he is unwilling to forsake remote occasions of sinning: for a penitent is not bound to avoid them." These things cannot be heard without horror.

XV. QUESTION XII. *Whether one persisting in a near occasion of sinning mortally can be absolved, because without grave inconvenience of body, reputation, or fortune he cannot take it away?* ANSWER. Fr. Layman, Book 5, tract 6, chapter 4, no. 9, teaches this: "Except, fifthly, unless the near danger or occasion of sinning mortally cannot be taken away without grave inconvenience of body, reputation, or fortune: then indeed it is a counsel to postpone that lesser loss to the greater good of the soul's security, but not a precept. Wherefore those are to be absolved who are unwilling to depart from an office, a business, or a house in which a danger of sinning nearly threatens, because they cannot without the greatest difficulty, being meanwhile prepared to employ the remedies of sins, especially those which are prescribed to them by the confessor, as Sá, Henríquez, and others teach. … The reason is, because an occasion of sinning is not in itself a sin, nor does it bring in necessity, or take away the liberty of the soul: wherefore with it there can stand a detestation of sins, and an absolute purpose of employing labour and endeavour that hereafter sins be avoided; although meanwhile there be joined a fear or an estimation that the will will sometime be changed, as I have said above. Then I reason thus. Either the precept of declining the occasions of sin is affirmative; then it is manifestly plain that it does not oblige in such necessity. Or if you contend that the precept is negative, of not approaching a danger or not persisting in it, then I answer that the precept is to be understood as forbidding that anyone of his own accord and voluntarily cast himself into a danger of sinning, or persist in it."

XVI. This is the whole juice of Probabilism, which, as we have seen, creeps through the whole of theology. Nor is the Illustrator of Fr. Layman in the later edition less deceived, unless I myself am deceived, when he says that the doctrine of Layman is not contained in the condemned thesis, because the author requires not any cause whatsoever, but a grave cause of not forsaking the occasion. All paradoxes must be devised, lest it be granted that a casuist erred. To this all things come back. And who, even of the authors of the condemned theses themselves, does not require a grave inconvenience, that an occasion may lawfully be retained? Can the lustful, usurers, tardy debtors, and lovers and mistresses forsake the occasion without a very grave difficulty?

XVII. QUESTION XIII. *What is to be said concerning the absolution of the relapsing?* ANSWER. Fr. Layman, Book 5, tract 6, chapter 4, no. 2, writes this: "He who is relapsing, if he bring forward some sign of amendment, IS ALWAYS TO BE ABSOLVED. But the signs are either to sin more rarely, or some greater grief conceived from a true mind, or TO CONFESS HIMSELF SPONTANEOUSLY, in those who are not urged by a preceptor, a father, or a tutor, or by the custom of a congregation gathered for confessing, and so forth. For then a sign of amendment is had; otherwise not." *What Layman teaches*

pleases me, says Tamburini; and the same say La Croix and Viva. It would be a wonder if a kindly doctrine, to me nevertheless false, did not please Tamburini and the other probabilists.

XVIII. Is a spontaneous and voluntary confession a sign of amendment in the relapsing so certain that they ought ALWAYS to be absolved? And in fact there are absolved lovers and mistresses always conversing together, feasting together, wooing one another, kissing, touching, and committing adultery. For they of their own accord, without a tutor or preceptor, approach a spiritual father, and are absolved. Another sign of amendment is that they sin more rarely. So that these penitents may be almost always bondmen of the devil and enemies of God, provided they more rarely crucify Christ, more rarely multiply offences against the divine Majesty, they are to be absolved. Let readers compare this doctrine with the doctrine of Christ, promulgated by the voice of the Evangelists and of Paul, by which it is declared that the true conversion of penitents is stable, firm, immovable, and rarely relapsing; and let them themselves sit as judges whether the transcribed doctrine be false and anti-evangelical or not. For I am unwilling to bring forth sentence. But let us hear prettier things.

XIX. QUESTION XIV. *What is to be said of the following opinion of Fr. La Croix?* ANSWER. Fr. Claude La Croix, Book 6, part 2, no. 1729, says: "That a frequent relapse is a sign that grief or purpose was lacking, the JANSENISTS and RIGORISTS hold, with very many Illustrious Men in the *Good Pastor;* but it is certain that this is not universally true."

XX. That some rare and special case is to be excepted from the aforesaid rule, no one of sound mind denies. For the rest, that a frequent relapse is commonly a sign that grief with purpose is lacking, only the LAXISTS can deny. Are the Jansenists and Rigorists the Evangelists and the Apostle Paul, who require a stable conversion? Under this mask of Rigorism does Laxism stalk everywhere? The clearest evangelical truths are noted by certain probabilists with the censure of Jansenism and Rigorism. And this is the most deadly calamity of our age.

XXI. Fr. La Croix objects in the same place: "There is not a greater obligation of avoiding old sins than new: for a purpose ought to extend itself equally to all; nay it is easier to avoid new than old, because vicious custom and habit impel more to the old. But from the fact that a man brings forward NEW sins, no one prudently judges that grief or purpose was lacking in the prior confession: therefore neither from the fact that he brings forward old ones."

XXII. *No one prudently judges!* Who are they who do not prudently judge that grief or purpose was lacking in those who bring forward new sins? Assuredly not those who hear the Gospel and have formed the true idea of Christian penance. But this manner being passed over, I ask: Does the gift of justification, the triumphant grace of Jesus Christ infused into a penitent truly converted, not afford strength and fortitude for avoiding all mortal sins, whether new or old? What idea, I ask, is formed of the grace of Christ, healing, vivifying, and sanctifying? Assuredly the efficacious and triumphant grace of Christ affords strength to your nature for avoiding sins whether old or new. Therefore a frequent relapse (for of this now is the discourse), whether into old or into new sins, is an argument that a sincere grief and a constant and stable purpose was lacking. Tell me: does the grace of Christ give strength for avoiding all sins and fulfilling all precepts, or not? If you grant the first, then your recounted doctrine is false. Assuredly, as I have said, any just man from weakness, an unforeseen and sudden occasion pressing, can sometimes after a true confession and justification relapse either into old or into new sins. But now we speak of a frequent relapse. Further, to assert that no one prudently doubts that grief and purpose were lacking, when he sees frequent relapses whether into new or into

old mortal sins, is a most open falsity. Nay, all imbued with evangelical doctrine not only doubt, but most prudently judge that these frequent relapsers perpetrate sacrileges. Since if they were truly justified, the grace of Christ, charity, and the other heavenly gifts would bring forth their fruits, would heal their wounds, and would strengthen their infirmity and weakness. If two enemies, after a covenant of reconciliation once and again reintegrated, should frequently relapse into enmities and in turn threaten death to one another, or one to the other, would you say that a sincere and true reconciliation had taken place? And do you dare to say that those sinners enter upon a sincere friendship with God who frequently break the faith given to God, who turn their backs upon God and contract a covenant with the enemy the devil?

XXIII. QUESTION XV. *What is to be thought of the doctrine handed down in the theological dissertation* On absolution to be given or deferred to the relapsing, *published in print this year 1754?* ANSWER. In this dissertation in the first place the notion of a relapsing person is set forth from the common opinion of the casuists. For the author says, page 8: "Wherefore three things are required for constituting a relapsing person in this theological acceptation. I. A FREQUENT RELAPSE AFTER SEVERAL CONFESSIONS. II. Then a relapse INTO SINS OF THE SAME SPECIES. III. A DEFECT OF ALL AMENDMENT, EVEN INCHOATE. And first indeed there is required a relapse after several confessions, says Platelius. … There is required then a relapse into sins of the same species which the penitent had before confessed; NOR DOES A RELAPSE INTO NEW AND DIVERSE SINS SUFFICE." Page 9: "Wherefore for a relapsing person properly such, when theologians inquire whether absolution is to be given or not, there is required a relapse into sins of the same species."

Page 10: "Lastly there is required A DEFECT OF ALL AMENDMENT, EVEN INCHOATE. For from such a defect theologians doubt whether a relapsing person is to be absolved or not, and so forth. For the rest, if the relapsing person shall have employed SOME endeavour toward amendment, or shall have diminished the number of sins, then theologians commonly reckon that there is present a reasonable foundation for thinking concerning him that here and"… … "now he is rightly disposed and capable of absolution."

XXIV. Who are those theologians who doubt whether a relapsing person is to be absolved who exhibits no sign even of an inchoate amendment? They are very many casuists, maintainers of a softer Ethics. Behold whom the author of the dissertation cites in his own patronage: Layman, de Lugo, Sánchez, Platelius, Gobat, La Croix, Felix Potestas, Alphonsus Manrique, Navarrus, Azor, Toletus, López, and several others — *who,* he says at page 12, *were well skilled in the Scriptures and the Fathers*.

XXV. Platelius most openly maintains the condemned doctrine concerning philosophical sin. Layman, Sánchez, and Gobat defend more or less very many condemned and lax opinions. Fr. Potestas and Manrique are two casuists of a laxer Ethics. López, Azor, and the others who are indicated are more recent probabilists, favourers of a kindlier discipline.

XXVI. Let us see now whether the recounted probabilists were well skilled in the Scriptures and the Fathers. These authors, says the author of the dissertation, first doubt whether those relapsing — that is, frequently falling back into the same sins after several confessions — are to be absolved, who exhibit no sign even of an inchoate amendment. Further, if they doubt, according to the principles of Probabilism not the safer but the kindlier part will have to be chosen; and consequently those are to be absolved who exhibit no argument at all, not even of an inchoate amendment. But the common

sense of Christians shudders at such a figment, namely that those relapsing are to be absolved who exhibit no sign of amendment.

XXVII. But let us approach that which is the head of the matter. *If a relapsing person shall have employed SOME endeavour toward amendment, if he shall have diminished the number of his sins, then theologians commonly reckon that there is present a reasonable foundation for thinking that he is here and now rightly disposed and capable of absolution.* And were those theologians and probabilists *well skilled in the Scriptures and the Fathers*? Not only were those authors not well skilled in the Scriptures and the Fathers, but in this argument they were utterly ignorant both of the Scriptures and of the Fathers. I prove it. The aforesaid authors require for the true amendment of a relapsing person only *some* endeavour, *some* industry, and an *inchoate* amendment. On the contrary the holy Scriptures and all the Fathers demand not *some* endeavour but altogether the *whole* endeavour, the *whole* industry, for attaining an amendment not inchoate but entire. Therefore the aforesaid authors were utterly ignorant both of the holy Scriptures and of all the Fathers. I show the second proposition.

