

AUGUSTANA XXV

By David G. Peters

[April 8, 1997; Friedens Ev. Lutheran Church of Kenosha, WI;
Southern Pastoral Conference; Southeastern Wisconsin District]

When I first told one of the members of my congregation that I had been assigned this conference paper on the subject of confession, he quickly responded, “Why? We don’t go to confession. That’s for Cath’lics!” After I finished explaining the difference between our Lutheran teaching and practice of confession and that of the Catholic Church, he made it quite clear where he stood on this matter. “I’ll never confess my sins to you or any other pastor. Only God needs to know. Much as I love you, you’re just a man, not God!”

This person is a regular participant in my Sunday morning Bible Class and almost never misses a worship service. A life-long Christian, he is a generous supporter of the mission of the church and is a dear friend of mine. Nevertheless, he felt very ill at ease at the thought of confessing his sins to his own pastor, or to anyone else, for that matter.

I would guess that most of our Lutheran faithful today have made little use of that ancient and salutary custom which our German forefathers called *die Beichte* - confession of their sins to their confessor (usually their pastor), *die Beichtiger*. After all, why should our Lutheran parishioners go to confession? Isn’t that something that we associate with the Roman Catholic Church? And why should our Lutheran pastors even suggest that their members should feel free to come to the pastor’s office and confess their sins? Do such pastors want to throw their weight around, or do they have an unhealthy curiosity about the secret lives of the people among whom they work? It would seem that the subject of confession is neither appreciated nor understood very well by many in our midst.

In this paper we will consider what the Bible teaches about confession, how the Christian church has handled the doctrine and practice of confession over the centuries, and the specific content of Article XXV of the Augsburg Confession. As we do, I hope that we will grow in our understanding and appreciation of the great comfort and solace afforded by the practice of going to confession and receiving absolution – from our pastors as from Christ himself.

I. What the Bible Teaches about Confession and Absolution

If someone were to ask you, “What is the mission of the church?” what would you say? I suppose that most mission-minded Christians today would point to the Great Commission which Jesus gave his church when he said: “Go and make disciples of all nations, baptizing... and teaching them to obey everything I have commanded you” (Mt 28:19,20). That answer is correct. But if you were asked to put that commission into your own words rather than quoting Scripture, how might you respond? I believe that most Christians today would say something such as: “The church’s mission is to preach the gospel throughout the whole world” - or words to that effect. But that answer is only half correct, unless we are understanding “gospel” in the broadest sense of the term. More specifically, the church’s mission is to preach God’s law and God’s gospel. Remember, Jesus told us to make disciples by baptizing (that’s pure gospel) and by teaching them to obey everything that He commanded (that’s both law and gospel). We obey God’s law by loving God with all our heart, mind, and soul, and by loving our neighbor as we love ourselves. We obey his gospel by trusting that the crucified and risen Lord Jesus Christ is the Son of the living God, who lived and died to pay for our sins, who rose from the dead, ascended to and will return from heaven to take us to himself in paradise. To state it another way, our mission is to proclaim the same message that Christ himself proclaimed: “The kingdom of God is near. Repent, and believe the good news!” (Mk 1:15).

The earliest Christian church, born on the day of Pentecost, understood this God-given mission and began to carry it out. The apostle Peter applied the message of his Pentecost sermon by saying: “Repent and be

baptized, every one of you, in the name of Jesus Christ for the forgiveness of your sins, and you will receive the gift of the Holy Spirit” (Ac 2:38). He taught the gentiles who were gathered in the home of Cornelius: “He [Jesus] commanded us to preach to the people and to testify that he is the one whom God appointed as judge of the living and the dead. All the prophets testify about him that everyone who believes in him receives forgiveness of sins through his name” (Ac 10:42,43). The apostle Paul, speaking as a called servant of the Word, expressed his understanding of his role in the church’s mission: “God was reconciling the world to himself in Christ, not counting men’s sins against them. And he has committed to us the message of reconciliation. We are therefore Christ’s ambassadors, as though God was making his appeal through us. We implore you on Christ’s behalf: Be reconciled to God” (2 Co 5:19,20).

Our Lord Jesus spoke with divine authority and power because he was, is, and always will be, true God. Before he returned to his father in heaven, Jesus gave his church on earth an awesome ability – the privilege and responsibility of forgiving and retaining the sins of mankind. We call this special power “the Ministry of the Keys” or “the Use of the Keys” or even “the Office of the Keys.” This terminology is derived from the promise which Jesus made to Simon Peter shortly before our Lord’s transfiguration near Caesarea Philippi. Jesus said, “I will give you the keys of the kingdom of heaven; whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosed in heaven” (Mt 16:19).

How do we know that this power was given to the whole Christian Church, and not only to St. Peter, as the church of Rome would have us believe? First of all, Jesus was not at this point giving anything to anyone. He said “I will give you,” not “I now give you.” Two chapters later in Matthew’s Gospel, Jesus taught his disciples the proper, evangelical approach to Christian discipline or admonition: “...If he refuses to listen to them, tell it to the church; and if he refuses to listen even to the church, treat him as you would a pagan or a tax collector. I tell you the truth, whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosed in heaven. Again, I tell you that if two of you on earth agree about anything you ask for, it will be done for you by my Father in heaven. For where two or three come together in my name, there am I with them” (Mt 18:17-20). Here Jesus was speaking to all of his disciples – not merely to Peter. Jesus makes it perfectly clear, using the same binding and loosing metaphor, that the authority to bind and loose the sins of people is given to his whole Church on earth, not merely to any one individual or caste of individuals such as the priests, bishops or pastors. Certainly not to the papacy!

Sometime during the evening of that first Easter Sunday, the risen Christ stood among his disciples behind closed doors and officially conferred the Ministry of the Keys upon his church – not merely upon Peter. This time Jesus did not use any metaphor. He spoke in simple, straightforward language. This is what he had meant when he had told Peter that he would give him the keys of the kingdom of heaven. And Jesus did give them to Peter – and to all the rest of his disciples as well! Jesus said. “Peace be with you! As the Father has sent me, I am sending you.’ And with that he breathed on them and said, ‘Receive the Holy Spirit. If you forgive anyone his sins, they are forgiven; if you do not forgive them, they are not forgiven” (Jn 20:21-23). The administration of the keys of the kingdom of heaven is the Church’s mission. That’s what Christ has sent us into the world to do. We are his ambassadors, sent out to proclaim the good news that God has reconciled the world to himself through the saving work of Jesus Christ. We are to teach the world to turn away from their sins, to believe in the Savior whom God has sent, and to trust entirely in him for eternal life and salvation. There is no other way to heaven (cf. Jn 14:6). To everyone who repents and believes the gospel the Church is to proclaim the good news of God’s unconditional forgiveness. But the Church is also to proclaim the bad news of God’s law to the impenitent, that they are locked out of the kingdom of heaven and have no hope of salvation as long as they do not repent. As the Church faithfully carries out this mission, it has the full backing and authority of God himself. After all, Jesus did assure his Church: “He who listens to you listens to me; he who rejects you rejects me; but he who rejects me rejects him who sent me” (Lk 10:16). This is the belief, teaching, and practice of the orthodox Christian church, which is spelled out so clearly in Luther’s *Small Catechism*:

THE KEYS

First: *What is the use of the Keys?*

The use of the Keys is that special power and right which Christ gave to his church on earth, to forgive the sins of penitent sinners, but to refuse forgiveness to the impenitent as long as they do not repent.

Where is this written?

The holy Evangelist John writes in chapter 20, “Jesus breathed on his disciples and said, ‘Receive the Holy Spirit. If you forgive anyone his sins, they are forgiven; if you do not forgive them, they are not forgiven.’”

THE PUBLIC USE OF THE KEYS

Second: *How does a Christian congregation use the Keys?*

A Christian congregation with its called pastor uses the Keys in accordance with Christ’s command by forgiving those who repent of their sin and are willing to amend, and by excluding from the congregation those who are plainly impenitent that they may repent. I believe that, when this is done, it is as valid and certain in heaven also, as if Christ, our dear Lord, dealt with us himself.

Where is this written?

Jesus says in Matthew, chapter 18, “Whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosed in heaven.”¹

In 1 John 1:8-9, St. John reminds us of the fact that every one of us is guilty of sin, and he encourages us to confess our sins, assuring us that God promises to forgive everyone who turns to him and honestly confesses: “If we claim to be without sin, we deceive ourselves and the truth is not in us. If we confess our sins, he is faithful and just and will forgive us our sins and purify us from all unrighteousness.” Our Lord Jesus himself taught us to pray: “Forgive us our sins, for we also forgive everyone who sins against us” (Lk 11:4). We are to confess all of our sins to God himself, as did Nehemiah in his prayer: “O Lord, God of heaven... I confess the sins we Israelites, including myself and my father’s house, have committed against you. We have acted very wickedly toward you. We have not obeyed the commands, decrees and laws you gave your servant Moses...” (Ne 1:5-7). We are certainly to confess all of our sins to the Lord, firmly believing that he will accept our confession and will not condemn us, as David the psalmist wrote: “The sacrifices of God are a broken spirit, a broken and a contrite heart, O God, you will not despise” (Ps 51:17). We are to confess our sins to our heavenly Father, fully confident that his declaration of forgiveness will make us absolutely holy in his sight, as David said, “Cleanse me with hyssop, and I will be clean; wash me, and I will be whiter than snow” (Ps 51:7).

