

"certain, that the name of penitents in the Fathers' writings signifieth only public penitents; certain, that to hear the confessions of the rest was more than one could possibly have done; certain, that Sozomen, to shew how the Latin Church retained in his time what the Greek had clean cast off, declareth the whole order of public penitency used in the Church of Rome, but of private he maketh no mention." And, in these considerations, Bellarmine will have it the meaning both of Socrates and ofⁿ Sozomen, that the former episcopal constitution, which first did erect penitentiaries, could not concern any other offenders, than such as publicly had sinned after baptism; that only they were prohibited to come to the holy communion, except they did first in secret confess all their sins to the penitentiary, by his appointment openly acknowledge their open crimes, and do public penance for them; that whereas, before Novatian's uprising, no man was constrainable to confess publicly any sin, this canon enforced public offenders thereunto, till such time as Nectarius thought good to extinguish the practice thereof.

Let us examine therefore these subtile and fine conjectures, whether they be able to hold the touch. "It seemed good," saith Socrates, "to put down the office of these priests which had charge of penitency¹;" what charge that was, the

ⁿ of om. D.

"presbyter satisfaceret tantæ multitudini, quantam Constantinopoli, vel in aliis civitatibus, pœnitentiæ remedio indigebat: non igitur omnes eum Presbyterum adire cogebantur, sed ii solum, qui pœnitentiam publicam suscipiebant."

"Sozomenus, ubi disertis verbis affirmasset, constitutionem de Presbytero pœnitentia, quam prisci Episcopi invexerant, et Nectarius postea Constantinopoli abrogaverat, Romæ potissimum accurate servari; continuo explicare cœpit ritum pœnitentiæ publicæ, quæ Romæ suo tempore servabatur: igitur constitutio illa ad solos pœnitentes publicos pertinebat."

"Colligimus, constitutionem Episcoporum, de qua historici loquun-

"tur, id solum complexam, ut qui publice lapsi essent post Baptismum, ii ad sacram Eucharistiam non accederent, nisi Presbytero pœnitentiaro privatim omnia peccata sua confessi essent, et deinde ad ejus arbitrium publice coram cœtu Ecclesiæ peccata publica detexissent, et pœnitentiam publicam egissent... Ante exortam hæresin Novati, nemo cogebatur certum Presbyterum adire, neque peccata ulla publice confiteri... Cæterum post Novati hæresin excitatam, placuit Episcopis ali-quid addere, ne Novatiani Catholicos reprehendere possent quod nimis facile lapsos ad communionem admitterent."]

¹ Τὸν ἐπὶ τῆς μετανοίας περιελεῖν πρεσβυτέρους. [Hist. Eccles. lib. v. c. 19.]

kinds of penitency then usual must make manifest. There is often speech in the Fathers' writings, in their books frequent mention of penitency, exercised within the chambers of our own heart, and seen of God, and not communicated to any other, the whole charge of which penitency is imposed of God, and doth rest upon the sinner himself. But if penitents in secret being guilty of crimes whereby they knew they had made themselves unfit guests for the table of our Lord, did seek direction for their better performance of that which should set them clear; it was in this case the Penitentiary's office to take their confessions, to advise them the best way he could for their soul's good, to admonish them, to counsel them, but not to lay upon them more than private penance. As for notorious wicked persons, whose crimes were known, to convent^o, judge, and punish them, was the office of the ecclesiastical consistory; Penitentiaries had their institution to another end. Now^p unless we imagine that the ancient time knew no other repentance than public, or that they had little occasion to speak of any other repentance, or else that in speaking thereof they used continually some other name, and not the name of repentance, whereby to express private penitency; how standeth it with reason, that wheresoever^q they write of penitents, it should be thought they meant only public penitents? The truth is, they handle all three kinds, but private and voluntary repentance much oftener, as being of far more general use; whereas public was but incident unto few, and not oftener than once incident unto any. Howbeit, because they do not distinguish one kind of penitency from another by difference of names, our safest way for construction is to follow circumstance of matter, which in this narration will not yield itself applicable only unto public penance, do what they can that would so expound it.