XXVIII. The holy Scriptures everywhere cry out. Deuteronomy 4: *When thou shalt seek the Lord … thou shalt find him: yet so, if thou seek him with ALL thy heart, and ALL the affliction of thy soul.* Again, chapter 30: *When therefore … thou shalt obey his commandments … with ALL thy heart, and with ALL thy soul, he will bring thee back,* and so forth. Again, 3 Kings 8: *If they shall be converted to thee with their WHOLE heart, and with ALL their soul … thou shalt hear in heaven.* Lastly Joel 2: *Be converted to me with ALL your heart, in fasting, and in weeping,* and so forth. Finally, what is more frequent in the whole of holy Scripture than this oracle: *Thou shalt love the Lord thy God with thy WHOLE heart, and with thy WHOLE soul, and with thy WHOLE mind* (Matthew 22), *with thy WHOLE strength* (Deuteronomy 6)? And all the divine Prophets, speaking of the conversion of sinners, say: *We shall all roar like bears, and shall lament as mourning doves* (Isaias 59); *Be in pain, O daughter of Sion, as a woman in travail* (Micheas 4). Who is so blind that in these holy Scriptures he does not see and understand that every endeavour, every industry, every fortitude, every effort and all the strength must be employed by a sinner, that he may sincerely be converted to God from the way of iniquity; and consequently that a confessor can gather hence a solid indication of the conversion of the relapsing? Therefore the doctrine of the more recent probabilists, who require in a relapsing sinner not the *whole* but only *some* endeavour, that he may appear amended and worthy of absolution, fights in hostile fashion with the holy Scriptures.

XXIX. There is added that the justification of sinners is called *stable* in the holy Scriptures: *For the sorrow that is according to God worketh penance STEADFAST unto salvation,* 2 Corinthians 7. The same doctrine St. Paul repeats, 1 Corinthians 15: *Therefore, my beloved brethren, be ye STEADFAST and UNMOVEABLE.* Again to the Colossians 1: *If so ye continue in the faith, grounded, STEADFAST, and IMMOVEABLE.* The author of the cited dissertation answers at page 27: "I greatly marvel that this more recent writer, in refuting this matter, is more solicitous than is equitable concerning the liberty of indifference, since he himself has taught that Christian justification infused through the sacrament of Penance is firm, constant, and stable, and that consequently it does not commonly come about that one truly justified relapses; and if it should come about, that he rises again forthwith amid groans and penances: which assuredly, whether and how far it coheres with the Scriptures, with Trent, and with the liberty of indifference itself, let the judgment be with others. Certainly the Calvinian error concerning the firmness and the inamissibility of justification is adverse to all these things."

XXX. Is the doctrine of St. Paul Calvinian, which declares justification to be stable, immovable, and firm? What of this, that I in the book entitled *Instruction of Confessors,* and so forth, premised these things at page 58: *Although Christian justification is by its own nature stable, firm, and immovable, it is nevertheless not inamissible, as the Calvinists contend; but human liberty being regarded, it can be lost at any moment whatsoever. It is likewise true that after innumerable relapses and enormous crimes a sinner can be reconciled with God; and the Church has condemned the opposite error of the innovators.* Which doctrine I repeat at page 185, cited by the praised dissertator. But let us weigh the remaining transcribed words of the dissertation. What does not cohere with the Scriptures, with Trent, and with human liberty? That Christian justification is firm, stable, and immovable? But this St. Paul most openly testifies. What therefore does not cohere with the Scriptures, with Trent, and with human liberty? Perchance that the truly justified do not commonly relapse into sins? Does it therefore cohere with the Scriptures, with Trent, and with human liberty that the truly justified commonly, and indeed frequently, relapse into outrages? One or the other we must admit. What lastly does not cohere with the Scriptures, with Trent, and with human liberty? That the truly justified, if they relapse into sin, rise again forthwith amid tears and penances, as St. Peter did, and innumerable others? Does it therefore cohere with the Scriptures, with Trent, and with human liberty that the just, having relapsed into sin, should lie long and for a long time in the bilge-water of vices, and roll therein? Either we must subscribe to the doctrine which I have handed down, drawn from the Scriptures and the Fathers; or absurdities of this kind, which fight with Religion, must be swallowed.

XXXI. Let us weigh another head. *If he shall have diminished the number of his sins* (he says at page 10), *the relapsing person is rightly disposed and capable of absolution,* as theologians commonly — namely Layman, Sánchez, Platelius, Gobat, La Croix, and others of this kind — teach. A relapsing person in the prior confession perpetrated twenty fornications, in this confession fifteen, in another confession ten, in another six, in another sixteen. This diminution and variation of outrages, according to the recent casuists, is a sign that the relapsing person is rightly disposed. Hence they lead a most wretched life in a continual circle of outrages. Confessors forestalled by this legion of probabilist books absolve the relapsing. And the relapsing, that they may attain absolution, study to diminish and to vary the number of their sins, and employ some endeavour; but they continually wallow in this vicissitude of crimes, as daily experience lays open.

XXXII. Let a third head come under examination. *There is required then* (says the dissertator at page 8) *a relapse into sins of the same species which the penitent had before confessed; NOR DOES A RELAPSE INTO NEW AND DIVERSE SINS SUFFICE. … There is added that from new and diverse sins there does not result in the confessor a prudent judgment that a true grief and purpose was lacking to the penitent in the prior confession, as La Croix rightly adverts.* Therefore according to this doctrine the grief and purpose necessary to the sacrament of Penance do not exclude all mortal sins. Or if all mortal sins are detested and excluded, then he is no less a relapsing person who falls back into one than he who falls back into another mortal sin. Whither do you betake yourself? Theologians teach that he only is a relapsing person who falls back into sins of the same species. Who are these theologians? A handful of casuists of a laxer Ethics. This doctrine is new, and adverse to the Scriptures and the Fathers. Hence the cited casuists infer that Christians relapsing into sins specifically diverse are to be absolved, because they are not relapsing persons. A penitent confesses in this confession thirty pollutions, in another twenty fornications, in another forty adulteries, in another twenty sodomies, in another ten thefts, in another fifteen perjuries, in another ten blasphemies, in another as many calumnies, in another

twenty injustices and losses inflicted upon a neighbour. This penitent is not a relapsing person, because he does not fall back into sins of the same species. He ought therefore to be absolved. Which doctrine the dissertator had earlier handed down out of Filliucci in his other book entitled *Practice of Confessing,* where at page 113 he teaches this: "Just as no difficulty is to be employed in giving absolution to one who brings sins of a diverse species, so no excessive difficulty is to be employed in absolving one who brings several times sins of one and the same species." This opinion I overthrew in the cited opuscule *Instruction of Confessors,* and so forth. The dissertator subjoins in the praised book *Practice of Confessing,* page 114: "Such a remedy, consisting in deferring absolution … I do not believe it good to use universally with one who precisely falls back by force of an evil habit and a bad inclination, but who has done in the past that which he COULD, and at present has a good will to do what he can to abstain from it."

XXXIII. In this dissertation on giving, denying, or deferring absolution to a relapsing person, at pages 21 and 23 our author endeavours to maintain the described doctrine, but in vain. That he may cast a mist over his readers, he separates two conjoined points which constitute the error, that he may in some way guard himself. For the discourse is of a sinner *who precisely by force of a depraved habit and an evil inclination falls back into sin, and who hitherto has done that which he could, that he might tear out the habit, and at present has a good will of correcting himself.* If a penitent has in fact executed the remedies which he could, that he might overcome the habit of vices, and nevertheless precisely by force of the habit falls back into sin, one or the other must be admitted: either that the vicious habit is insuperable, or that the penitent has not furnished what he could. You yourself confess that the penitent did what he could to tear out the habit. Therefore the habit overcomes the strength of the penitent. Therefore this penitent lacks the strength by which he may be able to fulfil the divine precepts.

XXXIV. Nor less false is the other doctrine, which teaches that a Christian frequently relapsing into sins of a diverse species is to be absolved: because, he says at page 8, the particle *re-* seems to be referred to a repeated act of the same species. These are most trifling casuistical subtleties, which can cast a mist over the unskilled, otherwise over the skilled. To return to the vomit, to fall back into sin, includes all mortals. So teach, he says, Carena, Gobat, Sánchez, La Croix, Platelius, Layman, Manriquez, and other more recent men. Be it so. What thence? Will a false doctrine on that account become true? Let us consult the Apostle St. Paul, who in the epistle to the Hebrews, chapter 6, teaches these things: *For it is impossible for those who were once illuminated, have tasted also the heavenly gift … and are fallen away, to be renewed again to penance, crucifying again to themselves the Son of God. It is impossible,* that is, difficult, the Fathers explain, that those who after the sacraments received fall away into sins should be renewed to penance. *Fallen away,* not *relapsed,* is said in Scripture. Therefore the particle *re-* is futile, and a vain figment. Do not sinners by any mortal sin whatsoever, whether of this or of another species, crucify the Son of God? The Apostle subjoins in the same place: *For the earth that drinketh in the rain which cometh often upon it, and bringeth forth herbs meet for them by whom it is tilled, receiveth blessing from God. But that which bringeth forth thorns and briers is reprobate, and very near unto a curse, whose end is to be burnt.* Are not all mortal sins thorns and briers? A soul therefore which, watered by the blood of Christ and by the reception of the sacraments, and strengthened by the banquet of his most holy body, frequently brings forth thorns and briers, whether of this or of another species, is *reprobate and near to a curse,* says St. Paul. Again, chapter 10, he subjoins: *For if we sin wilfully after having the knowledge of the truth, there is now left no sacrifice for sins. … A man making void the*

law of Moses dieth without any mercy under two or three witnesses: how much more, do you think, he deserveth worse punishments, who hath trodden under foot the Son of God, and hath esteemed the blood of the testament unclean, by which he was sanctified, and hath offered an affront to the Spirit of grace? Do the sacraments not adorn a soul truly justified with the sanctifying grace of Christ, and besides fortify and strengthen the same with peculiar graces and gifts, that it may resist temptations and depraved inclinations? Therefore if this soul, after several confessions and communions, frequently falls forward into mortal sins, it was not in fact sanctified, vivified, and strengthened. The Gospel of Christ cries out: *By their fruits you shall know them. … A good tree cannot bring forth evil fruit, neither can an evil tree bring forth good fruit*. Matthew 7. Let confessors lend their ears to the Evangelists, not to certain casuists, if they will rightly discern who are worthy of participation in the sacraments. They themselves behold with their eyes the avaricious and the lustful, prodigals, lovers and mistresses, dancing-women, mimes and mime-women, gamesters, the fraudulent, tardy debtors, fornicators, and perjurers approaching the sacraments several times a year. What fruits do these plants bring forth, made fruitful with so great a shower of heavenly gifts? Let them themselves bring forth judgment.