¹ David P. Kuske, ed., *Luther’s Catechism* (Milwaukee: Northwestern Publishing House, 1982), p. 11. This edition incorporates the enchiridion adopted by the 1979 convention of the Wisconsin Ev. Lutheran Synod, which introduced to Lutheranism a unique Second part of the Ministry (Use) of the Keys. A better translation would be: “What do you believe by these words? I believe that, when the called servants of Christ deal with us by his divine command (especially when they exclude from the Christian congregation the plainly impenitent sinners, and again, when they forgive those who repent of their sin and are willing to amend), it is as valid and certain in heaven also, as if Christ, our dear Lord, dealt with us himself.”

I do not believe that many of our Lutheran parishioners question the practice of confessing one's sins to the Lord. After all, we have learned from Dr. Luther's *Small Catechism*: "Before God we should plead guilty of all sins, even those we are not aware of, as we do in the Lord's Prayer. But before the pastor we should confess only those sins which we know and feel in our hearts."² The question in our day seems to be whether or not we should confess our sins to our pastor. The apostle James instructed: "Is any one of you sick? He should call the elders of the church ... If he has sinned, he will be forgiven. Therefore confess your sins to each other..." (Ja 5:14-16). Here the Lord clearly teaches us to willingly confess our sins to each other – even to the elders of the church.³ There is nothing in the context which limits the expression "to each other" to mean that Christians ought only to confess their sins to their pastors. We must understand this passage as an encouragement to feel free to confess our sins to any fellow believer, and that we should certainly feel free to confess our sins to our pastors who have been called by God and the church to administer the keys of God's kingdom on behalf of and in the name of Jesus Christ and of his Church on earth. Solomon assured God's people: "He who conceals his sins does not prosper, but whoever confesses and renounces them finds mercy" (Pr 28:13).

The Bible contains numerous examples of people who confessed their sins and received absolute forgiveness. When Jesus taught his disciples the importance of forgiving one another's sins, he used the parable of the prodigal son, who returned home and confessed his sins to his father and received full pardon and peace (cf. Lk 15:11-24). King David confessed his sins of adultery and murder to the prophet Nathan, and received total forgiveness as well (cf. 2 Sa 12:13). The apostle Paul instructed the church at Corinth to excommunicate the incestuous man (cf. 1 Co 5), and, when word reached Paul that the man had repented, Paul instructed the congregation to once again receive him as a brother (2 Co 2:5ff.). The Bible clearly teaches that Christians are to confess all of their sins directly to the Lord, and that Christians may feel free to confess their specific sins to one another - certainly to their pastors - with absolute confidence that, when they do, they will receive immediate absolution from their fellow Christians just as if Christ had spoken the words himself.

On the other hand, there is no biblical justification for requiring anyone to confess all their individual sins to any other human being. First of all, this is an impossible requirement, as King David lamented: "Who can discern his errors? Forgive my hidden faults" (Ps 19:12). Secondly, the Holy Spirit explicitly prohibits the Church from legalistically mandating what has come to be known as "auricular confession" (i.e., the requisite confessing one's sins in the hearing of another person). St. Paul wrote: "It is written: 'As surely as I live,' says the Lord, 'every knee will bow before me, every tongue will confess to God.' So then, each of us will give an account of himself to God. Therefore let us stop passing judgment on one another. Instead, make up your mind not to put any stumbling block or obstacle in your brother's way" (Ro 14:11-13). For these reasons the orthodox Christian church has always encouraged Christians to confess their sins to one another and has especially encouraged confession in connection with pastoral counseling, but has never required auricular confession. To require it would make a pastor or a church legalistic and, therefore, heterodox.

II. The Teaching and Practice of the Early and Medieval Church

It is clear from even a cursory reading of Paul's letters to the Corinthians that the early Christian church was having a great deal of difficulty understanding and applying what we might call "principles of Christian discipline" or "admonition." The early Christian church was very concerned that Christians be weaned away from the sins in which they had formerly lived as pagans and that the members of Jesus' church be holy and worthy of their calling.

Sometime between the years 70 and 150 AD there appeared a book known as *The Teaching of the Twelve Apostles*, and more often known as the *Didache* (from the Greek wording meaning "teaching" or

² Ibid., p. 12. This is the answer to "What sins should we confess?" in Confession.

³ The functions of the office of elder in the church of apostolic times cannot be entirely equated with the office of elder in our churches today. To explain this in detail would go far beyond the scope of this paper. Suffice it to say that the elders to whom St. James was referring were divinely called public ministers of the Gospel.

“instruction”). This was probably used as a manual for instructing evangelism prospects before their baptism on the various aspects of Christian living. Along with many other precepts, the *Didache* instructed the early Christians to “Assemble on the day of the Lord, break bread and celebrate the Eucharist; but first confess your sins, that your sacrifice may be holy.”⁴ Here we see the Lord’s Supper misconstrued as if it were a sacrifice given by the people to God rather than a sacrament, given by God to his people. We also observe that the *Didache* connected the notion of confessing one’s sins as a prerequisite to reception of the Eucharist. We find this idea incorporated into the so-called Common Service of 1888,⁵ better known to us as the Order of Holy Communion beginning on page 15 in both *The Lutheran Hymnal* (1941) and *Christian Worship: A Lutheran Hymnal* (1993).

One of the biggest issues for the church of the first two centuries AD was to determine whether or not it was possible for a Christian who lapsed into serious sin to ever be restored to fellowship with the church, and, if so, how. *The Shepherd of Hermas* was written between 105-135 AD. The author, a Christian from Rome, wrote down what he claimed was a series of divinely inspired visions, mandates and similitudes. His work was widely read in the Christian congregations and its name was mentioned on some ancient lists of the books of the Bible, though it was never universally considered canonical.⁶ Hermas’ main point is that God does allow a second chance for a person to repent after his baptism, and he encourages his readers to repent very soon in view of the imminent return of Christ. We see in *The Shepherd* perhaps the first post-apostolic hint extant that it is indeed possible for a Christian who sins to confess his sins and to be forgiven.

Hermas begins *The Shepherd* by admitting that he was confessing his own sins to God in prayer when the Lord first began to give him these visions. This excerpt shows that, even as early as the 2nd Century, there were already some very strange ideas about confession and absolution being taught in the Christian church:

I replied; But, sir, behold they also now repent with all their hearts. I know, says he, that they repent with all their hearts; but dost thou therefore think that their offenses who repent are immediately blotted out? No, they are not presently; but he that repents must afflict his soul and shew himself humble in all his affairs, and undergo many and diverse vexations. And when he shall have suffered all things that were appointed for him; then perhaps he that made him, and formed all things besides, will be moved with compassion towards him, and afford him some remedy; and especially if he shall perceive his heart, who repents, to be pure from every evil work. But at present it is expedient for thee, and for thy house, to be grieved; and it is needful that thou shouldest endure much vexation, as the angel of the Lord who committed thee unto me, has commanded.’⁷

In this passage we note the lack of understanding God’s absolute and unconditional forgiveness. It is also easy to find some early seeds of what would soon develop into the Roman Catholic sacrament of penance. Tertullian (ca. 155-225 AD) was a theologian at Carthage on the North African coast. He was not fond of the idea that Christians who fell into shameful sins after baptism should be allowed to repent and given a second chance. In his writings Tertullian distinguished between “venial sins,” i.e., common sins of weakness that all men commit daily, and “mortal sins,” which he considered unforgivable. Those seven deadly sins, according to Tertullian, are: murder, idolatry, fraud, apostasy, blasphemy, adultery, and fornication. Tertullian also spelled out what later became known as the three basic elements of the Roman Catholic sacrament of penance: *contrition*, absolution, and satisfaction.⁸ Tertullian considered penance to be man’s way of regaining peace with God after falling into sin. He taught that baptism was the first act of penance, by which man receives

⁴ Luther D. Reed, *The Lutheran Liturgy* (Philadelphia: Fortress Press, 1947), pp. 256-257.

⁵ op. cit., p. 257.

⁶ Erwin L. Lueker, ed., *Lutheran Cyclopedia*, revised edition (St. Louis: Concordia Publishing House, 1975), p. 43.

⁷ Jones-Wake, ed. “The Shepherd of Hermas,” Similitude VII: 9-12, published in *Lost Books of the Bible* (New York: Bell Publishing Company, 1979), p. 240.