They boldly and confidently affirm, that no man being compellable to confess publicly any sin before Novatian's time, the end of instituting penitentiaries afterward in the Church was, that by them men might be constrained unto public confession. Is there any record in the world which doth testify this to be true? There is that testifieth the plain contrary. For Sozo-

^o convict E.

^p But E.

^q whensoever E.

men declaring purposely the cause of their institution, saith¹, "That whereas men openly craving pardon at God's hands (for public confession, the last act of penitency, was always made in the form of a contrite prayer unto God), it could not be avoided but they must withal confess what their offences were; this in the opinion of their prelates² seemed from the first beginning (as we may probably think) to be somewhat burthensome;" not burthensome, I think³, to notorious offenders; for what more just than in such sort to discipline them? but burthensome, that men whose crimes were unknown should blaze their own faults as it were on a stage, acquainting all the people with whatsoever they had done amiss. And therefore to remedy this inconvenience, they laid the charge upon one only priest, chosen out of such as were of best conversation, a silent and a discreet man, to whom they which had offended might resort and lay open their lives. He according to the quality of every one's transgressions appointed what they should do or suffer, and left them to execute it upon themselves. Can we wish a more direct and evident testimony, that the office here spoken of was to ease voluntary penitents from the burthen of public confessions, and not to constrain notorious offenders thereunto? That such offenders were not compellable to open confession⁴ till Novatian's time, that is to say, till after the days of persecution under Decius the emperor, they of all men should not so peremptorily avouch; with whom if Fabian bishop of Rome, who suffered martyrdom⁵ the first year of Decius, be of any authority and credit, it must enforce them to reverse their sentence, his words are so plain and clear against them². "For such as commit those crimes, whereof the Apostle hath said, They that do them shall never inherit the kingdom of heaven,

¹ Prelate E. ² The following clause to the repetition of the word burthensome is omitted in E. ³ confessions E. ⁴ in the first E.

¹ Sozom. Hist. Eccles. lib. vii. c. 16. [vid. supr. p. 33, note 2.]

² Fab. Decret. Ep. 2. tom. i. Conc. p. 358. ["Illi qui illa perperant, de quibus Apostolus ait 'Quoniam qui talia agunt regnum Dei non consequuntur,' valde cavendi sunt, et ad emendationem,

"si voluntarie noluerint, compellendi; quia infamiae maculis sunt aspersi, et in barathrum delabuntur, nisi eis sacerdotali auctoritate subventum fuerit." Conc. ed. Labb. et Cossart. i. 643. The epistle is believed to be spurious.]

"must," saith he, "be forced unto amendment, because they slip down to hell, if ecclesiastical authority stay them not." Their conceit of impossibility, that one man should suffice to take the general charge of penitency in such a church as Constantinople, hath arisen from a mere erroneous supposal, that the ancient manner of private confession was like the shrift at this day usual in the Church of Rome, which tieth all men at one certain time to make confession; whereas confession was then neither looked for till men did offer it, nor offered for the most part by any other than such as were guilty of heinous transgressions, nor to them any time appointed for that purpose. Finally, the drift which Sozomen had in relating the discipline of Rome, and the form of public penitency there retained even till his time, is not to signify that only public confession was abrogated by Nectarius, but that the West or Latin Church held still one and the same order from the very beginning, and had not, as the Greek, first cut off public voluntary confession by ordaining, and then private by removing Penitentiaries.

Wherefore to conclude, it standeth, I hope, very plain and clear, first against the one Cardinal, that Nectarius did truly abrogate confession in such sort as the ecclesiastical history hath reported; and secondly, as clear against them both, that it was not public confession only which Nectarius did abolish.