XXXV. Let us hear the Fathers, in whom the dissertator contends that his probabilists were skilled. St. Thomas on Psalm 48 says: *A purpose is best manifested by operation*. Again, 1-2, question 10, article 4: *A will is not perfect unless it be such that, opportunity being given, it operates*. St. Augustine, Book 8 of the *Confessions,* chapter 9, writes these things: *Whence this monstrous thing? And why is it? The mind commands the body, and it obeys forthwith; the mind commands itself, and it is resisted. … It commands, I say, that it will, which would not command unless it willed; and yet what it commands is not done. But it does not will with the whole heart; therefore it does not command with the whole. … There are two wills, because one of them is not WHOLE; and this is present to the one which is lacking to the other.* The mind of the relapsing person commands, as the dissertator teaches at page 10 with his casuists, namely by employing SOME endeavour; therefore that which it commands is not done, because it does not command with the whole mind and the whole endeavour. A like laxity St. Cyprian bewailed with bitter tears in his own time, in his book *On the Lapsed: There has emerged, dearly beloved brethren, a new kind of disaster, and, as though the storm of persecution had raged too little, there has acceded to the heap, under the title of mercy, a deceiving evil and a bland destruction. Against the rigour of the Gospel, against the law of the Lord and God, by the rashness of certain men communion is relaxed to the incautious. Void and false peace, dangerous to the givers, about to profit the receivers nothing*. Read innumerable other Fathers in Vol. IX, Book 1, dissertation 5. Meanwhile hear the Council of Trent, session 14, chapter 2: *Obtaining a full and entire remission of all sins, to which newness and integrity nevertheless we can by no means arrive through the sacrament of Penance without great weepings and labours on our part, the divine justice exacting it; so that Penance has deservedly been called by the holy Fathers a certain laborious Baptism*.

XXXVI. Great labours, huge weepings, the WHOLE endeavour in a penitent — chiefly in one relapsing after several confessions and frequently falling forward — all the Fathers and the Councils require. On the contrary the dissertator and the casuists whom he cites exact *some* endeavour, *some* industry, *some* diminution of sins. These two fight with one another in hostile fashion. Therefore the doctrine of the casuists is adverse to the doctrine of the Scriptures, of the Fathers, and of the Councils. The dissertator opposes at page 17 the testimony of Fr. Alphonsus Manriquez of the Order of Preachers. But all Dominicans reject, contemn, and place among the Laxists this casuist as a writer of a laxer Ethics and destitute of all authority.

XXXVII. As my least opinion bears, the disputant in this dissertation of his has compiled the laxer things which casuists are wont to hand down upon this argument. For he writes at page 30: *Let him therefore note that the relapsing CAN be absolved AS OFTEN AS they actually truly grieve and purpose. This becomes known to the confessor from SOME endeavour toward amendment, such as certainly is a return to confession at the confessor's prescription; and therefore they give hope of a future and at length stable conversion.* Who would approve these things? Is a return to confession at the confessor's prescription an argument of true grief and of a true conversion? Every day fornicators and adulterers will return to confession, provided that as often as it happens they obtain absolution from their adulteries and fornications. *SOME endeavour* also toward amendment, the dissertator here repeats, they will employ — but not every and the whole endeavour, as the Scriptures and the Fathers exact — that they may be able to enjoy their own lust. *The relapsing can be absolved as often as they actually truly grieve and purpose.* Excellently. But whence can a confessor know that the relapsing, frequently falling back after several confessions, sincerely grieve and truly purpose? That grief is supernatural, hidden in the bosom of the heart, which a confessor cannot behold. From the fruits alone of amendment and of good works can a confessor gather this true grief and firm purpose. The graver the business is, and the more obnoxious to graver dangers, the stronger the endeavour and the greater the industry required for the attaining of it. The business of avoiding hell and of obtaining eternal glory is the greatest of all. Therefore it requires the whole strength, the whole endeavour, the whole mind, the whole understanding, as the holy Scripture, as all the Fathers and the Councils cry out. On the contrary the praised dissertator in this his dissertation always abstains from this word of God, from inculcating namely that sinners should seek God *with the whole heart, the whole soul, the whole mind.* But at page 10 he requires *some* endeavour; at page 13, *from some endeavour toward a new life;* at page 27, *some endeavour toward amendment;* at page 30, *this becomes known to the confessor from some endeavour toward amendment;* at page 33, *it would suffice that they employ some labour toward the amendment of life;* at page 34, *from some amendment of the penitent himself.* From this manner of speaking of the Scriptures — *Be converted to me with your whole heart, in fasting,* and so forth — he abstains as from a phrase of Merbesius and Gennet. And in fact at page 25 he rejects as an error the doctrine concerning a stable, firm, and constant justification, which St. Paul teaches in set words. The whole endeavour, which all the Scriptures require, he passes over in deep silence, and exacts only SOME endeavour, SOME and not the WHOLE industry. Not once in the whole dissertation does he require the whole endeavour, because this whole endeavour he does not find in his own casuists.

XXXVIII. Pretty are the things which the dissertator writes at page 34, saying: *Two things now remain, of which I would have each man admonished at the close. The first is that no one easily suffer himself to be snatched away by a certain paint of a purer Ethics, and of an ancient discipline and probity, as some have it in their mouth, to be restored.* The flames of Laxism — not to say of a certain Epicureanism — burn at the four corners. To those who frequent theatres, who pass their days and nights among mistresses, who continually give their labour to games, banquets, vanity, and luxury, and whose morals lastly are antichristian — provided they bear before them a grief for past crimes and approach confession — writers teach that the sacraments are to be administered. And to this last heap of evils: *Christians are there admonished lest they suffer themselves to be snatched away by a paint of a purer Ethics.* But let us transcribe the other paradoxes which the dissertator adds in the same place at page 35: *If anyone hears, for example, that those labouring under a depraved habit are not to be absolved, let him see that there be not soon a step thence to feeling that a depraved habit is not only an effect of sin but a sin, while it actually remains in which a penitent without*

doubt cannot be justified. If he hears that the relapsing are not easily to be absolved but to be rejected by the confessor, let him beware lest he be at length so carried by certain men that they wish it to be persuaded that the sacrament of Penance is as it were the sacrament of Baptism, which cannot be repeated. If these dangers are persuaded to readers as to be guarded against, they must in some way be probable. What Catholic has taught, or does teach, that the sacrament of Penance is as it were the sacrament of Baptism, which cannot be repeated? What Catholic has written anything having even a remote affinity with such an error? Who maintains that a vicious habit is not only an effect of sin but also a sin, while it actually remains, in which a penitent cannot be justified? These therefore are spectres, arbitrary chimeras, and inept figments devised and invented for the defending of the Laxism dominant in the morals of Christians. *Who will give water to my head, and a fountain of tears to my eyes? and I will weep day and night for the slain of the daughter of my people!* I shall repeat mourning with Jeremias, chapter 9.

XXXIX. "The other is" (he subjoins in the same place) "that no one easily reckon those texts of the holy Fathers to be opportunely alleged for the matter of which we treat." This counsel the dissertator ought by right to apply to himself. He himself alleges at page 13 St. Thomas in Book 4, distinction 17, question 3, article 5, reply 2, where the holy Doctor, speaking (says the dissertator) *of the knowledge by which a confessor ought to know the DISPOSITION of the penitent,* has this. And, that I may speak most mildly, here is a most evident falsity, namely that the holy Doctor there speaks of the knowledge by which a confessor ought to know the disposition of the penitent; whereas the Angelic has his discourse concerning the knowledge of the sins which the penitent manifests. These are the words of the holy Doctor: *In another way, through the manifestation of the confession. … And as to this knowledge he cannot receive greater certitude than that he should believe the subject: because this is for the succouring of his conscience. Whence in the forum of confession credence is given to a man both for himself and against himself.* Clearer than the noonday light it is that the Angelic speaks of the faith which a confessor ought to employ toward a penitent manifesting his own sins. Nor has he a word concerning the knowledge of the grief, or of the dispositions of the penitent. Therefore the dissertator manifestly imposes upon his readers. He adduces in the same place this text of Fr. Suárez concerning a relapsing person: *Concerning which purpose credence is to be given to the penitent, notwithstanding any preceding frequency or inconstancy whatsoever.* If a confessor is bound to give credence to a penitent testifying from his soul that he grieves and has a purpose of amendment, all approaching the tribunal of penance will have to be absolved. For all who of their own accord approach the sacrament testify that they grieve, and that they have a purpose of abstaining from sins. For they would be foolish, unless they showed these two things — namely grief and purpose — since they know that these two are the matter of the sacrament. *Nor is there a presumption to the contrary,* says the author of the dissertation in the same place, *when it is established from some previous amendment, from some endeavour toward a new life.* SOME endeavour, SOME previous amendment penitents always display. Nay, those reading books of these casuists abstain from sins for some days before confession, that they may exhibit to the confessor SOME endeavour toward a new life, SOME previous amendment. And in this fashion they lead their whole life commonly in a circle of sins and a frequenting of the sacraments.