⁸ E. H. Klotsche, *The History of Christian Doctrine*, revised edition (Grand Rapids: Baker Book House, 1979), p. 101.

forgiveness of sins committed before his baptism. After baptism, Tertullian would allow for only one other act of penance in a person's life.⁹

Pope Callistus [a.k.a. Calixtus] (217-222) was just a little more open-minded. He published a new penitential order which allowed for a second repentance in the case of fornication and adultery, in spite of the great opposition of Tertullian. By the middle of the third century AD, Callistus' penitential order was in universal use throughout the church.¹⁰

The years 249-251 were a low watermark in the history of the Christian church. Ever since the crucifixion of Jesus, spot persecutions of individual Christians were more or less commonplace. But there was never any empire-wide persecution of Christians until Decius became emperor. Decius instituted the first systematic persecution of Christians throughout the entire Roman empire.¹¹ As a result, countless Christian men, women and children were martyred, and countless more committed the sin of apostasy and renounced their faith in Jesus Christ rather than suffer martyrdom. This presented the church with another major problem. Since apostasy was considered to be an unforgivable sin for which there was no second chance, wasn't there any way by which the church could receive these *lapsi* (people who had "lapsed" in the confession of their faith) and restore them into the fellowship?

Bishops from all over the Roman empire met at Carthage in 252 to deal with this problem. Tertullian, Hippolytus and Novatian led the party who opposed allowing the *lapsi* back into the church. But it was Cyprian, bishop of Carthage, whose opinion won the day. Cyprian persuaded the bishops of the church to adopt this approach: the *lapsi* who publicly acknowledged their sin of apostasy, and who endured a long period of penance, could be communed again just before they died. Any person guilty of this apostasy or of any other grave sin was to present himself before the congregation to be admonished as a sinner. He was then publicly excommunicated by the bishop and sent to sit in a special section in the back of the church. He was then obliged to live a life of austerity, free from any and every form of pleasure, and not allowed to have sexual relations. After the bishop decided that enough years had gone by, the bishop might grant the penitent clemency.¹² The final decisions about restoration of individuals was left up to the bishops within their own diocese.¹³

Augustine of Hippo (354-430) taught that each Christian was to cleanse himself of his own venial sins by prayer, fasting and almsgiving, but that all mortal sins were to be confessed to the bishop, who alone could prescribe appropriate acts of penance.¹⁴

Over the next several centuries, the methods of confession and penance continued to evolve in different ways in various parts of the empire. In general, the responsibilities of the office of bishop grew to the point where the bishops delegated the hearing of confessions to the properly authorized priests within their diocese. Private confession before the priests gradually replaced public confession and admonition before the congregations. Even the penance which had for centuries been very public gradually became more private, except in the case of grave public offenses.¹⁵ The penitential system which was devised by Celtic monks in the British isles gradually became the standard practice throughout most of the church during the Middle Ages. The Celtic system was entirely private, with absolute confidentiality. It covered both venial and mortal sins, and allowed frequent confession.¹⁶ Thus penitential system very closely approximates that which is in use throughout the Roman Catholic Church today.

Early in the ninth century the church in France rebelled against the rather arbitrary methods used by parish priests who prescribed penance in the confessional. The bishops in the Frankish church took it upon

⁹ Bengt Hagglund, *History of Theology*, tr. by Gene J. Lund (St. Louis: Concordia Publishing House, 1968), p. 108.

¹⁰ Klotsche, *loc. cit.*

¹¹ Fritz M. Heichelheim and Cedric A. Yeo, *A History of the Roman People* (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1962), pp. 396-397.

¹² Thomas Bokenkotter, *A Concise History of the Catholic Church*, revised and expanded edition (New York: Doubleday, 1990), p. 44.

¹³ Klotsche, *loc. cit.*

¹⁴ *Ibid.*, p. 102.

¹⁵ Hagglund, *op. cit.*, p. 160.

¹⁶ Bokenkotter, *op. cit.*, p. 45.

themselves to reform their confessional practices by writing “penitentials,” which are books used by priests in order to standardize and equalize the hearing of confessions and prescribing acts of penance. This marks a change in direction from less centralization to more episcopal control over the spiritual lives of the parishioners.¹⁷

Peter Lombard (ca. 1100-1160) was a theological professor at Notre Dame and bishop of Paris. Commonly known merely as “the Lombard,” he did a great deal of work systematizing the writings, theses and *sententiae* (“sentences”) of the great theologians of the church - especially the works of Augustine. The Lombard’s works became much of the core curriculum for university students throughout Europe for the next couple of centuries. It was the Lombard who fixed the number of sacraments of the church at precisely seven. He defined the sacraments, including the sacrament of penance, which was the most difficult and controversial. The question which scholars continued to debate was, what is the *res corporalis*, i.e., the physical element, in penance? According to the conventional definition of a sacrament, every sacrament was supposed to convey grace through a physical element of some kind. The Lombard considered the true penitence of the Christian to be the sacramental element of penance, but this thesis did not satisfy the scholastics, who for centuries loved to debate this issue. Even Lutheran scholars debated this matter during the Reformation.

The Fourth Lateran Council was convened and dominated by Pope Innocent III in late 1215. This great council did more to legislate and define the faith and life of the church than any other in history except for the Council of Trent. One attempt to improve the overall spiritual life of the Catholic laity was the new prescription concerning confession.¹⁸ For over a millennium the custom of auricular confession to a priest or bishop had been observed by many throughout the church. The Fourth Lateran Council now decreed in Canon 21:

All the faithful of both sexes shall after they have reached the age of discretion faithfully confess all their sins at least once a year to their own (parish) priest and perform to the best of their ability the penance imposed, receiving reverently at least at Easter the sacrament of the Eucharist, ...otherwise they shall be cut off from the Church (excommunicated) during life and deprived of Christian burial in death. Wherefore, let this salutary decree be published frequently in the churches, that no one may find in the plea of ignorance a shadow of excuse. But if anyone for a good reason should wish to confess his sins to another priest, let him first seek and obtain permission from his own (parish) priest, since otherwise he (the other priest) cannot loose or bind him.¹⁹

Although the Roman Church had for many centuries been advocating and using the very legalistic confessional as the first part of their sacrament of penance, they were now legalistically insisting on a minimum number of auricular confessions and making it a matter of duty, burdening the consciences of their people with this rule of men. This practice of requiring at least one auricular confession every year by every Catholic, preferably during holy week, and communing at least once a year at Easter, has been the law in the church of Rome ever since. The current *Code of Canon Law* stipulates:

Can. 988 - § 1. A member of the Christian faithful is obliged to confess in kind and in number all serious sins committed after baptism and not yet directly remitted through the keys of the Church nor acknowledged to individual confession, or which one is conscious after diligent examination of conscience.

§2. It is to be recommended to the Christian faithful that venial sins also be confessed.

¹⁷ Kenneth S. Latourette, *A History of Christianity*, Vol. 1 (New York: Harper & Row, Publishers, 1975), p. 363.

¹⁸ *Ibid.*, pp. 484-485

¹⁹ Ray C. Petry, ed., *A History of Christianity*, Vol. 1 (Grand Rapids: Baker Book House, 1962), p. 323.

Can. 989 - After having attained the age of discretion, each of the faithful is bound by an obligation faithfully to confess serious sins at least once a year.²⁰

The doctrines of confession and penance were most fully developed by Thomas Aquinas (ca. 1225-1274), the great synthesizer of medieval theology. Thomas spent his entire life studying and teaching at many different monasteries and universities. He stood by the *partes penitentiae*, (parts of penance) as spelled out by the Lombard: *contritio cordis* (contrition of the heart), *confessio oris* (confession of the mouth), and *satisfactio operis* (satisfaction of deed). But Thomas is especially well known as the theologian who emphatically taught *confessio oris*. He demonstrates in his writings that auricular confession as prescribed by the Fourth Lateran is a matter of divine law, and that a person's parish priest is the only one who has the authority to pronounce absolution or to prescribe penance. He taught that, in an emergency, a person may confess his sins to any fellow Christian, but that such a confession is not sacramental because only the ordained priest has the ability to convey God's grace.²¹

The doctrine of confession as it relates to penance underwent one final change before the time of Luther and the Reformation. Bonaventure (1221-1274) was a contemporary of Thomas Aquinas, and he also lectured on the Sentences of Peter Lombard at the University of Paris. Bonaventure distinguished between *contritio* (sincere sorrow for sin, for offending God, often called "perfect sorrow" in Catholic writings) and *attritio* (gallows repentance, sorrow over getting caught, often called "imperfect sorrow" in Catholic writings). In opposition to Thomas, he taught that *contritio* is not really necessary for the sacrament, but that God's grace was big enough to cover the imperfect sorrow for sin of *attritio*.²² *Attritio* is far less than what we would call a sincere and honest confession. We would say that God's law had not yet finished doing its work on the heart of a man who comes with only *attritio* and not *contritio*, and that it would be premature to pronounce the gospel of forgiveness to a man who is only sorry that he got caught, unconcerned that he has sinned against the Lord. As the years went by, the Catholic Church showed less and less respect for the confessional - less and less respect for the absolution, due to their semi-Pelagian work-righteous ethic. The people did not know the depths of their innate depravity, and they were taught that they needed to earn their way to heaven. By their doctrine and practice of confession, penance, and indulgences, Rome had inadvertently given the people license to sin. This was the sorry state of the church into which Martin Luther was born.