[12.]* The paradox in maintenance whereof¹ Hassels¹ wrote purposely a book touching this argument, to shew that Nectarius did but put the penitentiary from his office, and not take away the office itself, is repugnant to the whole advice which Eudæmon gave, of leaving the people from that time forward to their own consciences; repugnant to the conference between Socrates and Eudæmon, wherein complaint is made of some inconvenience which the want of the office would breed; finally, repugnant to that which the history declareth concerning other churches, which did as Nectarius had done before them, not in deposing the same man (for that was impossible) but in removing the same office out of their churches, which Nectarius had banished from his. For which cause

* xii. D.

¹ Hessels E.

¹ Theological professor at Louvain: present at the Council of Trent, where he died 1551. (Fleury, Hist. Eccl. l. 147. c. 104.) Not to be confounded with J. Hessels. v. Biog. Univ. Fleury, l. 170. c. 13.

Bellarmino¹ doth well reject the opinion of Hessels, howsoever it please Pamelius² to admire it as a wonderful happy invention. But in sum, they are all gravelled, no one of them able to go smoothly away, and to satisfy either others or himself with his own conceit concerning Nectarius.

[13.]^a Only in this they are stiff, that auricular confession Nectarius did not abrogate, lest if so much should be acknowledged, it might enforce them to grant that the Greek church at that time held not confession, as the Latin now doth, to be the part of a sacrament instituted by our Saviour Jesus Christ, which therefore the Church till the world's end hath no power to alter. Yet seeing that as long as public voluntary confession of private crimes did continue in either church (as in the one it remained not much above two hundred years, in the other about four hundred) the only acts of such repentance were; first, the offender's intimation of those crimes to some one presbyter, for which imposition of penance was sought; secondly, the undertaking of penance imposed by the Bishop; thirdly, after the same performed and ended, open confession to God in the hearing of the whole church; whereupon ^a ensued the prayers of the Church; ^b then the Bishop's imposition of hands; and so ^c the party's reconciliation or restitution to his former right in the holy sacrament: I would gladly know of them which make only private confession a part of their sacrament of penance, how it could be so in those times. For where the sacrament of penance is ministered, they hold that confession to be sacramental which he receiveth who must absolve; whereas during the fore-rehearsed manner of penance, it can no where be shewed, that the priest to whom secret information was given did reconcile or absolve any; for how could he, when public confession was to go before reconciliation, and reconciliation likewise in public thereupon to

^a xiii. D.^a fourthly *ins.* E.^b fifthly *ins.* E.^c sixthly *ins.* E.¹ [De Pœnit. iii. 14. p. 1399.]² "Non [nec E.] est quod sibi blandiantur illi de facto Nectarii, cum id potius secretorum peccatorum confessionem comprobat, et non aliud quam Presbyterum pœnitentialem illo officio suo mo-

verit; uti amplissime deducit D.

"Johannes Hasselius" [so E.; v. note *y* above]. Pamel. in Cyp. lib. [de Lapsis, p. 251.] annot. 98. et in lib. Tertull. de Pœnit. annot. 1. [p. 200. Paris. 1598.]

ensue? So that if they did account any confession^d sacramental, it was surely public, which is now abolisht in the Church of Rome; and as for that which the Church of Rome doth so esteem, the ancient neither had it in such estimation, nor thought it to be of so absolute necessity for the taking away of sin.

But (for any thing that I could ever observe out of them) although not only in crimes open and notorious, which made men unworthy and incapable of holy mysteries, their discipline required first public penance, and then granted that which St. Hierom mentioneth, saying, "The priest layeth his hand upon the penitent, and by invocation entreateth that the Holy Ghost may return to him again, and so after having enjoined solemnly all the people to pray for him, reconcileth to the altar him who was delivered to Satan for the destruction of his flesh, that his spirit might be safe in the day of the Lord¹:"—Although I say not only in such offences being famously known to the world, but also if the same were committed secretly, it was the custom of those times, both that private intimation should be given, and public confession made thereof; in which respect, whereas all men did willingly the one, but would as willingly have withdrawn themselves from the other, had they known how; "Is it tolerable," saith St. Ambrose², "that to sue to God thou shouldst be ashamed, which blushest not to seek and sue unto man? Should it grieve thee to be a suppliant to him from whom thou canst not possibly hide thyself; when to open thy sins to him, from whom, if thou wouldst, thou