XL. The examples which he obtrudes concerning St. Francis Xavier, St. Philip Neri, St. Francis de Sales, and St. Andrew Avellino are altogether inept and foreign to the constituting of a rule which confessors ought to observe. Read what I have written concerning St. Francis Xavier in Vol. IX, Book 2, dissertation 3, chapter 5, and concerning Cardinal Bellarmine crying out: *There would not be so great a facility of sinning, if there were not so great a facility of absolving.* All holy men and the wiser theologians

deplore this facility of absolving and of administering the sacraments to the relapsing and to those of habit as the extreme calamity of our age. And nevertheless the aim of the cited dissertation tends to this, that it may approve and confirm a lax discipline in administering the sacraments to the relapsing and to those entangled in depraved habits. And, that this lamentable custom may strike deeper roots, monsters are obtruded which neither are, nor is there even a slight danger threatening that they should come about. Evangelical doctrines, which in the conversion of sinners require and more deeply inculcate the whole endeavour, a vehement effort, and all industry, are traduced as doctrines invented by Merbesius, by Opstraet, by Gennet, and by others *of this mark and school,* says the dissertator. The evangelical school is that which teaches that with the whole, not with some, endeavour, with a vehement, not with some, industry, each man must busy himself and strive to rise from the bilge-water of crimes, and to love God with the whole heart, the whole soul, the whole mind, and all his strength. This doctrine is evangelical, whatever very many probabilists cry out to the contrary, whose false opinions the author diligently heaped up in the cited dissertation.

SECTION III — Certain little questions concerning the office of a confessor which regard practice are resolved

I. QUESTION I. *What ought a confessor above all to observe when he is about to hear confessions?* ANSWER. It behoves a confessor among other things to have before his eyes: 1. That the justification of the wicked is the greatest work of God, a laborious Baptism not of cold water, as the first, but of boiling water, which may boil away and flay off the old skin; and this he ought to manifest to penitents. 2. That many are called but few chosen. Men run in crowds to confession, no otherwise than to some solemnity, and seeing that the matter is commonly despatched in a few words, they perform the business only perfunctorily. Diligently therefore, O confessors, instruct your penitents that the work of justification is the greatest fruit of Christian redemption. Few assuredly will you gain; but few are the elect. You ought to pant after the conversion of all; but do not despond in soul if it promise scanty fruits. Let it be enough for you to gain even one sheep. It is God's part to sanctify souls; yours to instruct and dispose them, that they may become apt for receiving the heavenly dew.

II. QUESTION II. *What ought a confessor to observe in the questioning of penitents?* ANSWER. Let him consider the state of the penitent — master, servant, married man, judge, advocate, magnate, prince, youth, girl, mother of a family. In the examination of carnal sins there is need of great prudence. Let all questions be chaste. Two things can hinder the integrity of confession: malice and shame. These obstacles he will easily overcome if he represent the infinite clemency of God toward sinners; if he set forth the passion of Christ Jesus for the saving of sinners; if he add courage for the vomiting forth of the monsters which torture the soul. But unless a confessor be endowed with natural acumen and dexterity, and supported by God's help, we fill leaves in vain.

III. Let the confessor question especially concerning the first precept of loving God, whether they have studied frequently to fulfil it. If he detect the love of God predominating in their hearts, let him promise himself happy things. On the contrary, if he shall have beheld the love of the world, of carnal pleasures, and of riches reigning, let him fear many absurdities. Let him weigh whether their faith be living and their hope firm. In the exercise of these virtues he will find very many rude. And therefore he ought chiefly to instruct them in these. For these three theological virtues are the foundation and form of the Christian edifice. If the foundations totter, the whole edifice falls down.

IV. QUESTION III. *Whether a confessor ought to question concerning the partner of a crime?* ANSWER. I have already said above that a penitent is bound to manifest the accomplice, the name and habitation being concealed, when a confessor cannot be found who is ignorant of the accomplice. Therefore also a confessor is bound to question, when a penitent either ignorantly or from another cause conceals the accomplice. Benedict XIV published two diplomas, one on the 7th of July 1745, whose beginning is *Suprema omnium,* the other on the 4th of the Nones of June 1746, whose beginning is *Ubi primum.* By these decrees the Pontiff proscribes the abuse of those confessors who are wont either by blandishments or by threats to extort from penitents the name of an accomplice under pretext of correcting him. Therefore in the kingdom of Portugal, at whose bishops' entreaties the decrees emanated, or the constitution confirming the first decree, confessors took care that penitents should manifest the accomplice outside confession, that they might be able to correct him. Which most grave abuse the Pontiff condemned, the doctrine standing entire of laying him open, the name and habitation being concealed, as often as necessity demands it.

V. QUESTION IV. *Whether a confessor is bound to admonish penitents of those things of which they are ignorant, whether vincibly or invincibly?* ANSWER. With a full pen I have treated this question in Vol. II, *Apparatus,* dissertation 1, chapter 4. In few words I shall now despatch it. Fr. Viva in his *Course,* part 6, question 8, article 3, no. 4, teaches these things: "If it be hoped that the penitent, adverting for example that the marriage is invalid, or that a contract which he thinks just is unjust, and so forth, will remove those material sins, the confessor is bound to detect the ignorance for the good of the penitent, lest he sin against the law of God even materially. But if no progress be hoped for, but rather it be feared that the material sin will hereafter be a formal sin — for example, if, knowing the marriage to be invalid, he would not then easily abstain from knowing her whom he thought his wife — in such a case the ignorance is not to be removed, according to that of Augustine in the chapter *Si quis,* and so forth. And the same Tamburini teaches out of Pellizarius, when someone IS IN GOOD FAITH IN A PROXIMATE OCCASION, and no amendment is hoped for; or when someone in good faith does not restore another's goods. For the revelation of the truth would harm the penitent, if thereafter with formal fault he should remain in the proximate occasion, or retain another's goods. Nor would this profit him to whom another's goods must be restored, because we suppose that there is no hope that they will be restored if the good faith be taken away."

VI. Those men possess another's goods in good faith; those reckon a usurious contract just; those are in good faith engaged in a proximate occasion; those in good faith defer the payment of debts. And is the minister of Penance, who by his office sustains the person of judge, doctor, and physician, not bound to instruct the penitents approaching his tribunal? And why? Lest the truth revealed harm the penitent. Is divine truth therefore pernicious? The Son of God ought not therefore to have descended to earth, that he might enlighten all men: he ought to have left them in good faith and ignorance, lest from material sinners they should become formal sinners. And yet he himself cries out, John 15: *If I had not come, and spoken to them, they would not have sin.* Their ignorance therefore was invincible. But Christ subjoins: *But now they have no excuse for their sin.* Let each man judge how the doctrine of Fr. Viva can be composed with the Gospel.

VII. The same doctrine Fr. Thomas Tamburini teaches out of de Lugo, Book 2, *Method,* chapter 4, no. 3; and therefore I transcribe it, that readers may be able to guard themselves against it. Tamburini therefore says: "THE FIRST RULE, from Sánchez, Book 1 *On Morals,* disputation 6, no. 53. If such

ignorance is against the penitent — for example, if he himself believed that to be mortal which is not such — it ought to be removed by the confessor. … THE SECOND RULE. If an inculpable ignorance of whatever kind, whether of fact or of right, and whether of divine or of human right, is not against the penitent (that is, when the penitent does not think that to be mortal which is such by the law of God), and the penitent asks nothing of the confessor upon this, a distinction must be made. For if the confessor foresees that the penitent, the ignorance being taken away, will not with difficulty forsake that which is in fact a sin, he is bound, from Sánchez in the place cited, no. 6, to open the truth for the good of the penitent, lest the penitent sin against the law of God even materially. But if he foresees that he will not forsake it, let him rather keep silence, lest he cast him into a greater evil. The same is to be said when someone is in a proximate occasion, and no amendment is hoped for, as Pellizarius teaches, *On Nuns,* chapter 10, section 3, no. 191."

VIII. QUESTION V. *What if a confessor be asked by a penitent to lay open to him the truth of those things of which he is ignorant?* ANSWER. De Lugo answers, disputation 22, section 2, no. 29: "But what if the penitent should question the confessor, or the Doctor, upon that matter? It is answered that then he ought to open the truth. … But Sánchez adds with others that when the penitent questions not from doubt but from scruple, THE CONFESSOR CAN KEEP SILENCE, or answer that (N.B.) he lay aside the scruple, because a scruple does not hinder good faith, nor the invincible ignorance which excuses it. This nevertheless does not seem to be said consequently: because even if the penitent question from scruple, the confessor cannot affirm that to be lawful which is unlawful: therefore neither will he be able to keep silence. … The confessor could indeed in that case FEIGN THAT HE HAD NOT HEARD, or had not attended, or answer that he had forgotten, that thus he may remain in the good faith which he had before, not nevertheless confirmed by his own authority." Can a judge and a doctor therefore feign that he did not hear, or did not attend? And is he who, being questioned, keeps silence not presumed to consent?

IX. I press the cited authors thus. Either you hope that your penitents will restore another's goods, will depart from the proximate occasion, and will forsake unjust contracts, if they be admonished; or you certainly foresee that they will furnish none of these things. If the first, you grant that they are to be admonished. If the second, then these are not penitents, but blind, most wicked, and obstinate in most wicked ways. Therefore they are most unprepared for the sacraments. Therefore those who absolve them lie subject to the tremendous punishment foretold by Christ: *If the blind lead the blind, both fall into the pit. The blind, led by a blind guide,* says Augustine. It is of faith that penitents ought to have a purpose of keeping all the divine mandates. Those who are so disposed and hardened that they will not the same mandates — have they that purpose? Tell me. And why ought a confessor not to manifest the truth? Out of charity, they say, lest the truth be noxious to the penitents. Therefore Christ the Lord and his Apostles and the Evangelists, who revealed the truths of the divine mandates, violated charity? Do they not consider what absurdities and blasphemies they cast forth in the recounted opinions?

SECTION IV — Ought confessors to accommodate themselves to the opinions of penitents, their own being forsaken?

I. The Seraphic Doctor St. Bonaventure, in his book *On Confession,* chapter 4, exclaims: *O unheard-of kind of philosophizing! Is a judge bound to bring forth sentence at the arbitration of the accused? Ought he to obey the accused, and not the judge?* These exclamations, say very many of the younger authors, are of

Rigorists and Jansenists. For commonly all the probabilists affirm that confessors can and ought to accommodate themselves to the opinions of penitents, their own being forsaken. Which doctrine I have flogged above, and in Vol. I of the *Apparatus.* Wherefore now in few words I shall refute it.