III. Luther on Confession

The Roman Catholic doctrine and practice of auricular confession and as part of the sacrament of penance was very firmly established in the minds of the people and in the practice of the churches when the Holy Spirit raised up a monk named Martin Luther (1483-1546). Even as a young man, Luther was very concerned about his relationship to the Almighty God. He was an excellent student at the University of Erfurt. The very fact that Luther gave up a promising career as a lawyer and entered the Augustinian Eremite monastery testifies to how seriously he considered the condition of his soul. As a monk, brother Martin was deeply devoted to many hours of meditation and introspection each day. The Roman Catholic Church taught that every sin must be confessed before it can be absolved (forgiven). So Luther ransacked his memory daily, delving as deeply as he could into his soul to dredge up every single hint of sin in his past. Luther's concern was not whether a sin was small or great, but whether every sin had been confessed. His conscience tortured him with the specter of spending innumerable years in purgatory paying off the sins which he had failed to confess and of which he had not been absolved. He spent far more time than any of his fellow friars in the confessional, sometimes confessing for up to six hours at a sitting. His confessor, Dr. Johann von Staupitz, got so tired of

²⁰ *Code of Canon Law*, Latin-English ed. (Washington: Canon Law Society of America, 1983), p. 363.

²¹ Adolph Harnack, *Outlines of the History of Dogma*, E. K. Mitchell, tr. (Boston: Beacon Press, 1957), pp. 479-481.

²² *Ibid.*

Luther's lengthy confessions of seemingly insignificant sins that he finally said, "If you expect Christ to forgive you, come in with something to forgive - parricide, blasphemy, adultery - instead of all these peccadilloes!"²³

As a theologian at the University of Wittenberg, Luther spent untold hours studying the Scriptures, analyzing the doctrines and practices of his church and comparing them to God's own revelation of the truth. Through Dr. Luther's study of the Bible, the Holy Spirit led him to identify and understand many of the errors of the Roman Church. As Luther studied the writings of the church fathers he learned where the church had gone wrong over the centuries.

When Johann Tetzel came to Saxony to sell Pope Leo X's plenary indulgences, promising total forgiveness of all sins without need for any more confession, Luther boiled over with righteous wrath. He drew up his famous 95 Theses, challenging any scholar to come to Wittenberg to debate him, which was the scholastics' dialectical method of searching for truth. In this set of theses, Luther explicitly challenged the church's doctrines of confession, penance, indulgences, purgatory, and papal authority. Here are a few examples of his most famous theses which are relevant to our study:

1. When our Lord and Master Jesus Christ said, "Repent" [Matt. 4:17], he willed the entire life of believers to be one of repentance.
2. This word cannot be understood as referring to the sacrament of penance, that is, confession and satisfaction, as administered by the clergy.
12. In former times canonical penalties were imposed, not after, but before absolution, as tests of true *contrition*.
35. They who teach that *contrition* is not necessary on the part of those who intend to buy souls out of purgatory or to buy confessional privileges preach unchristian doctrine.
40. A Christian who is truly contrite seeks and loves to pay penalties for his sins; the bounty of indulgences, however, relaxes penalties and causes men to hate them – at least it furnishes occasion for hating them.²⁴

During the course of Luther's reform, he grew to understand the problem with Rome's teaching on confession. According to Rome, if a sin is to be forgiven, it must first of all be confessed. Before it can be confessed, it must be remembered; and before it can be remembered, it must be recognized as sin. Luther had learned from experience how deceitful man's memory can be. He also came to realize that no man can even recognize every sin that he commits, much less list them from memory long after the fact. Luther saw that this is where the penitential system of the church breaks down, and why it holds little solace for troubled consciences. On the basis of Scripture and of his own spiritual *Anfechtungen* with Catholic penance, Luther concluded that man's entire being is corrupt by nature, and that what man really needs is for his entire being to be forgiven.²⁵

Luther wrote a great deal on the subject of confession, and touched on this matter quite often when dealing with other issues. This ought not surprise us, for the way in which a person's relationship to God is reestablished is germane to almost any doctrinal issue. At no point in Luther's life did he give up on the concept of confessing one's sins to one's own parish priest. What Luther did reject was:

²³ Roland H. Bainton, *Here I Stand: A Life of Martin Luther* (New York: The New American Library, 1950), p. 39-42.

²⁴ *Luther's Works*, American Edition, Vol. 31 (Philadelphia: Fortress Press, 1957), pp. 25-29. Incidentally, nobody ever took Luther up on his challenge to have a "Disputation on the Power and Efficacy of Indulgences" based on these 95 Theses.

²⁵ Bainton, *loc. cit.*

- 1) the Catholic premise that God would only forgive sins which were confessed to one's own priest in accordance with the canons of the church,
- 2) that the church should require auricular confession at all,
- 3) that any church or confessor should require or even expect anyone to enumerate his sins, and
- 4) that any works of satisfaction should be prescribed after a confession of sin.

In his *Formula Missae et Communis* for the church at Wittenberg (1523) Luther spells out several of his reasons for retaining auricular confession before communion:

Moreover the custom to be preserved here which is observed in connection with baptism; namely, that notice must first be given to the bishop, by those who are about to commune, that they request to be communicated with the Lord's Supper, so that he may be able to know both their names and manner of life. Then let him not admit those seeking, unless they should give a reason for their faith; and being questioned, should answer, whether they understand what the Supper of the Lord is; what it stands for; and of what they wish to become partakers by its use; to wit, if they are able to recite the Words of Consecration from memory and explain that they come because of the consciousness of sin, or the fear of death, or, troubled by some other evil of the temptation of the flesh, of the world, of the devil, they hunger and thirst for that word and sign of grace and salvation from the Lord Himself through the ministry of the bishop by which they may be consoled and comforted, such as Christ out of priceless love gave and instituted in this Supper when He said: Take and eat, etc.²⁶

The reasons for retaining auricular confession which Luther cites in the paragraph above are:

- 1) to announce one's intention to receive the sacrament,
- 2) to allow the pastor opportunity to consider the faith-life of those who intend to commune, and
- 3) to facilitate the practice of close communion, making certain that every communicant meets the scriptural qualifications for communing.

In the following paragraph, Luther addresses the matter of frequency of auricular confession, and defends the practice as a good way to guard against abuse of the sacrament:

I think it will be sufficient if this questioning and investigation of him who seeks to be communicated is done once a year. Indeed it is possible that the one who seeks may be so understanding that he should be questioned either only once in his entire life, or in fact never. For through this custom we desire to guard against this: that the worthy and unworthy do not rush blindly to the Supper of the Lord, as we have seen done in the Roman Church hitherto, where nothing else is sought but to be communicated.²⁷

Later in that same treatise Luther states what he believes should be the position of the church:

Now concerning private confession before communion. I still think as I have thought heretofore, namely, that it is neither necessary nor to be demanded; nevertheless it is useful and not to be

²⁶ Works of Martin Luther, Philadelphia Edition, Vol, VI (Grand Rapids: Baker Book House, 1982), pp. 93-94.

²⁷ *Ibid.*, p. 94.

despised, since the Lord neither required this Supper as necessary or established it by law, but left it free to everyone, saying, As often as you do this, etc. So concerning the preparation for the Supper, we think that preparing oneself by fasting and prayers is a matter of liberty. Certainly it behooves us to approach in soberness of mind and earnestly and diligently, whether you fast nothing or pray ever so little. For the best preparation is, as I have said, a soul moved and vexed by sins, death, temptations, and hungering and thirsting for healing and strength. Whatever of these things is true, these are the concern of the bishop and it rests with him that he may teach the people.²⁸

Just because Luther wanted to preserve the practice of auricular confession in the church is no reason to conclude that he wanted to retain the sacrament of penance as Rome practiced it. True, Luther did not easily give up on penance as a sacrament. Near the end of his life Luther wrote his Smalcald Articles, which are found in our Lutheran Confessions. Part 3, Articles IV, VII, and VIII are instructive for determining Luther's mature theology on this matter. In Article IV he lists the following as the means by which God conveys his gospel to mankind:

First, through the spoken Word by which the forgiveness of sins is preached. Secondly, through baptism. Thirdly, through the holy Sacrament of the Altar. Fourthly, through the power of the keys, and also through the mutual conversation and consolation of brethren...²⁹

In Article VII Luther speaks of the Use of the Keys as a means of grace:

The keys are an office and power given by Christ to the Church for binding and loosing sin, not only the gross and well-known sins, but also the subtle, hidden, which are known only to God...³⁰

Luther preferred to call the practice of confession "absolution," emphasizing the reason for going to confession in the first place – to be absolved of one's sins. He uses this terminology in Article VIII:

Since Absolution or the Power of the Keys is also an aid and consolation, ordained by Christ [Himself] in the Gospel, Confession or Absolution ought by no means to be abolished in the Church, especially on account of [tender and] timid consciences and on account of the untrained [and capricious] young people, in order that they may be examined, and instructed in the Christian doctrine. But the enumeration of sins ought to be free to every one, as to what he wishes to enumerate or not to enumerate.³¹

While Luther was in hiding in the Wartburg Castle (1521-1522) for nearly a year after the Diet of Worms, Dr. Andreas Carlstadt took over Luther's pulpit in Wittenberg. Carlstadt used the pulpit to proclaim radical changes in the churches of Wittenberg and the surrounding area. The Wittenbergers were incited to tear down statutes and crucifixes, break stained glass windows, and overturn altars by the iconoclasm fomented by Carlstadt, Thomas Müntzer and the Zwickau prophets. Preaching without vestments, Carlstadt forbade the practice of auricular confession. All this he did in the name of "Christian freedom." When word of these riotous events reached the Wartburg, Luther quickly ended his "exile," returned to Wittenberg, and banished Carlstadt. Luther then began to pick up the pieces of his ministry in Wittenberg by preaching a series of eight sermons on eight

²⁸ *Ibid.*, pp. 95-96.