^d profession D.¹ "Sacerdos imponit manum subjecto, reditum Spiritus Sancti invocatur, atque ita eum qui traditus fuerat Satanæ in interitum carnis, ut spiritus salvus fieret, indicta in populum oratione altari reconciliatur." Hieron. advers. Lucif. [§ 5. t. ii. p. 175. a. ed. Vallarsii.]² Ambros. de Pœnit. lib. ii. cap. 10. ["An quisquam ferat ut erubescas Deum rogare, qui non erubescis rogare hominem? et pudeat te Deo supplicare, quem non lateas, cum te non pudeat peccata tua homini, quem lateas, confiteri? An testes precationis et conscios

refugis, cum si homini satisfaciendum sit, multos necesse est ambias obsecres, ut dignentur intervenire; ad genua te ipse prosternas, osculeris vestigia, filios offeras culpæ adhuc ignaros, paternæ etiam veniæ precatores? Hoc ergo in ecclesia facere fastidis, ut Deo supplices, ut patrocini tibi ad obsecrandum sanctæ plebis requiras: ubi nihil est quod pudori esse debeat, nisi non fateri, cum omnes simus peccatores; ubi ille laudabilior, qui humilior, ille justior, qui sibi abjectior." t. iii. 435.]

"mightest conceal them, it doth not any thing at all trouble thee? This thou art loth to do in the Church, where, all being sinners, nothing is more opprobrious indeed than concealment of sin, the most humble the best thought of, and the lowliest accounted the justest:"—All this notwithstanding, we should do them very great wrong, to father any such opinion upon them, as if they did teach it a thing impossible for any sinner to reconcile himself unto God, without confession unto the priest. ¹ Would Chrysostom thus persuaded have said, "Let the inquiry and presentment^e of thy offences be made in thine own thoughts; let the tribunal whereat thou arraignest thyself be without witness: let God and only God see thee and thy confession?" Would Cassianus², so believing, have given counsel, "That if any were withheld by bashfulness from discovering their faults to men, they should be so much the more instant and constant in opening them by supplication to God himself, whose wont is to help without publication of men's shame, and not to upbraid them when he pardoneth?" Finally, would Prosper³, settled in this opinion, have made it, as touching reconciliation to God, a matter indifferent, "Whether men of ecclesiastical order did detect their crimes by confession, or leaving the world ignorant thereof, would separate voluntarily themselves for a time from the altar, though not in affection, yet in execution of their ministry, and so bewail their corrupt life?" Would he have willed them as he doth "to make bold of it, that the favour of God being either way recovered by fruits

^e punishment E.

¹ Chrys. Hom. *Περὶ μετανοίας καὶ ἐξομολογήσεως. Παρὰ τοῖς λογισμοῖς γενέσθω τῶν πεπλημμελημένων ἡ ἐξέτασις ἀμάρτυρον ἔστω τὸ δικαστήριον ὁ Θεὸς ὁρᾷ τὸν μόνον ἐξομολογούμενον.* [See hereafter on § 16.]
² Cassian. Collat. 20. c. 8. [7. Bibl. Pat. Colon. t. v. p. ii. 207. "Quod si verecundia retrahente re-velare coram hominibus erubescis, illi quem latere non possunt confiteri ea jugi supplicatione non desinas, . . . qui et absque illius verecundiae publicatione curare, et sine improprio peccata donare consuevit."]
³ Prosper de Vita Contempl. lib.

ii. c. 7. ["Deum sibi facilius placabunt illi, qui non humano convicti iudicio sed ultro crimen cognoscunt: qui aut propriis illud confessionibus produnt, aut nescientes tibi aliis quales occulti sunt, ipsi in se voluntarie excommunicationis sententiam ferunt; et ab altari cui ministrabant non animo sed officio separati vitam tanquam mortuam plangunt, certi quod reconciliato sibi efficacis penitentiae fructibus Deo non solum amissa recipiant, sed etiam cives supernae civitatis effecti ad gaudia sempiterna perveniant." Bibl. Patr. Colon. t. v. pars iii. p. 63.]