II. Above I have transcribed the testimonies by which the probabilists prove that a confessor can direct a penitent according to an opinion which the confessor himself persuades himself is certainly false, says Layman, whose words I gave above in Vol. I, book 1 — *especially if this opinion be more favourable and more desirable to the penitent*. If one opinion should teach (says Fr. Viva, question 7, article 1, no. 6) *that a penitent is bound to restitution, to the removing of such an occasion, and to the accepting of such a penance; and another opinion should teach that he is not bound: ABSOLUTION CANNOT BE DENIED, if the penitent follow the opinion FAVOURABLE to himself, provided it be in some way probable, even if the confessor be in the contrary opinion.* Hence it is that Fr. La Croix and others advert that a confessor ought not to have one doctrine only, but a purse of several opinions. But if a confessor be not furnished in the purse of his mind with these several opinions, then let penitents present them to him. If they read Diana, Leander, Tamburini, La Croix, Bonacina, and others, in whose books upon almost every matter they will find contrary probable opinions, that they may choose for themselves the more favourable and more desirable — with these safeguards of opinions let them approach a confessor, and set forth to him these opinions, and according to them they ought to be absolved.

III. If an enemy of the Christian Religion should read these things, he would detest them as fables and figments, and would repudiate the Religion of Christ as vain. But we reject these things by the testimonies of Christ himself. Christ the Lord cries out, Matthew 24: *Many will come in my name, saying: I am Christ; and they will seduce many.* Mark 13: *When you shall hear of wars, fear not. For these things must needs be, but the end is not yet*. What of this, that in the Old Testament itself God abominated these paradoxes of opposed opinions? Proverbs 20: *Weight and weight is an abomination before God. A deceitful balance is not good.* Weights of opinions, some greater, some lesser. Weights lesser, that is, less probable, God detests through Micheas 6: *Shall I justify wicked balances, and the deceitful weights of the bag?* Are these not deceitful weights of opinions, when they are lesser, and when the judge himself judges them false, and yet with those false weights he administers the sacraments and the treasures of God? That you may yourself judge how this system is opposed to reason and to common sense, I would have you hear what follows.

IV. There comes to a confessor Cynthia the mistress, imbued with the light of natural doctrine, which shows her the obligation of separating herself from her lover. She nevertheless shrinks from the separation. She is dismissed without absolution. There comes the lover. He is armed with a contrary casuistical opinion, which does not oblige to separation. The lover is absolved. They meet one another in their accustomed conversation. Little mistress, how did the confessor deal with you? He absolved me. Did he? Assuredly. He denied me absolution. What penance did he give you? Four fasts, alms, and the visiting of hospitals. Were you to accept such a penance? By no means. I was unwilling to accept it. You were unwilling? And did he absolve you? Certainly. Are we not equal in the offence and in the circumstances? Assuredly. What then is the cause of so great a diversity, that you absolved ascend to Paradise, and I, deprived of absolution, fall headlong with him? Reveal the secret to me. Behold: you have not read Diana, Leander, Tamburini, Viva, La Croix; but I have read them. I represented to the confessor an opinion truly probable, more favourable and more desirable to me, because very many and grave authors defend it, such as Lamas, Stoz, Toldet, Burgaber, and others. I

thank you. Hereafter, before I approach the tribunal of confession, I will turn over the kindlier casuists, until I find an opinion truly probable and favourable to me. Then I will approach a confessor. And if he impose a troublesome penance upon me, if he urge me to restitution and to separation from the proximate occasion, I will answer undaunted: I am not bound, I will not. Behold an opinion favourable to me, which frees me from so great a burden. But before I commit myself to so great a hazard, I beg and beseech you not to deceive me. Is it in fact as you have narrated? Most true. Behold again the words of Layman, of Viva, and of others: *If one opinion should teach that a penitent is bound to restitution, to the removing (N.B.) of such an occasion, to the accepting of such a penance; and another opinion should teach that he is not bound: absolution CANNOT be DENIED, if the penitent (N.B.) follow the favourable opinion, provided it be probable, even if the confessor be in the contrary opinion.* Have you understood? I have understood. You have almost made me blessed. Now, now I will go to the bookseller, to buy several casuists, to be read before I approach the confessor. So great a secret was hitherto unknown to me. Now… Lay down your pen. You are writing satire. Would, would that it were satire, and not a simple and genuine history, which I have therefore represented not that I might detract from the authors, but that I might succour the salvation of Christians. The books are of public right: the authors turn it to their own glory that they maintain this system. These are their principles. They in good faith firmly judged them to be true. Adversaries, who mutter that we detract from the casuists when we set forth in the midst the absurdities which necessarily follow from the probabilistic system, either believe that these are absurdities, or not. If the first, let them themselves detest this system, which the authors believed true, and they undergo no mark, even if it were false. Cannot all men err? If the second, namely if they judge that these are not absurdities but truths, let them lay this open and convict me of ignorance. And thus all things are safe and entire.

V. Tell me. What if in the forum, if in the tribunal where civil suits are resolved, such opinions obtained? What then would become of human society? A judge of temporal matters is bound by the doctrine of the Church to judge according to the more probable doctrine: and can a judge of eternal salvation judge according to a less probable opinion, which he judges absolutely false? Nay, is he bound to accommodate himself to the probable opinions of sinners, which that judge, bearing the place of God, judges false? If these are not unheard-of paradoxes, what will be? So it seems to my weakness: for the rest I subject my judgment to the more learned and to superiors.

SECTION V — How a confessor ought to bear himself in granting or deferring absolution

I. Many things upon this matter I have written in Vol. IX, Book 2, dissertation 3, chapter 10; in few words I shall now touch upon it. And first I repeat what I have more often said. It behoves a confessor to be singularly endowed with meekness, patience, and clemency, chiefly when absolution is to be deferred. Far be it that he reject penitents harshly and rustically; but with singular kindliness — and this is true kindliness — he ought to persuade the penitent that he is not in such a state capable of absolution. Since this heavenly medicine would be to him not salutary but deadly. Let him represent to him the depth of his wounds, his inveterate disease, and that his past confessions, conjoined with a frequent and almost continual relapse, were void and sacrilegious. Let him lay open the necessity of disposing and preparing himself by fasts, alms, and prayers for so great a sacrament. Let him show him what were the causes of his relapses, what the occasions, what the enticements,

from all which he ought to remove himself, and to enter the narrow way. Let him be kindly in deferring absolution until he see arguments of conversion and of a sincere will of changing his life.

II. Let him not absolve those of habit even the first time. Fr. La Croix, Book 6, part 2, no. 1820, says: "A confessor can absolve one of habit the first time that he accuses himself of the sin of his habit, although no amendment has yet gone before, provided he seriously purpose it; especially if of his own accord, no one compelling, he has come to confession, as the MOST COMMON opinion holds, against Huygens, Gabriel, Opstraet, and other RIGORISTS. The reason is, because one so disposed is rightly disposed, and gives hope of amendment," and so forth. Fr. La Croix calls those Rigorists who fulfil the pontifical decrees. Whether Huygens, Gabriel, and Opstraet be Rigorists or not, nothing pertains to me. This I say, that the doctrine of Fr. La Croix differs little or nothing from thesis 60 condemned by Innocent XI: *Absolution is not to be denied nor deferred to a penitent having a habit of sinning against the law of God, of nature, or of the Church, even if no hope of amendment appear, provided he bring forth with his mouth that he grieves and purposes amendment*. Fr. La Croix asserts that he who of his own accord and freely confesses is rightly disposed. If this were true, Christians confessing would commonly be justified, because they freely approach confession. See more in Vol. IX, Book 2, dissertation 3, chapter 10; meanwhile beware of this doctrine, which I judge false.

III. Are those who frequently relapse into the sin of voluntary pollution to be absolved? Fr. Sporer, part 3, chapter 2, section 4, § 3, no. 330, answers: *To return with the same sins is not of itself a sign that a true grief and purpose of amendment is lacking; certainly no more than if he returned with other and diverse sins, but is only a sign of human frailty in such a man*. This doctrine, maintained by Fr. La Croix, I have refuted above. Do those therefore show a sign of amendment who fall into new sins? But what grieves more is that a doctrine of this kind is spread abroad by the disciples of these casuists in little books published in the vulgar tongue, as is plain in the little work entitled *Pratica di confessare,* and so forth, *diretta principalmente a Parrochi e Confessori delle ville,* published at Rome in 1737, in which at page 115 the described doctrine is held out to the parish priests and confessors of the villages, according to these authors, so that the relapsing and those of habit may more easily obtain absolution; and if they perpetrate sins of a diverse species, then without difficulty they will be admitted to the sacraments. *When,* subjoins Fr. Sporer out of Gobat, *some progress is noted, or some diminution of sins, patience must be had. For the very diminution of sins is a sign of progress.* Patience assuredly must be had. But wherein is that patience set? In an easy granting of absolution? I agree, if that absolution heals them. This patience and mercy increases and does not cure the disease. That sins are sometimes diminished proceeds from something other than a true purpose. All persuade a frequenting of the sacraments for the healing of this wound. But I press. It is of faith that the sacrament of Penance blots out sins and sanctifies the soul; that the Eucharist as a heavenly food fattens and strengthens the Christian, and extinguishes the spirit of impurity. Therefore those who receive these sacraments and nevertheless fall back into the same sins — not by chance, by some unforeseen thing, not by accident, some occasion urging, but frequently — do not experience the effects of these sacraments. Therefore they perpetrate sacrileges. What if such polluted men were priests, who should celebrate daily? Is a frequenting of the sacraments to these an opportune remedy?

IV. By experience I have learned that the kindliness of an easy absolution toward these men is a monstrous savagery. I myself have several times sinned by an excessive kindliness of absolution

imparted. That this infirmity is the most difficult of all, all confess. What therefore is to be done? I shall say what I feel, and submit it to the judgment of others.