²⁹ *Concordia Triglotta* (St. Louis: Concordia Publishing House, 1921), p. 491.

³⁰ *Ibid.*, p. 493.

³¹ *Ibid.*, pp. 493-495.

successive days. In his *Reminiscere* Sunday sermon (Lent 2, March 16, 1522), the good doctor spoke to the people about Carlstadt's abolition of auricular confession:

I will let no man take private confession away from me, and I would not give it up for all the treasures in the world; for I know what comfort and strength it has given me. No man knows so well what it can do for him as he who must struggle and fight much with the devil. The devil would have slain me long ago if confession had not sustained me. For there are many doubts and false matters which a man cannot settle by himself... So he takes his brother aside and tells him his trouble. What harm does it do him to humble himself a little before his neighbor and put himself to shame? When you receive a word of comfort from him, accept and believe that word as if you heard it from God Himself.³²

Luther's understanding of confession, absolution, the Use of the Keys, and of penance is expressed in many places throughout the Lutheran confessions. Article XI of the Augsburg Confession, penned by the *Præceptor Germani* **II**, Philip Melancthon, reads:

Of Confession they [i.e., the Lutherans] teach that Private Absolution ought to be retained in the churches, although in confession an enumeration of all sins is not necessary. For it is impossible, according to the Psalm: Who can understand his errors? Ps. 19,12.³³

III. Exposition of Article XXV: Of Confession

The first twenty-one articles of the Augsburg Confession set forth the doctrine and practice of the Lutheran churches in a simple and straightforward manner, affirming the true teachings of Scripture and negating the antitheses in order to make perfectly clear what the Lutherans do teach and do not teach, lest there be any misunderstanding. The rest of the Augustana deals with abuses in the Church of Rome which the Lutherans had decided to correct in their own churches. Article XXV self-evidently belongs to that second part. Note how Melancthon began by addressing the three primary features of the Roman sacrament of penance: confession, absolution, and satisfaction. ("Satisfaction" refers to the performing of the works of penance prescribed by the priest in order to satisfy God and the church that one is truly penitent. The absolution pronounced by the priest is conditioned upon the performance of the prescribed penance.) The article begins by discussing *confessio oris*, ("confession of the mouth"):

Article XXV: Of Confession

Confession in the churches is not abolished among us; for it is not usual to give the body of the Lord, except to them that have been previously examined and absolved.

The article begins by stating for the record that Lutheran churches do indeed continue to practice confession (sometimes called *Beichtanmeldung* in Lutheran circles). In fact, Melancthon states that the Lutheran practice is to have prospective communicants come to the pastor for confession and an oral examination and to be absolved of their sins by the pastor before they approach the altar to have their absolution sealed by reception of the Lord's Supper. Melancthon did not want Emperor Charles V to confuse the Lutheran position with that of the Reformed, most of whom, as the iconoclastic Carlstadt, did away with auricular confession entirely, primarily because it was a part of the Catholic penitential system, and because the Reformed have utter contempt for the objective means of grace, opting for a supposed immediate and subjective operation of the Holy Spirit.

³² Ewald M. Plass, *What Luther Says* (St. Louis: Concordia Publishing House, 1959), p. 330.

³³ *Concordia Triglotta*, p. 47.

Article XXV continues by addressing the second part of penance, the absolution:

And the people are most carefully taught concerning faith in the absolution, about which formerly there was profound silence. Our people are taught that they should highly prize the absolution, as being the voice of God, and pronounced by God’s command. The power of the Keys is set forth in its beauty, and they are reminded what great consolation it brings to anxious consciences; also, that God requires faith to believe such absolution as a voice sounding from heaven, and that such faith in Christ truly obtains and receives the forgiveness of sins.

Here Melanchthon states that the emphasis of the practice of confession in Lutheran churches is not so much on the confession of the penitent as it is on the proclamation of the forgiveness of sins by the confessor.

Melanchthon points out the salutary and therapeutic effect of the proper use of the Keys of the kingdom of God for the sin-sick soul. When a Christian’s heart is filled with anxiety by the accusations of his conscience, he needs to hear the Lord say, “Take heart, son; thy sins be forgiven thee,” as Jesus told the man sick of the palsy in Matthew 9. When the law has done its work of convicting man of sin, his pride is shattered and his heart is broken. Such a penitent person needs to have the gospel of God’s free and faithful grace proclaimed to him and applied as the perfect panacea for complete spiritual healing. Melanchthon correctly says that our churches do exactly that.

We try our best to clearly distinguish law and gospel, and to apply them both as God intended. In order to properly apply law and gospel to individual souls, the pastor must correctly diagnose the spiritual condition of the soul. This is certainly impossible in the setting of public worship. In that setting the pastor must assume that all have come to confess their sins, whatever they may be, to receive the Lord’s absolution, to learn from the Word of God, to pray, to praise, and to give thanks. But public worship is no setting to determine the specific spiritual condition and needs of each soul in the congregation. Therefore Lutheran pastors in the interest of providing the finest, most evangelical spiritual care for their parishioners, retained the practice of private confession and private absolution.

Melanchthon goes on to say that the Lutheran pastors teach those whose sins they absolve to believe that their sins are thereby forgiven, just as if Jesus Christ had spoken the words of absolution himself. About this whole matter of absolution, Melanchthon says, “formerly there was profound silence.” Before the Reformation, the pastors, trained as Roman Catholic priests, said very little to the people about the forgiveness of their sins. Instead they preached and taught work-righteousness, hearing the confession of sins, muttering a brief *absolvo te* (“I forgive you”), and proceeding immediately to the prescription of works of penance, reminding the penitent that his absolution depended upon his doing the deeds of satisfaction as prescribed. Whereas the Catholics emphasized the performance of works prescribed by the church, the Lutherans emphasized faith in God’s words of forgiveness.

The next portion of Article XXV addresses *satisfactio operis* (“satisfaction of works”), the third feature of Catholic penance:

Aforetime, satisfactions were immoderately extolled; of faith and the merit of Christ and the righteousness of faith no mention was made; wherefore, on this point, our churches are by no means to be blamed. For this even our adversaries must needs concede to us that the doctrine concerning repentance has been most diligently treated and laid open by our teachers.

Here Melanchthon reminds the emperor that, before the writings of Luther appeared, there was so much confusion about what constituted true repentance that even the theologians (not to mention the laity) were at a loss to know what should be believed, taught, and practiced. Article XII (V) of the Apology deals with this in far greater detail, and bemoans the fact that the writings of all the theologians over the centuries served only to

muddy the waters. The church's scholastic theologians could not even answer the burning question in the heart of every Christian: "When and how can I be sure that my sins are forgiven by God?"³⁴ In essence, Rome's answer was: "Do the satisfactions that your priest prescribes! Don't worry about faith - just do and say the right things, buy or earn as many indulgences as you can and you'll get out of purgatory eventually. Remember, you can never be certain that you've done enough to satisfy God's wrath, so do what is in you! The church is here to help you!" Melancthon says here in Article XXV that even the Catholic theologians must concede that the Lutherans had been devoting a great deal of time and effort to teach the people what the Bible says about true repentance.