"of forcible repentance, they should not only receive whatsoever they had lost by sin, but also after this their new enfranchisement, aspire to the endless joys of that supernal city?"

To conclude, we every where find the use of confession, especially public, allowed of and commended by the Fathers; but that extreme and rigorous necessity of auricular and private confession, which is at this day so mightily upheld by the church of Rome, we find not^f. It was not then the faith and doctrine of God's Church, as of the papacy at this present, 1. ^g That the only remedy for sin after baptism is sacramental penitency. 2. That confession in secret is an essential part thereof. 3. That God himself cannot now forgive sins^h without the priest. 4. That because forgiveness at the hands of the priest must arise from confession in the offenderⁱ, therefore to confess unto him is a matter of such necessity, as being not either in deed, or at the least in desire performed, excludeth utterly from all pardon, and must consequently in Scripture be commanded, wheresoever any promise of forgiveness is made. No, no; these opinions have youth in their countenance; antiquity know them not, it never thought nor dreamed of them.

[14.]^k But to let pass the papacy. Forasmuch as repentance doth import alteration within the mind of a sinful man, whereby through the power of God's most gracious and blessed Spirit, he seeth and with unfeigned sorrow acknowledgeth former offences committed against God, hath them in utter detestation, seeketh pardon for them in such sort as a Christian should do, and with a resolute purpose setteth himself to avoid them, leading as near as God shall assist him, for ever after, an unspotted life; and in the order (which Christian religion hath taught for procurement of God's mercy towards sinners) confession is acknowledged a principal duty; yea, in some cases, confession to man, not to God only; it is not in the reformed churches denied by the learner sort of divines^l, but that even this confession, cleared from all errors, is both lawful and behoveful for God's people.

^f First ins. E. enumeration.

^g Secondly E; and the mistake is continued throughout this
^h sin E. ⁱ offenders E. ^k xiii. D.

^l Calv. Inst. lib. iii. cap. 4. § 7. "contendere confessionem de qua ["Miror autem qua fronte ausint loquuntur juris esse divini; cujus

Confession by man to man¹ being either private or public, private confession to the minister alone touching secret crimes, or absolution thereupon ensuing, as the one, so the other is neither practised by the French discipline, nor used in any of those churches which have been cast by the French mould. Open confession to be made in the face of the whole congregation by notorious malefactors they hold necessary; howbeit not necessary towards the remission of sins¹, "but only in some sort to content the Church, and that one man's repentance may seem to strengthen many, which before have been weakened by one man's fall."

Saxonians and Bohemians in their discipline constrain no man to open confession². Their doctrine is, that whose faults have been public, and thereby scandalous unto the world, such, when God giveth them the spirit of repentance, ought as solemnly to return, as they have openly gone astray: first, for the better testimony of their own unfeigned conversion unto God; secondly, the more to notify their reconciliation unto the church; and lastly, that others may make benefit of their ensample^m.

But concerning confession in private, the churches of Germany³, as well the rest as Lutherans, agree allⁿ, that all

¹ to man *om.* E.^m example E.ⁿ all *om.* E.

"equidem vetustissimum esse usum
"fatetur, sed quem facile evincere
"possumus olim fuisse liberum."]
"Sed tantum ut Ecclesie sit
"aliqua ratione satisfactum, et
"omnes unius poenitentia confirmen-
"tur, qui fuerant unius peccatis et
"scandalis vulnerati." Sadeel. [i.e.
Antoine la Roche de *Chandieu*, a
leading French Protestant teacher,
first at Paris, then at Geneva, 1534-
1591. He hebraized his name—
Sadeel, 'Chant de Dieu,' *Zamariel*,
'Champ de Dieu.' Biog. Univ.] in
Psal. xxxii. ver. 5. [Op. p. 906. ed.
1599.]