V. Those of habit, who are engaged in a proximate occasion, are by the doctrine of the Church not cured by a frequenting of the sacraments, but by the forsaking of the occasion. Similarly these are to be healed not by a frequenting of the sacraments, but by the eradication of the habit. This occasion is inward, implanted in nature itself; and therefore it cannot be forsaken in the manner in which an exterior one is. How then? By the crucifixion of the flesh, by fasts, prayers, hair-shirts, lyings on the ground, disciplines, almsgiving, and a segregation from all the enticements of the world. These things are difficult. Most difficult, because the disease is most difficult of cure. Address such a sick man thus: What would you do, wretched man, set in the midst of the sea, with the waves and storms raging, the sky thundering and the tempest lightening, tossing you more often, and a shipwreck now at hand about to swallow you? What, I say, would you do? Wares, moneys, garments, and all things you would cast away, that naked you might seize the harbour. In a more mournful and savage tempest are you engaged. Gehenna is open: you walk by the flanks of hell; the fury of the divine vengeance, which for so long a time has deferred the scourge, is now, now brandishing the thunderbolts. Unless with the whole endeavour of all your strength, which you would use in declining the shipwreck of the body, you use it in expelling this most foul leprosy, cleaving to your very vitals and blood, it is all over with your salvation. Do you therefore strangle me with the noose of desperation? Should I cast you into desperation if, being set in the said shipwreck of the body, I persuaded you that, all things being cast away, you should contend and strive to hold the harbour naked and half alive? Nay, you wretched man despair obstinately of your salvation, who, overwhelmed by so great a deadly plague, refuse to expel it. Do I prescribe most difficult remedies? It is true. But by long experience I have learned that this putrid disease is not cured by other remedies. Tell me: what is more difficult than to cast away wares, treasures, and the very garments, that you may escape the shipwreck of the body? These things are more difficult than those which I prescribe, that you may decline the shipwreck of the soul. Do you wish therefore to be healed? Paradise is open. Christ with outstretched arms awaits you. You can, being helped by his grace, if you will. But there is necessary a deliberation most vehement and strongest beyond what can be explained. There is required a universal, magnanimous, and robust change of the whole life. You ought to employ those endeavours which you would exercise for avoiding the shipwreck of the body and a burning furnace of flames. The efficacious remedy turns upon this, that it be persuaded to these men that they will never amend themselves save by a most difficult and violent labour, by groaning, weeping, fasting, ashes, and hair-shirt. If once you shall have seized the harbour of amendment after an interval of two or three months of severe penance, most happily and triumphantly will you walk the narrow way of our Lord Jesus Christ, no otherwise than he who has escaped the shipwreck of the body. Some temptations you will suffer; but happily will you blow them away and deride them.

VI. These things being performed, then, O confessors, impart absolution, and confirm and strengthen the convalescent with a frequenting of the sacraments and other works of piety. Believe, believe, that by the facility of absolutions this plague is fostered, not healed. Few assuredly will you gain, because few are the elect. But beware lest, while by an excessive and most cruel kindliness you contend to save these swine continually rolling themselves in the mire of lust, you yourselves perish eternally. Advert that these men are crafty and cunning. They are wont to abstain from pollutions for one or another week, that they may snatch absolution from you. Observe therefore all things, lest

you be deceived, and lest they themselves be deceived, who from the facility of absolutions snatch a handle for sinning.

VII. To tardy debtors let absolution not be imparted, unless they first pay their debts, when they can, and restore what belongs to others. Pretexts and excuses are to be admitted with the greatest difficulty. Commonly those are burdened with debts who can and will not pay. To the poor no one entrusts his money, nor are wares given to them, unless they pay at once. Rich men are those who oppress merchants and craftsmen, that they may foster luxury, display, and ambition.

VIII. To women also, vain and ambitious, and carrying luxury and pomps to the very tribunal, let absolution be suspended; and chiefly to those shameless ones who display naked breasts, who without necessity converse with men, who receive little gifts and presents from lovers. Hear St. Charles Borromeo in his *Instruction to Confessors,* where he explains this matter at large: *Let them not absolve those who sin mortally in the splendour of their garments or in a superfluous adornment of the body. And because today pomp and vanities have grown to the highest point, chiefly BY THE FAULT OF CONFESSORS, who absolve their penitents from this sin too inconsiderately (N.B.), and perchance move no scruple in them upon this matter.* If you desire more, consult Vol. IX, Book 2, dissertation 3, chapter 10.

Chapter IV — On the seal of confession

I. QUESTION I. *By what right are confessors bound to guard the secret of those things which they have heard in confession?* ANSWER. By a threefold right — natural, divine, and ecclesiastical — as all teach. Against these three rights a violator would sin. This seal arises from sacramental confession alone, by which a penitent in good faith manifests his sins to a priest for the obtaining of absolution, although on account of the penitent's indisposition or a defect of the confessor's jurisdiction absolution be not imparted. If anyone should confess to one feigning himself a priest, that man would be obnoxious to the seal.

II. If anyone should feign a confession, and under the mask of confession provoke to base things, or affect a priest with injuries, or attempt some crime by the priest's ministry, no seal would arise hence. Similarly when something is communicated under the seal of confession, even if, the knees being bent, the *Confiteor* be said, no sacramental seal arises, but only a natural one. From confession alone therefore, ordained to the obtaining of absolution to be given at its own opportune time, does the sacramental seal arise.

III. QUESTION II. *How grave is the guarding of the seal, and whether it be lawful in any case to violate it?* ANSWER. Most grave is the guarding of this seal, imposed by a threefold right, as has been said. In no case whatsoever, whether private or public, is it lawful to open it, even if death were to be undergone, or the whole world were imperilled. The matter of this seal is the individual sins, whether mortal or venial, determinately manifested in confession. With the highest prudence and caution is this seal to be guarded.

IV. QUESTION III. *Can a confessor speak of things heard in confession by the penitent's leave?* ANSWER. It is certain that a penitent can impart the said leave to the confessor, since the seal is in favour of the penitent himself. Wherefore, just as a penitent can of himself manifest his own sins, so he can grant leave to another to do this. This leave of the penitent must nevertheless be free and express; nor does

an interpretative or presumed one suffice. Sometimes a penitent is bound under grave fault to grant this leave, as for the averting of some grave evil threatening the commonwealth or another.

V. Whatsoever sins, even public ones, manifested in confession fall under the seal. Hence a confessor hearing the sins of someone condemned to death for thefts, homicides, blasphemies, heresies, and so forth, cannot reveal these crimes as heard in confession. If he knows them from elsewhere, he will be able, occasion being given, to speak as others do. Wherefore a parish priest can and ought to reject from communion his parishioner whom he knows to be a public usurer or concubinary, although for the avoiding of this the parishioner should confess to him.

VI. QUESTION IV. *What ought a confessor to answer when asked whether he has heard the confession of a harlot, a concubine, and so forth?* ANSWER. He ought to answer that he has heard her confession and has performed his office. What if a harlot should ask for a schedule or testimony of confession? Some deny that it is to be given. But this opinion is to me false. The confession was made, as is supposed. If the confessor should say that he had not absolved her, he would break the seal, as all confess. He who denies the schedule in fact says that he did not absolve her. Tell me: why is this schedule to be denied? Because the harlot was not absolved? If this reason held, there would be no seal save when absolution is imparted — which is a manifest error. The schedule therefore of the confession heard is to be given, because this is not a testimony of absolution.

VII. QUESTION V. *Can a confessor say that in such a town, community, or college grave crimes are perpetrated, when he has heard them in confession?* ANSWER. He would without doubt break the seal while he laid open grave crimes of such a town, city, or community. If nevertheless the city were ample and populous, I should not believe the seal violated. When therefore the town or city is small, then it is violated, because scandal arises, and it could easily be detected who perpetrated such enormous crimes. He who should reveal of a college or convent a crime heard in confession would break the seal, because he defames such an order. By keeping silence a confessor never sins. In speaking there is always danger. Let him therefore restrain his tongue.

VIII. Nor can a confessor speak with his own penitent concerning things heard in confession without his express leave. If the penitent himself of his own accord begin to speak, express leave is understood. Immediately after absolution given he can admonish, exhort, and correct the penitent, because the sacramental judgment still perseveres.

IX. A confessor cannot use knowledge had in confession for exterior government. Clement VIII in the year 1594 forbade Regulars to use the knowledge of confession for exterior rule. Which decree Urban VIII confirmed, constitution 16. Wherefore it is inferred: 1. That a confessor cannot abstain from the sacrifice, or flee, when he has learned in confession from some partner of a crime that snares are being prepared for him, or poison poured into the chalice, if the accomplices of the offence should conjecture that the crime had been revealed by one of the partners. 2. A confessor cannot deny the Eucharist, or the blessing of matrimony, to a penitent before one or another rightly demanding it, even if he denied him absolution. 3. He cannot interdict from sacred things a subject priest, or reject one canonically elected, on account of crimes detected in confession; nor avoid one excommunicated for the killing of a cleric manifested in confession.

X. A husband, his wife being unwilling, receives priesthood. In the article of death, hearing his wife's confession, he understands his marriage to be invalid and null. The feigned wife recovers. The debt is

asked: ought the husband-priest to render it, since the feigned wife knows that he does not render it on account of the confession heard? That case is chimerical. If it should happen, the confessor would have to ask the faculty of conversing with her, if she should recover, and of rescinding the feigned marriage. What if she should refuse? She would not be to be absolved, as being indisposed, because prepared to live in concubinage. What if she should recover without absolution? These hypotheses are arbitrary figments. If the hypothesis should occur, recourse would have to be had to God, who never permits an innocent man to be tempted above that which he can. But I repeat that the case is chimerical.

XI. QUESTION VI. *How ought a confessor to bear himself when he is questioned concerning things heard in confession?* ANSWER. If a confessor be absolutely questioned, he can absolutely answer that he does not know, even with an oath added, because he is presumed not to be questioned as a confessor. What if a crafty questioner should ask whether he would lay open those things which he knows as a confessor? The confessor ought undauntedly to answer, and to reject the questioning as unworthy and the questioner as an iniquitous man. Very many other cases upon this seal are wont to be discussed; but because they are obvious and of no difficulty, I pass them over. A confessor with a severe and prudent custody of the tongue will resolve them all.

XII. QUESTION VII. *Who are bound to this seal?* ANSWER. Not only confessors, whether lawful or feigned, are bound, but also all interpreters whose help penitents use, that they may manifest their sins to a priest. Assistants also are subject to this seal, when without their presence the confession cannot be made, as it happens in a common shipwreck, in which those who hear, or by chance or by industry touch, the sin of those confessing sacramentally, are bound to preserve this seal; as also counsellors, to whom out of necessity the person of the penitent and the crime is manifested; and likewise superiors from whom the faculty for reserved cases is sought.

Chapter V — On solicitation

I. Very many diplomas the Roman Pontiffs have published — Paul IV in the year 1561, Pius IV in 1564, Clement VIII in 1592, Paul V in 1608, Gregory XV in 1622 — against confessors soliciting, and they imposed upon penitents the burden of denouncing the same to the tribunal of the sacred Inquisition. Benedict XIV in the year 1741 published the constitution whose beginning is *Sacramentum Poenitentiae,* in which all things which can be desired are resolved with the highest perspicuity. I exhibit it entire.