Melancthon continues by attacking a major papistic abuse of the venerable confessional - the mandatory enumeration of every sin in detail:

But of Confession they teach that an enumeration of sins is not necessary, and that consciences be not burdened with anxiety to enumerate all sins, for it is impossible to recount all sins, as the Psalm testifies, 19,13: *Who can understand his errors? Also Jeremiah, 17,9: The heart is deceitful; who can know it? But if no sins were forgiven except those that are recounted, consciences could never find peace; for very many sins they neither see nor can remember. The ancient writers also testify that an enumeration is not necessary. For in the Decrees, Chrysostom is quoted, who says thus: I say not to you that you should disclose yourself in public, nor that you accuse yourself before others, but I would have you obey the prophet who says: "Disclose thy way before God." Therefore confess your sins before God the true Judge, with prayer. Tell your errors, not with the tongue, but with the memory of your conscience, etc. And the Gloss (Of Repentance, Distinct. V, Cap. Consideret) admits that Confession is of human right only [not commanded by Scripture, but ordained by the Church]. Nevertheless, on account of the great benefit of absolution, and because it is otherwise useful to the conscience, Confession is retained among us.*

Melancthon challenges the Roman Catholic doctrine and practice of auricular confession on three grounds:

- 1) It is impossible to fulfil the church's demand of total disclosure of every sin. Every sin simply cannot be remembered by any sinner. Here Melancthon uses Psalm 19:13³⁵ and Jeremiah 17:9 as proof.
- 2) Secondly, demanding enumeration of sins always leaves the penitent heart in distress, wondering whether or not there remains anything against him in the eyes of God. And finally, the early church never demanded an enumeration of sins in the confessional. To prove that such a mandate was an innovation of the church and only of human origin and authority Melancthon quotes the ancient church father St. John Chrysostom (ca. 345-407) and refers to the gloss (explanatory note) of the pertinent canon law as found in the *Decretum Gratiani* a collection of the decrees of the popes and other laws of the church. Chrysostom specifically taught that men should confess their sins directly to God and refused to demand

³⁴ cf. *Concordia Triglotta*, pp. 253-255.

³⁵ Incidentally, the reference to Psalm 19:13 is in error. It should read Psalm 19:12. But don't blame Philip. First of all, books of the Bible had not yet been divided into verses in Philip's day - only into chapters. The verse references were placed into the text by Concordia Publishing House for the modern reader's benefit. Secondly, both the German and Latin versions say 19:13, so it's easy to see why the good people at Concordia Publishing House also printed 19:13 in the English. The problem is that 116 of the psalms have superscriptions, which both the German and Latin Bibles count as the first verse. Psalm 19 has a superscription which says, "For the director of music. A psalm of David" (NIV). Because we don't count that as verse 1 in our English Bible, the English translation of the Augustana should really say 19:12. That is where we'll find Melancthon's quote.

that sins be confessed to other men. The gloss specifically concedes that the practice of enumeration of sins is merely a human law and not binding in the sense of divine law.³⁶

Even in view of these three reasons for rejecting mandatory enumeration of sins, the Lutheran party still found private confession and absolution so salutary that they opted to retain it in altered form, as spelled out earlier in this same article.

Perhaps Melancthon could have strengthened his argument had he included the second half of Psalm 19:12. He quoted: “Who can understand his errors?” but could have included the rest of the verse: “Cleanse thou me of secret faults.” This second stich indicates that we do have some sins of which we are not aware, which remain totally secret (or in the NIV: “hidden”). But the first stich does express the psalmist’s despair as he attempts to really know the depths of his sinful condition.

Dr. Luther did not actually write what we know as the chief part called, “The Use of the Keys and Confession,” nor was it included in the Book of Concord of 1580.³⁷ Nevertheless, this simple exposition of the Lutheran doctrine of confession is found in Luther’s Small Catechism, and summarizes well what Melancthon was confessing for the Lutheran churches at Augsburg in Article XXV:

CONFESSION

First: What is Confession?

Confession has two parts. The one is that we confess our sins; the other, that we receive absolution or forgiveness from the pastor as from God himself, not doubting but firmly believing that our sins are thus forgiven before God in heaven.

Second: What sins should we confess?

Before God we should plead guilty of all sins, even those we are not aware of, as we do in the Lord’s Prayer.

But before the pastor we should confess only those sins which we know and feel in our hearts.

Third: How can we recognize these sins?

Consider your place in life according to the Ten Commandments. Are you a father, mother, son, daughter, employer or employee? Have you been disobedient, unfaithful or lazy? Have you hurt anyone by word or deed? Have you been dishonest, careless, wasteful or done other wrong?

Fourth: How will the pastor assure the penitent sinner of his forgiveness?

He will say, “According to the command of our Lord Jesus Christ, I forgive you your sins in the name of the Father and of the Son and of the Holy Spirit. Amen.”³⁸

³⁶ Willard D. Allbeck, *Studies in the Lutheran Confessions* (Philadelphia: Fortress Press, 1968), p. 127.

³⁷ For a good discussion of the origin of the fifth chief part, cf. Bente’s “Historical Introductions to the Symbolical Books,” *Concordia Triglotta*, pp. 87-88. Although its authorship is uncertain, Bente believes that Andreas Osiander wrote it at Nürnberg.

³⁸ Kuske, *op. cit.*, p. 12.

IV. Rome Answers the Lutheran Reformation

After the Diet of Augsburg and the presentation of our Confession, the Catholics answered with a lengthy critique known as the *Confutatio*, or “Confutation.” The Catholic party was so ashamed of their document that they neither published it nor gave the Lutheran party a copy of it. Nevertheless, the Lutheran reformers took excellent notes when it was read before the diet, and then put together another document of their own, answering the Catholics’ critique of the Augustana. This is the *Apologia Augustana* **II**, or Defense of the Augsburg Confession, to which we have previously referred.

The Roman Catholic Church convened the greatest council in its history from 1545 to 1563 in the Italian alpine village of Trent. The main reason for the council’s convocation was to deal with the devastating effects that the Reformation had had on Catholicism. The canons and decrees of the Council of Trent remain the most definitive testimony of the official doctrine and practice of the Roman Church ever assembled. The following excerpts show that Rome not only refused to heed the admonitions of the reformers but also solidified their erroneous position. It is interesting to note that Rome even denied the clear historical facts which Melancthon mentioned in Article XXV of the Augsburg Confession.

Session 13, Chapter VII: “Now, ecclesiastical usage declares that such an examination is necessary in order that no one conscious to himself of mortal sin, however contrite he may feel, ought to receive the Sacred Eucharist without previous sacramental confession. This the holy council has decreed to be invariably observed by all Christians...”³⁹

Session 13, Canon 9: “If anyone denies that each and all of Christ’s faithful of both sexes are bound, when they have reached the years of discretion, to communicate every year at least at Easter, in accordance with the precept of holy mother Church, let him be anathema.”⁴⁰

Session 13, Canon 11: “If anyone says that faith alone is sufficient preparation for receiving the sacrament of the most Holy Eucharist, let him be anathema. And lest so great a sacrament be received unworthily and hence unto death and condemnation, this holy council ordains and declares that sacramental confession, when a confessor can be had, must necessarily be made beforehand by those whose conscience is burdened with mortal sin, however contrite they may consider themselves.”⁴¹

Session 14, Chapter 5: “Wherefore, since secret sacramental confession, which holy Church has used from the beginning and still uses, has always been recommended by the most holy and most ancient Fathers with great and unanimous agreement, the empty calumny of those who do not fear to teach that it is foreign to the divine command, is of human origin and owes its existence to the fathers assembled in the Lateran Council, is convincingly disproved. For the Church did not through the Lateran Council decree that the faithful of Christ should confess, a thing that she recognized as of divine law and necessary, but that the precept of confession should be complied with by each and all at least once a year when they have attained the age of discretion. Hence this salutary custom of confessing during that sacred and most acceptable period of Lent is now observed in the whole Church to the great benefit of the souls of the faithful, which custom this holy council completely indorses [sic] and sanctions as pious and worthy of retention.”⁴²

³⁹ H. J. Schroeder, tr., *Canons and Decrees of the Council of Trent* (Rockford, IL: TAN Books and Publishers, Inc., 1978), p. 77.

⁴⁰ *Ibid.*, p.80.

⁴¹ *Ibid.*

⁴² *Ibid.*, p. 94.

Session 14, Canon 4: “If anyone denies that for the full and perfect remission of sins three acts are required on the part of the penitent, constituting as it were the matter of the sacrament of penance, namely, *contrition*, confession and satisfaction, which are called the three parts of penance; or says that there are only two parts of penance, namely, the terrors of a smitten conscience convinced of sin and the faith received from the Gospel or from absolution, by which one believes that his sins are forgiven him through Christ, let him be anathema.”⁴³

The Council of Trent established many more canons on this subject, all of which codified the position which Rome held at the time of the 16th century reformation, and none of which have been overturned since Trent.

What are modern Catholics taught today? This excerpt is from a manual used by priests to instruct adult converts:

A person who says that only God can forgive sins doesn't believe the Bible; the Bible directly tells us that God gave this power to men. God could forgive you directly if He wanted to; but He does not want to. You can't just go to God and feel that He has forgiven your sins; in fact, going to God directly is a fine way to stay in sin. Why doesn't God want us to go directly to Him? No one is a judge in his own case; we would be too easy on ourselves. We need a judge, a human judge, here on earth to help us with difficult problems of conscience. God wants you to have this help; He wants people to be guided by their priests.⁴⁴

The *Handbook for Today's Catholic* was published in order to explain the Church's doctrine and practice to modern Catholics. This is what it teaches concerning confession:

The precept to confess at least once a year is a reminder to receive the sacrament of penance (reconciliation) on a regular basis. If no grave sin has been committed in that time, confession is not necessary. However, frequent confession is of great value; it makes us more deeply conformed to Christ and most submissive to the voice of the Spirit.