² Harm. Confess. sect. viii. ex 5.
cap. Confess. Bohem. [p. 143. Genev.
1581.] "Docetur et hoc apud eos;
"quorum peccatum est publicum,
"atque ideo scandalum publicum,
"quando Deus iis largitur poeniten-

"tiae spiritum, externam poeniten-
"tiae testificationem non debere
"abesse; et hac quidem de causa,
"ut sit argumentum et testimonium,
"quo probetur seu planum fiat lap-
"sos peccatores qui poenitentiam
"agunt vere se convertere. Etiam
"ut sit nota reconciliationis cum
"Ecclesia et proximo; atque ex-
"emplo aliis, quod reformident et
"vereantur."]

³ [Ibid. "Ita instituuntur poeni-
"tentes, ut curatores animarum su-
"arum accedant, et coram ipsis
"confiteantur Deo, peccata sua....
"ut hoc modo dolorem suum, quo
"afficiuntur, et quam sibi propter
"peccata displiceant, indicare, et
"consilium et doctrinam quomodo
"deinceps ea effugiant, et institu-
"tionem atque consolationem im-
"peditis conscientis suis, itemque

men should at certain times confess their offences to God in the hearing of God's ministers, thereby to shew how their sins displease them; to receive instruction for the wariar carriage of themselves hereafter; to be soundly resolved, if any scruple or snare of conscience do entangle their minds; and, which is most material, to the end that men may at God's hands seek every one his own particular pardon, through the power of those keys, which the minister of God using according to our blessed Saviour's institution in that case, it is their part to accept the benefit thereof as God's most merciful ordinance for their good, and, without any distrust or doubt, to embrace joyfully his grace so given them, according to the word of our Lord, which hath said¹, "Whose sins ye remit they^o are remitted." So that grounding upon this assured belief, they are to rest with minds encouraged and persuaded concerning the forgiveness of all their sins, as out of Christ's own word and power, by the ministry of the keys.

[15.]^p It standeth with us in the Church of England, as touching public confession, thus:

First, seeing day by day we in our Church begin our public prayers to Almighty God with public acknowledgment of our sins, in which confession every man prostrate as it were before his glorious Majesty crieth guilty^a against himself; and the minister with one sentence pronounceth universally all clear, whose acknowledgment so made hath proceeded from a true penitent mind; what reason is there every man should not under the general terms of confession represent to himself

^o they *om.* D.^p xv. D.^a guilty *om.* E.

"absolutionem ex potestate clavium,
"et remissionem peccatorum per
"ministerium evangelii a Christo
"institutum peculiariter singuli ex-
"petere possint, et a Deo suo con-
"sequi se sciant, et quando hæc a
"ministris eis præstantur, accipere
"ab eis, tanquam rem a Deo ad
"commodandum ipsis et salubriter
"inserviendum institutam, cum fi-
"ducia debent, et remissione pec-
"catorum sine dubitatione frui,
"secundum verbum Domini, 'Cui
"peccata remiseritis, remittuntur
"eis.' Atque hac fide indubitata

"nitentes, certi et animo confirmato
"esse debent per ministerium harum
"clavium, de potestate Christi et
"verbo ipsius omnia ipsis peccata
"remitti." The Saxon confession
runs thus: "De confessione privata
"facienda pastoribus adfirmamus
"ritum privatæ absolutionis in Ec-
"clesia retinendum esse; et con-
"stanter retinemus, propter multas
"graves causas." Ap. Syntagm.
Confess. pars ii. p. 77. Genev.
1654.]

¹ [John xx. 23. ap.] cap. 5. Con-
fess. Bohem.