"BENEDICT, BISHOP, and so forth. The sacrament of Penance, which the holy Fathers aptly named a plank after shipwreck for grace that has been lost — We, though unworthy, called by the supernal disposition to the care of the universal Lord's flock, are bound to employ all study and pastoral solicitude, lest that which by the divine benignity has been given as a refuge to wretched sinners for the innocence lost after Baptism, through the fraud of demons and the malice of men perversely using the benefits of God, be turned — which is the more mournful the more it destroys salvation — into their ruin, and the healing of souls from God, who is rich in mercy, be turned by the execrable wickedness of certain wicked priests into their destruction, contrary to the very purpose for which it was instituted.

§ 1. Long ago indeed it was wisely provided by Gregory XV, Pope of holy memory, Our Predecessor, through his letters in the form of Briefs, given at Rome at St. Mary Major on the 30th of August 1622, in the second year of his Pontificate, against any priests whatsoever deputed to the hearing of confessions and soliciting the penitents to base and dishonest things. Thereafter in succeeding times, for the interpretation and declaration of those letters, several decrees were issued by the Congregation of Our Venerable Brethren the Cardinals of the Holy Roman Church, Inquisitors General against heretical pravity, on the 11th day of the month of February in the year of the Lord 1661; and likewise by Alexander VII, Our Predecessor of happy memory, in the general Congregation of the Holy Roman and Universal Inquisition held before him on the 24th of September 1665, among other propositions foreign to the evangelical truth and the doctrine of the holy Fathers, and dissonant therefrom, the sixth and seventh — namely those to be recalled hither — were condemned and prohibited.

We therefore, maturely weighing of what moment it is to the eternal salvation of souls that these things be everywhere exactly observed, and of what moment it is for the curing of infirm sheep and for the retaining of the beauty of the holy Church of God, that certain priests do not wickedly abuse the sacrament of Penance toward penitents, and hold out for a cure a wound, for bread a stone, for a fish a serpent, for medicine poison; but rather, recollecting themselves to have been constituted by Christ the Lord presidents and judges of souls, administer so venerable a sacrament with that holiness which befits the sublimity and dignity of the office: of Our own motion, and from certain knowledge, and after mature deliberation, We approve and confirm by the tenor of the present the aforesaid letters of this kind, and all and singular the decrees emanated for their interpretation and declaration, by apostolic authority; and to all and singular of these We add the strength of apostolic and inviolable firmness; and moreover, so far as need be, We again commit and command all Inquisitors of heretical pravity and Ordinaries of places of all kingdoms, provinces, cities, dominions, and places of the whole Christian world in their respective dioceses, that diligently, and all human respect being laid aside, they inquire and proceed against all and singular priests, both secular and regular, exempt in whatsoever manner and immediately subject to the Apostolic See, of whatsoever Orders, Institutes, Societies, and Congregations, and of whatsoever dignity and pre-eminence, or fortified with any privilege and indult, who have attempted to solicit or provoke any penitent whatsoever — whosoever that person may be — either in the act of sacramental confession, or before, or immediately after confession, or on occasion or under pretext of confession, or even outside the occasion of confession in the confessional, or in another place destined or chosen for the hearing of confessions, with the simulation of hearing confession there, to dishonest and base things, whether by words, or by signs, or by nods, or by touch, or through writing to be read either then or afterwards; or who with rash daring have had with them unlawful or dishonest conversations or dealings. Those whom they shall find culpable in any of these nefarious excesses, let them severely animadvert upon according to the quality and circumstances of the crimes, by condign penalties according to the aforementioned constitution of Gregory Our Predecessor, which We will to be held here as inserted word for word; giving also, if need be, and again granting, the faculty already otherwise granted in the aforesaid constitution of proceeding with even single witnesses, provided presumptions, indications, and other supports concur — lest a crime so enormous and injurious to the Church of God remain unpunished through a defect of proofs.

§ 2. Let moreover all and singular priests constituted for the hearing of confessions remember that they are held and obliged diligently to admonish their own penitents whom they shall know to have been solicited by others, as above, according to the circumstances of the occurring cases, of the obligation of denouncing to the aforesaid Inquisitors or Ordinaries of places the person who shall have committed the solicitation — even if he be a priest who lacks jurisdiction for imparting valid absolution; or if the solicitation between the confessor and the penitent was mutual; or whether the penitent consented to the solicitation or by no means gave consent; or if a long time has already elapsed after the solicitation itself; or if the solicitation was performed by the confessor not for himself but for another person. Let confessors moreover diligently beware lest they impart sacramental absolution to penitents whom they shall know to have been already solicited by another, unless first, carrying the aforesaid denunciation to its effect, they shall have indicated the delinquent to the competent judge; or at least let them pledge and promise that they will denounce him as soon as they can.

§ 3. And since there are found certain wicked men who, moved either by hatred, or by anger, or by another unworthy cause, or incited by the impious illusions, or promises, or blandishments, or threats of others, or in any other manner whatsoever, the tremendous judgment of God being postponed and the authority of the Church contemned, falsely accuse innocent priests of solicitation before ecclesiastical judges: that therefore so nefarious a daring and so detestable a deed may be restrained by the fear of the magnitude of the penalty, let whatsoever person shall have defiled himself with an outrage of this execrable kind — either by himself impiously calumniating innocent confessors, or by wickedly procuring that it be done by others — be perpetually deprived of the hope of obtaining absolution from any priest whatsoever, fortified with any privilege, authority, or dignity, save from Us and Our successors, unless at the end of life and in the article of death excepted; which absolution We reserve to Ourselves and to Our aforesaid successors.

§ 4. Lastly, greatly desiring to remove far away from the sanctity of the priestly and sacred tribunal of judgment every occasion of baseness, and every contempt of the sacraments and injury to the Church, and utterly to eliminate such destructive evils of this kind, and, so far as in the Lord We can, to meet the perils of souls, which certain sacrilegious men, ministers rather of the demon than of God, in the place of reconciling them by the sacrament to their and Our Creator, load with a greater mass of sins and nefariously plunge into the deep pit of iniquity: the counsel of some of Our Venerable Brethren the Cardinals of the Holy Roman Church and of some Masters in Theology having been employed thereupon, and the repeated supplications of very many bishops also acceding — by this Our sanction to be valid in perpetuity, just as We know it has already been done by very many bishops through their synodal constitutions, to all and singular priests, both secular and regular, of whatsoever order and dignity, even though otherwise approved for the receiving of confessions, and fortified with any privilege and indult, even special and expressed and worthy of most special note and mention, by apostolic authority and the plenitude of Our power, We interdict and prohibit that any of them, outside the case of extreme necessity — namely in the article of death itself, any other priest then being lacking who could perform the office of confessor — dare to receive the sacramental confession of a person who is an accomplice in a base and dishonest sin committed against the sixth precept of the Decalogue; there being taken away from him therefore by that very law whatsoever authority and jurisdiction for absolving any person whatsoever from a fault of this kind, so indeed that the absolution, if he shall have imparted any, be null and altogether void, as

imparted by a priest who exists deprived of the jurisdiction and faculty necessary for absolving validly — which by these Our present letters We intend to take away from him; and nevertheless, if any confessor shall have dared to do otherwise, let him by that very deed incur also the penalty of greater excommunication, from which We reserve the power of absolving to Ourselves alone and to Our successors only.

§ 5. Declaring also and decreeing that not even by force of any Jubilee whatsoever, or even of the Bull which is called of the Holy Crusade, or of any other indult whatsoever, can anyone receive the confession of the said accomplice of this kind and bestow upon him sacramental absolution; since for this effect and in this case no confessor is to be held for a lawful and approved confessor, as one who in this kind of sin and penitent lacks jurisdiction, as aforesaid, and exists deprived by Us of the faculty of absolving. Notwithstanding apostolic constitutions and ordinations, chiefly those which are called of the Holy Crusade, or of the universal and plenary Jubilee; and also whatsoever statutes, customs, privileges, indults, and apostolic letters of any Churches, Monasteries, and Orders whatsoever, of which those priests shall have been, strengthened by oath, apostolic confirmation, or any other firmness whatsoever; and also privileges, indults, and apostolic letters under whatsoever tenors and forms, and with whatsoever clauses and decrees, even granted of Our own motion or otherwise in any manner whatsoever, and approved and innovated even at repeated times: to all which, holding their tenors as expressed in the present, We specially and expressly derogate for this time only, and to all other things whatsoever to the contrary.

§ 6. We will lastly and command that all Ordinaries of places, both present and future for the time being, in the approbation of confessors take care that both the aforesaid Constitution of Gregory Our Predecessor and this Our present one be attentively read by all priests to be approved, and be accurately observed; and let them admonish them in the Lord, and exhort them, that they perform the sacred ministry committed to their trust with the highest innocence of soul, purity of morals, and integrity of judgment, and exhibit themselves as ministers of Christ and dispensers of the mysteries of God; being mindful moreover that they hold the place and perform the office of the supreme and eternal Priest, who, holy, innocent, undefiled, through the Holy Ghost offered himself immaculate to God, that he might cleanse our conscience from dead works, to serve the living God. Let them therefore diligently study, and diligently beware, lest to those seeking and knocking heaven be closed by their fault; lest the lost sheep hastening to return to the Lord's fold be handed over by their hands to be torn by the teeth of wild beasts; lest the Prodigal Sons, needy and wounded, returning to the heavenly Father, be by their nefarious wickedness bruised with graver wounds of sins while they are yet in the way.

§ 7. But that the present letters may the more easily come to the notice of all, and that no one may be able to allege ignorance of them, We will that they, or copies of them, be affixed and published at the doors of the Lateran Church, of the Basilica of the Prince of the Apostles, and also of the Apostolic Chancery, and of the General Curia on Monte Citorio, and in the Campo de' Fiori of the City, as the custom is; and that, being thus published and affixed, they affect all and singular whom they concern, just as if they had been personally intimated to each one of them; and that to transcripts or copies of these present letters, even printed, subscribed by the hand of some public notary and fortified with the seal of some person constituted in ecclesiastical dignity, the same faith be everywhere given, as

well in judgment as outside it, which would be given to these presents themselves, if they were exhibited or shown.