Reconciliation is a personal encounter with Jesus Christ represented by the priest in the confessional or reconciliation room. The penitent admits to God that he or she has sinned, makes an act of sorrow, accepts a penance (prayers, acts of self-denial, or works of service to others), and resolves to do better in the future.

After prayer and an examination of conscience to find out what sins you have committed, you enter the confessional. (This new form, although preferable, is optional.)

Father greets you kindly.

You respond and then make the Sign of the Cross.

Father invites you to have confidence in God.

You answer, “Amen.”

Father may read or recite some short selection from the Bible.

⁴³ Ibid., p. 102.

⁴⁴ Parish Priests, comp., *Instructions in the Catholic Faith* (Catholic Bishops of the United States, 1971), pp. 105-106.

You introduce yourself (not by name) and tell how long it has been since your last confession. You then tell your sins. (Each mortal sin must be confessed as well as possible.) It is useful to mention your most frequent and most troublesome venial sins.

Father will give you any necessary advice and answer your questions. After he assigns you a penance you make an Act of *Contrition* (see page 48) [wherein we read the following: “Any spontaneous prayer that tells God that you are sorry, that you will mend your ways and avoid what leads to sin is a good act of *contrition*.”].

Father then places his hands on your head (or extends his right hand toward you) and prays these words of forgiveness:

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

You answer, “Amen.”

Father then says, “Give thanks to the Lord, for he is good.”

You answer, “His mercy endures forever.”

Father then dismisses you in these or similar words, “The Lord has freed you from your sins. Go in peace.”⁴⁵

In a pamphlet which is distributed at many Catholic churches to aid people who are interested in making a confession, three subjects are discussed: “Five Steps of Confession,” “Examination of Conscience - How is my Daily Struggle?” and “Sacriligious Communion.” The Examination of Conscience is a series of questions dealing with each of the Ten Commandments. [For example, under the Second commandment it says, “Did I curse or swear? Did I use God’s Name in vain: lightheartedly ...carelessly...by blasphemy? Do I use profane language? Have I insulted a sacred person?”] The Five Steps of Confession are listed as follows:

1. Examine your conscience.
2. Be sorry for your sins; try to have the perfect sorrow of love.
3. Make a firm resolution not to sin again, to avoid the near occasions of sins.
4. Tell all your sins in the confessional and receive absolution.
5. Say your penance promptly.

Under “Sacriligious Communion” the pamphlet bemoans the fact that before 1960 it was the norm for most practicing Catholics to go to confession every two or three weeks and for about 50% of every parish to commune on Sunday; but today almost everyone in church on Sunday receives communion even though the number of confessions has dropped off sharply. According to the author, it is uncommon in our day for even a very large parish to have more than ten confessions per week. Since our world is getting more and more wicked every day, the author concludes that many people must be communing while in a state of mortal sin, which is in itself a mortal sin.⁴⁶

⁴⁵ Sister Charlene Altemose, *Handbook for Today’s Catholic* (Liguori, MO: Liguori Publications, 1978), pp. 41-42.

⁴⁶ Edward Serrano, untitled pamphlet (St. Paul, MN: The Leaflet Missal Co., 1991).

The Vatican's latest catechism summarizes Rome's current doctrine and practice of auricular confession:

1486 The forgiveness of sins committed after Baptism is conferred by a particular sacrament called the sacrament of conversion, confession, penance, or reconciliation.

1491 The sacrament of Penance is a whole consisting of three actions of the penitent and the priest's absolution. The penitent's acts are repentance, confession or disclosure of sins to the priest, and the intention to make reparation and do works of reparation.

1492 Repentance (also called *contrition*) must be inspired by motives that arise from faith. If repentance arises from love of charity for God, it is called "perfect" *contrition*; if it is founded on other motives, it is called "imperfect."

1493 One who desires to obtain reconciliation with God and with the Church, must confess to a priest all the unconfessed grave sins he remembers after having carefully examined his conscience. The confession of venial faults, without being necessary in itself, is nevertheless strongly recommended by the Church.

1494 The confessor proposes the performance of certain acts of "satisfaction" or "penance" to be performed by the penitent in order to repair the harm caused by sin and to re-establish habits befitting a disciple of Christ.

1495 Only priests who have received the faculty of absolving from the authority of the Church can forgive sins in the name of Christ.⁴⁷

It is quite clear from all of these excerpts that what is taught concerning confession in the Church of Rome is little different than what was taught and practiced by the church during the 16th century. Auricular confession is required of the people as a matter of law, and consciences are left wondering whether or not every sin has been remembered, sufficiently confessed, forgiven, and paid for. The words of absolution which the priest speaks are indeed the precious promises of the gospel, but the absolution is conditioned upon the fulfillment of the works of satisfaction. Performing the acts of penance, the doing of the deed with the right intention, is supposed to merit the grace of God *ex opere operato*, even if the *contrition* is "imperfect." Failure to perform the prescribed penance invalidates the absolution and makes the bad confession a mortal sin in and of itself.

Such a confusion of law and gospel can never strengthen faith or restore guilt-ridden hearts to the same degree as can the pure gospel of unconditional absolution which came to be taught and practiced among the churches of the Lutheran reformation. It was this very uncertainty which drove Luther to despair of finding spiritual solace in Rome's penitential system and to search the Scriptures for certainty of God's forgiveness and salvation. And it was the comfort and joy of the certainty of God's forgiveness and salvation which he found in the Scriptures that Luther sought to teach and convey in the new evangelical practice of confession and absolution.

⁴⁷ *Catechism of the Catholic Church* (Liguori, MO: Liguori Publications, 1994), pp. 373-374. These quotations are selected from the listing of brief statements which summarize the thorough explanation of the Sacrament of Penance and Reconciliation found on pp. 357-373.

V. Lutheran Penitential/Confessional Practice

None of the liturgies drawn up by Luther had confession and absolution as a part of the regular service. After all, the people all went to their pastors for private confession before going to church for communion. However, from 1618 to 1648, virtually all of Europe was embroiled in the Thirty Years War. Most of the fabric of European society, of which the churches were a very important part, was torn apart. Before the war, private confession and absolution was practiced on a regular basis by virtually all of the Lutherans. By the end of the war, the practice of private confession had fallen almost entirely by the wayside.

In its place there had arisen in Lutheran churches the so-called “confessional address,” a special sermon on the subject of the Lord’s Supper and the importance of confessing one’s sins before receiving the sacrament, lest it be received to one’s judgment. There also arose in certain parts of the church the practice of having a separate and special “confessional service,” as opposed to having a confessional address in church every time the Holy Supper was offered. It should not surprise any student of church history that both of these practices found their roots in Pietism, due to its very emotional and subjective nature.⁴⁸ Both of these substitutes provided people with a convenient way around confessing their sins to their pastor. The anti-clericalism and subjectivism endemic to Pietism discouraged people from confessing their sins to their pastors and encouraged the practice of confessing sins only to God. It seems that these attitudes are still quite prevalent among Lutherans today.

On pages 46-49 of *The Lutheran Hymnal* you can find “The Order of the Confessional Service” which at one time was widely used in our Wisconsin Synod. This writer recalls this service being used frequently at his home church in Tucson, AZ. However, the concept of holding confessional services has largely gone by the wayside in today’s busy parishes, and the reasons cited seem legion. Why should a communicant have to participate in a special confessional service when the “Common Service” (CW pp. 15-25), “Service of Word and Sacrament” (CW pp. 26-37), and “The Order of Holy Communion” (TLH pp. 15-31) all contain corporate confession and absolution anyway? Do we want to make it more difficult than necessary for people to come to the sacrament? Besides, so many things are happening at church on Sunday mornings: multiple worship services, Sunday School, Bible class(es) and people sharing their prayer needs with the pastor while he’s either greeting the people or preparing his heart and mind for leading the worship service. In dual- or tri-parishes these problems are compounded. There is no opportune time for a special confessional service on Sundays before worship. Neither do most of our communicants find it convenient to make an extra trip to church on Friday or Saturday for a special confessional service, just so they can go back again on Sunday morning to receive the Lord’s Supper. For these and perhaps other reasons, the confessional service is rarely used any more.

Paul Kretzmann’s essay “Admission to, and Registration for, the Lord’s Supper,” was published in the *Quartalschrift* (Vol. 49, April, 1952, pp. 81-91) and reprinted in *Our Great Heritage*. His essay contains a lengthy presentation and discussion of proper preparation for prospective communicants. He also lists various methods which Lutheran pastors and churches have used in lieu of private confession and absolution to help people prepare themselves for receiving the sacrament. In addition to confessional addresses and confessional services, he discusses the pros and cons of old customs in our midst such as:

- 1) requiring just the recently confirmed children to announce to the pastor the whole family’s intention to commune;
- 2) allowing communicants to announce by telephone;
- 3) the practice of requiring all who plan to commune to send a postcard to the church, announcing their intention;

⁴⁸ H. H. Kirchmann, “The Incorrect and Correct Uses of the Confessional Address,” *Concordia Theological Monthly*, Vol XV, No. 6 (June 1944), p. 410.