§ 8. Let it therefore be lawful to no man at all to infringe this page of Our will, sanction, precept, mandate, and derogation, or with rash daring to go against it. But if anyone shall have presumed to attempt this, let him know that he will incur the indignation of Almighty God and of the Blessed Apostles Peter and Paul. Given at Rome at Holy Mary Major in the year of the Lord's Incarnation one thousand seven hundred and forty-one, on the Kalends of June, in the first year of Our Pontificate."

II. QUESTION I. *Are confessors soliciting males to base things to be denounced?* ANSWER. Cardinal Cozza reports that Paul V declared in the year 1612 that soliciters of this kind are to be denounced by force of the constitution of Pius IV; since indeed in this constitution it is said, *whoever shall have solicited any penitent*. And a penitent is both man and woman. And the reason presses for either sex. There are comprehended also those soliciting, whether for themselves or for others, as is had in the transcribed constitution.

III. QUESTION II. *Is a confessor to be denounced who hands to a woman confessing a paper provoking to base things, to be read?* ANSWER. The two following opinions upon this matter Alexander VII condemned. No. 6: *A confessor who in sacramental confession gives to a penitent a paper to be read afterwards, in which he incites to venery, is not reckoned to have solicited in confession, and consequently is not to be denounced.* No. 7: *The way of evading the obligation of denouncing a solicitation is if the one solicited confess to the soliciter: he can absolve him without the burden of denouncing*.

IV. QUESTION III. *Ought priests who feign themselves confessors, when they are not, to be denounced, if they solicit to base things?* ANSWER. The affirmative opinion is true, and is gathered from §§ 1 and 2 of the transcribed constitution, where all priests without limitation are comprehended. If nevertheless laymen or clerics should feign themselves priests and solicit to base things, they are not to be denounced, as the common opinion teaches. If nevertheless a confessor should solicit through a cleric or a layman under the mask of confession, they would be to be denounced by force of the constitutions adduced.

V. QUESTION IV. *What sense do these words bear: in the act of sacramental confession, or before, or immediately after?* ANSWER. Those who within the space of the begun confession down to the end inclusively solicit are, according to all, to be denounced. They dispute upon the other two particles, *immediately before* or *after*. Cavillings being dismissed, these words are to be taken not physically but morally. *Immediately before* signifies, if anyone should know a woman prepared for confession, or seeking confession, and about to approach afterwards, and should provoke her and solicit her to base things, he would solicit *immediately before confession,* although some space should intervene before she confessed. He would solicit *immediately after,* if, the confession being performed, he should hand to the woman a paper inciting to base things, to be read in the church, or should provoke her with obscene words; if he should approach the woman's house, or as a companion on the journey should solicit her, he would be to be denounced.

VI. QUESTION V. *What sense do these words bring forth: or on occasion, or under pretext of confession?* ANSWER. Occasion and pretext are two diverse things. He is said to solicit *on occasion of confession* who in fact from the confession itself snatches a handle for soliciting to base things. But there is a *pretext of confession* when someone simulates and feigns a confession, that thence he may be able to

provoke to venery. In various ways a nefarious confessor can solicit to base things on occasion of confession. 1. By express shamelessness. 2. When he understands a penitent confessing outrages of lust and prone to venery, and stirs her by signs, gestures, sighs, and other indications to lust. These, according to all, are to be denounced. 3. When from knowledge acquired in confession of a propensity to venery, he obtains an occasion of provoking her a little after the confession — provided the person solicited can prudently judge that this solicitation arises from knowledge had in confession. Wherefore the circumstances are to be regarded.

VII. A confessor solicits *under pretext of confession* who invites a woman to confession, and awaits her at the door of the church, and there, no mention of confession being made, incites her to venery. A woman, an agreement having been made beforehand with a priest concerning a sin of the flesh to be perpetrated, calls him to her house, that she may elude her household on account of the difficulty of execution, and feigns herself sick, and under pretext of confession they are at the same time mingled together. This man is to be denounced.

VIII. A woman approaches a confessor, saying that she wishes to confess on the morrow. He solicits her outside the confessional, without simulating a confession. Is this man to be denounced? The true opinion affirms it. Similarly that confessor would be to be denounced who should dissuade a woman from confession, that he might the more securely stir her to venery. All also who in the confessional, without a true or a simulated confession, solicit, are to be denounced; as also those who solicit by nods or signs women standing by and awaiting to confess. Those who in the chapels or cells of Religious, where confessions are heard, solicit to base things, are to be denounced, even if they neither hear nor simulate a confession. In all other places not deputed to the hearing of confessions, they are then only to be denounced when confessors either in fact hear, or simulate that they hear, confessions, if they solicit to base things.

IX. Those who should solicit not to base things but to other crimes — suppose theft or homicide — would be to be denounced by force of other decrees passed against those suspected of heresy. That soliciters be denounced, it is not required that the act by which they provoke to base things be by its own nature mortal; but it is enough that from the circumstance of place, of time, and of the administration of the sacrament it be such. Similarly confessors are to be denounced who in the said places have base conversations with penitents, as is gathered from the clause of the constitution: *Or who have had with them unlawful or dishonest conversations or dealings.* Innumerable are the ways by which these ravening wolves are wont to infect and devour the sheep of Christ. Nor is it expedient to number them. Each man from the circumstances can detect them.

X. Doubtful words are to be interpreted in the better part, chiefly when the confessor is of noted probity. Doubtful words can fall even from the most cautious man. Wherefore guard must be kept lest, while care is taken that the depravity of the wicked be restrained, the reputation of innocent and upright men be stained. When a confessor is solicited, if he contend, he is to be denounced.

XI. Although in all other offences fraternal correction is to be sent before, yet when the offences are against the public good, as offences of this kind and heresies are, they ought to be denounced, correction being omitted. Wherefore Alexander VII declared in the year 1660 that soliciters are to be denounced, fraternal correction not being sent before. Not only the persons solicited, but also those who either by chance have heard a confessor soliciting, or have heard it from the person solicited herself, are bound to denounce, unless she be willing to fulfil her own burden. The persons solicited

ought themselves to appear at the tribunal; those who denounce by letter ought to write their own name and surname. If girls or noble matrons dare not approach either the Inquisitor or the bishop, they can do it through an intermediary, namely through a confessor. Let either the Inquisitor or the bishop be chosen, as better expedites the end of the denunciation. As regards the penalties against calumniators and false denouncers, read the transcribed constitution of Benedict XIV.

An Admonition to Confessors

I. Briefly has it been disputed concerning the sacrament of Penance. Do you, O confessors, supply by doctrine, zeal, and vigilance those things which I have passed over either from a study of brevity, or from unskilfulness and ignorance. Two things it greatly concerns you to recall. One, that unless you yourselves diligently cultivate the vineyard of your own conscience, the thorns, briers, and thistles being torn out of it; unless you busy yourselves to moderate the inordinate motions of the soul, to repress pride and the ambition of shining in this stage of the world; unless you renounce the delights, enticements, and prestiges of the world; unless you yourselves be chaste, mortified, humble, and devout — in vain will you learn from the reading of books the rules and the art of governing other souls. Remember that the Venerable Master Avila teaches that scarcely one confessor in a thousand, and St. Francis de Sales that scarcely one in ten thousand, is found excellent and adorned with the necessary endowments. If I wrote such things, what curses would not be hurled against me? But I beg you often to turn over in mind documents of this kind, and that of St. Thomas of Villanova: *What destroys the Church of God today, if not the flattering adulation of confessors and pastors?* The reformation of Christians depends chiefly upon your care, and first of all upon the bishops, concerning whom below.

II. The other document of Christ I propose to you to be seriously meditated, which is had in Matthew 13: *But while men were asleep, his enemy came and oversowed cockle among the wheat, and went his way. And when the blade was sprung up, and had brought forth fruit, then appeared also the cockle.* At the beginning the cockle was not distinguished from the wheat, but was most like to it. Hence it is that to the servants desiring to root up the same — *Wilt thou that we go and gather it up?* — Christ forbade it, saying: *No, lest perhaps gathering up the cockle you root up the wheat also together with it.* So long as certain new systems of moral doctrine are disputed in the schools, they appear like to the grain of truth. They are encrusted with so many specious paints and allurements of distinctions and cavillings, that the cockle can scarcely be discerned from the wheat. But in very truth, when fruits are to be brought forth, then truth shines forth, and the falsity of the cockle pours out its own darkness.

III. Whither do these things tend here? Behold. I have set forth to you in Book 1 the new manner of opining, implicated with very many most subtle sophisms and softened with bland speculations. To the unskilled and to minds of a duller edge the wheat of truth appeared perchance not to all clearly distinguished from the falsity of the cockle. The fruits of that manner of opining, on the testimony of the Supreme Pontiff foreign to the simple grain of evangelical truth, you have yourselves seen through all the books hitherto written, and chiefly in this eleventh, and have almost touched with your hands. How diverse the image of Christian justification which certain casuists depict is from the image which St. Paul and all the Evangelists delineate, you have yourselves seen — both in a grief conceived from the fear of some sickness, imprisonment, or infamy; and in a versatile and inconstant purpose; and in the contrariety of favourable and unfavourable doctrines. These fruits you have seen.

IV. Turn your eyes to the last and more visible fruits, namely to the morals of Christians. You yourselves behold lovers and mistresses, tardy debtors, usurers, perjurers, and followers of vanities, ambition, and pomps approaching the sacraments in troops. What reformation of morals? The wheat of truth and the sacraments of Christ bring forth their own fruits, and indeed most abundant. Do you yourselves therefore sit as judges, and pronounce sentence whether the cockle of falsity be mingled with the grain of truth.

V. Meanwhile let the most learned and most pious Jesuit Cardinal Bellarmine impose an end upon this book, who in a letter to his nephew writes these things: *If anyone wish to place his own salvation in safety, he ought with his whole mind to inquire the certain truth, not to regard what MANY (N.B.) at this time say or do. And if the certitude of the matter cannot clearly appear, he ought altogether to follow the SAFER part, and by no reason, at no man's command, for no temporal UTILITY (N.B.) set before him, to decline to the LESS safe. For the sum of the matter is at stake, since it is treated of eternal salvation. And it is most base (N.B.) to put on an erroneous conscience by the example of others.* Meditate these things, O confessors.