- 4) encouraging private confession to all who attend any meeting of any organization of the congregation, and allowing time for individuals to come to the pastor immediately after the meeting; and
- 5) taking groups of individuals into a separate room for ten to fifteen minutes of instruction on some aspect of the Holy Sacrament.⁴⁹

Very few of the Lutheran hymnals used in America during the past century contained any form for private confession and absolution. More common are forms for public confession and absolution. Perhaps orders for private confession are to be found in some old pastors' agendas, but there is no such order in *The Lutheran Agenda* (1941) nor in its predecessor *Liturgy and Agenda* (1921). The American Lutheran Hymnal (1930) has no forms for either public or private confession. Neither does our synod's old Book of Hymns (no publication date listed). *The Lutheran Hymnal* (1941) and the *Service Book and Hymnal* (1958) do have orders for public confession but not for private.

It is noteworthy that the hymnals being published by Lutherans today do include orders for both private and public confession and absolution. Attached as appendices to this paper are copies of the forms for private confession which are found in the *Lutheran Book of Worship* (1978), *Lutheran Worship* (1982), *Christian Worship: A Lutheran Hymnal* (1993), and the *Evangelical Lutheran Hymnary* (1996). There is clearly a tendency to reconsider the wisdom of allowing the practice of private confession and absolution to slip through our fingers for the sake of expediency.

Confessional Lutheran churches practice "close communion." This is one of the chief reasons that Luther and his fellow reformers retained the use of private confession. This requirement before communion enabled the faithful pastor to know exactly whom he would be communing, and allowed him to screen out those who were not eligible to receive the Lord's body and blood in a worthy manner. These are excellent reasons for requiring some sort of communion registration.⁵⁰ Even so, our congregations' requirements for communion registration have gradually loosened over the centuries. Simultaneously we observe the increasing difficulty of maintaining and evangelically explaining our doctrine of the Lord's Supper and our practice of close communion.

Harold Senkbeil, a Missouri Synod pastor, extols the value that private confession and absolution has for curing the sin-sick soul. He encourages the Lutheran church of today to resuscitate the time-honored practice of *die Beichte* in a gospel-motivated manner:

The time has come to begin restoring the practice of private confession and absolution to the life of the church. We can learn by the example of the churches of the Reformation. There must be patient teaching and loving invitation, not compulsion. Then people will respond. Christian people always respond to the gospel, Luther reminds us:

When I urge you to go to confession, I am simply urging you to be a Christian. If I bring you to this point, I have also brought you to confession. Those who really want to be good Christians, free from their sins, and happy in their conscience, already have the true hunger and thirst. They snatch at the bread just like a hunted hart, burning with heat and thirst, as Psalm 42:2 says, "As a hart longs for flowing streams, so longs my soul for thee, O God."⁵¹

⁴⁹ Lyle W. Lange, ed., *Our Great Heritage*, Vol. 3 (Milwaukee: Northwestern Publishing House, 1991), pp. 325-326.

⁵⁰ A. E. Krause, "The Proper Use of the Sacrament of Holy Communion," *The Abiding Word*, Vol. 3 (St. Louis: Concordia Publishing House, 1960), pp. 508-509.

⁵¹ Harold L. Senkbeil, *Sanctification: Christ in Action* (Milwaukee: Northwestern Publishing House, 1989), pp. 169-170. The Luther quote is from his Large Catechism, par. 32,33.

This is nothing short of Melancthon's statement in Augustana XXV:

An enumeration of sins is not necessary, and that consciences be not burdened with anxiety to enumerate all sins, for it is impossible to recount all sins... But if no sins were forgiven except those that are recounted, consciences could never find peace... Nevertheless, on account of the great benefit of absolution, and because it is otherwise useful to the conscience, Confession is retained among us.

A return to *die Beichte* would surely benefit the souls of our people. Their consciences would gradually become more acutely aware of sin and its dangers, and would profit immeasurably from the healing balm of the gospel as it is applied to their spiritual wounds. Under the evangelical guidance of their shepherds, much of the flock would be better prepared for a salutary reception of the Good Shepherd's body and blood. Pastor-parishioner relationships would be fostered. The priesthood of all believers would be strengthened in its appreciation and practice of the mutual admonition and consolation of fellow believers. Think of the possibilities for real church growth. Christ's people would grow in their love for the gospel itself!

Soli Deo Gloria!

BIBLIOGRAPHY

Allbeck, Willard D. *Studies in the Lutheran Confessions*. Philadelphia: Fortress Press, 1968.

Altemose, Sister Charlene. *Handbook for Today's Catholic*. Liguori, MO: Liguori Publications, 1978.

Bainton, Roland H. *Here I Stand: A Life of Martin Luther*. New York: The New American Library, 1950.

Bente, F., ed. *Concordia Triglotta*. St. Louis: Concordia Publishing House, 1921.

Bokenkotter, Thomas. *A Concise History of the Catholic Church*, revised and expanded edition. New York: Doubleday, 1990.

Caemmerer, Richard R. "The Practice of Holy Communion," *The Abiding Word*, Vol. 3, pp. 531-561. St. Louis: Concordia Publishing House, 1960.

Catechism of the Catholic Church. United States Catholic Conference, Inc.-Libreria Editrice Vaticana. Liguori, MO: Liguori Publications, 1994.

- Code of Canon Law*, Latin-English edition. Washington: Canon Law Society of America, 1983.
- Flannery, Austin P., ed. *Documents of Vatican II*. Grand Rapids, MI: Eerdmans Publishing Co., 1975.
- Hagglund, Bengt. *History of Theology*, Gene J. Lund, tr. St. Louis: Concordia Publishing House, 1968.
- Heichelheim, Fritz M. and Cedric A. Yeo. *A History of the Roman People*. Englewood Cliffs, NJ: Prentice-Hall, Inc., 1962.
- Harnack, Adolph. *Outlines of the History of Dogma*, E. K. Mitchell, tr. Boston: Beacon Press, 1957.
- Jones-Wake, ed. *Lost Books of the Bible*. New York: Bell Publishing Company, 1979.
- Kirchmann, H. H. "The Incorrect and Correct Uses of the Confessional Address," *Concordia Theological Monthly*, Vol. XV, No. 6 (June 1944), p. 410.
- Klotsche, E. H. *The History of Christian Doctrine*, revised edition. Grand Rapids: Baker Book House, 1979.
- Krause, A. E. "The Proper Use of the Sacrament of Holy Communion," *The Abiding Word*, Vol. 3. pp. 476-530. St. Louis: Concordia Publishing House, 1960.
- Krueger, Ottomar O. "The Lord's Supper," *The Abiding Word*, Vol. 3, pp. 425-475. St. Louis: Concordia Publishing House, 1960.
- Kuske, David P., ed. *Luther's Catechism*. Milwaukee: Northwestern Publishing House, 1982.
- Lange, Lyle W., ed. *Our Great Heritage*, Vol. 3. Milwaukee: Northwestern Publishing House, 1991.
- Latourette, Kenneth S. *A History of Christianity*, Vol. 1. New York: Harper & Row, Publishers, 1975.
- Lueker, Erwin L., ed. *Lutheran Cyclopedia*, revised edition. St. Louis: Concordia Publishing House, 1975.
- Luther, Martin. *Works of Martin Luther* [Philadelphia Edition of 1932], Vol. VI, Henry Eyster Jacobs, gen. ed. Grand Rapids, MI: Baker Book House, 1982.
- Luther, Martin. *Luther's Works* [American Edition], Vol. 31, Jaroslav Pelican and Helmut T. Lehmann, gen. eds. Philadelphia: Fortress Press, 1957.
- Meyer, John. "Studies in the Augsburg Confession," *The Northwestern Lutheran*, Vol. 30, No. 3 (February 7, 1943), pp. 41,44.
- Montgomery, John Warwick. *In Defense of Martin Luther*. Milwaukee: Northwestern Publishing House, 1970.
- Parish Priests, comp., *Instructions in the Catholic Faith*. Catholic Bishops of the United States, 1971.
- Petry, Ray C., ed. *A History of Christianity*, Vol. 1. Grand Rapids: Baker Book House, 1962.
- Plass. Ewald M. *What Luther Says*. St. Louis: Concordia Publishing House, 1959.

Reed, Luther D. *The Lutheran Liturgy*. Philadelphia: Fortress Press, 1947.

Schroeder, H. J., tr. *Canons and Decrees of the Council of Trent*. Rockford, IL: TAN Books and Publishers, Inc., 1978.

Schuetze, Armin W: and Irwin J. Habeck. *The Shepherd Under Christ*. Milwaukee: Northwestern Publishing House, 1974.

Senkbeil, Harold L. *Sanctification: Christ in Action*. Milwaukee: Northwestern Publishing House, 1989.

Serrano, Edward. Untitled pamphlet. St. Paul, MN: The Leaflet Missal Co., 1991.

Stephan, Curtis C. "The Office of the Keys," *The Abiding Word*, Vol. 1, pp. 342-365. St. Louis: Concordia Publishing House, 1946.