

Early Dominican Confessional Practice

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At the beginning of the 13th century, the Fourth Lateran Council (1215) sanctioned a number of fresh efforts at evangelization. Among the major pastoral concerns that the conciliar decrees addressed, the sacrament of penance figures in a prominent way. Having established the requirement of annual confession as a fixed element of Christian life, the conciliar Fathers at the same time recognized the need to supply qualified priests who could competently exercise the ministry of reconciliation.

With Bishop Fulk of Toulouse, St Dominic was present at the Fourth Lateran Council, after which he obtained official approbation for his newly-begun work of preaching and hearing confessions. In 1221, Pope Honorius III granted universal faculties to Dominic's band of preachers-confessors. The international character of Dominic's mission in the Church meant of course that his friars would hear the confessions of persons caught up in the displacement that marked the beginning of European cosmopolitanism. This circumstance explains the advice that, according to Paul of Hungary, St Dominic himself gave to his brother priests, namely, that they should discreetly enquire during the course of the confession from where the penitent came, so that their spiritual counsel could take account of certain regional differences, such as local fasting customs. Of course, such advice would be hardly necessary for a parish priest who heard the confessions only of those under his permanent pastoral care.

Recent scholarship suggests that we should not underestimate the importance that hearing confessions played in the pastoral ministry of the early Dominican friars.¹ Now, a new edition of a thirteenth-century confessional formulary, the "*Summa Penitentiae Fratrum Predicatorum*," makes it plainly clear that theirs was a ministry of both the Word and the sacraments.² The text, moreover, allows us to glimpse what in all likelihood transpired in the everyday confessional of the first Friars Preachers. The small handbook is a practical guide or *confessionalia* designed for the priest to use while actually hearing confessions. It is thus to be distinguished from the more speculative manuals of moral theology, the so-called *summae confessorum*, that were developed as systematic treatises on questions relating to the virtues and vices, the

commandments, and other questions debated by moral theologians.

In the "*Summa Penitentiae*," the order of subjects treated reflects the sequence of the dialogue conducted between priest and penitent in the course of an auricular confession: First, an introductory section that describes how the penitent should be received and how to ascertain his or her status; secondly, a four-part examination of conscience that is made through a series of questions; thirdly, instructions for imposing penances, for helping the penitent make an act of contrition, and for granting absolution. In the initial stages of the dialogue, the confessor is directed to determine something about the status of the person, for instance, whether he is a cleric or a layman, a priest or a religious, well-educated or not, a soldier or from the gentry, a merchant or a farmer. These questions are required so that the priest will know "what kind of sins the person is capable of committing and what kind of satisfaction he or she can bear" (20–23). This initial exchange ends by encouraging the person to make a full and integral confession. Towards which end the priest reminds the penitent that God is merciful and that the priest is a "poor sinner" (*miser peccator*) who has himself committed or at least has listened to the telling of more sins than the penitent has committed (25–38). At the same time, the priest is "especially counselled" to avoid reacting demonstrably to the confession of an "enormous sin" lest the penitent become overly embarrassed and then omit something of importance from the confession.

The examination of conscience is conducted under four major headings. The first section, which reviews failures in the virtuous life under each of the seven capital vices, makes up the largest section of the examen. With respect to pride, the penitent is asked whether he humbly regards himself and his talents and whether he exaggerates or prefers himself to others; with respect to envy, whether he rejoices in a neighbour's misfortune or grieves at his prosperity as well as about hate, character assassination, and malicious whispering. The priest then asks whether the penitent has harboured wrath in his heart, whether his anger has broken out in contumacious words, and whether he has struck a cleric; next, whether he has grown slothful in performing spiritual exercises, whether he experiences tedium at hearing Mass and sermons, or while saying the breviary, or while performing other spiritual duties that are associated with his state of life. With respect to avarice, the priest asks about simony, the unlawful holding on to another's goods, theft, robbery and usury; with respect to gluttony, whether he has indulged in unreasonable eating and drinking—several examples of which are drawn from the Old Testament.

The discussion of capital lust takes up significant space. In addition

to asking about simple fornication, adultery, incest, and the illicit defloration of a virgin, the priest must enquire about species of this vice that “are better known through their acts than by their names” (104). Because questions about sexual misconduct and especially about unnatural sexual actions always occasion a certain uneasiness in both priest and penitent, the confessor is astutely advised to avoid asking forthright questions, and to begin tactfully with more routine occurrences such as the nocturnal emission. The thirteenth-century moralists considered the nocturnal emission a matter of moral concern to the extent that the representational causes developed from volitional activity, e.g., from unchaste looks and touches or from excessive consumption of food or liquor. Once the causes of the nightly phantasies have been determined, the priest can then enquire about the specifics of the transgression against chastity by running through a list of eight “circumstances” that fill out the particulars of the unchaste action. Of particular concern in this analysis, however, is the question “*quomodo*”, that is, how a person performs the sexual act; the priest is told to proceed very cautiously lest through an exercise of indiscretion a penitent might discover illicit sexual practices about which he would otherwise not have known. With a humane touch, the author advances the opinion that some questions about circumstances should be omitted in the case of very simple people or when confessing children.

In the second part of the examination of conscience, the penitent is asked to consider the Decalogue. For each of the ten commandments, the confessional guide includes matter not fully covered under the vices, such as taking the Lord’s name in vain “*sicut faciunt gallici et quidem alii pessimi*” (176). (One can only assume that the author was not French!) Likewise, the penitent is asked about such things as divination, servile work on Sunday, contraception (“*si fecit aliquid ne mulier conciperet*”), lying (including the jocose lie), and craving either the mobile or the immobile goods of one’s neighbour.

In the third part, the text raises questions about sinful behaviour that involves one of the five senses. The confessor asks, for example, whether the penitent has sinned through concupiscence of the eyes (sight), whether or not he uses musk oil to draw attention to himself (smell), whether he willingly listens to bar songs, but grows weary of hearing the Mass (hearing), whether he fasts at the appropriate times (taste), and finally, whether he engages in unchaste touches or uses his hands to commit business fraud (touch). The fourth and final element of the examination is based on a consideration of the interior and the exterior man: the latter category includes matters of dress and deportment, while the former asks the person to consider his or her

internal states and attitudes.

In the third part of the confession, the penitent is instructed about the sacramentality of penance. He is told that while God forgives his sins, the punishment for those sins must be sustained here and now. As satisfactory deeds, the priest proposes the classical means of fasting, prayer, the discipline, and alms; and this text includes the resolve to make peace with one's enemies (*votum pacis*). Prayer, we are told, heals sins against God, alms, sins against the neighbour, and fasting and the discipline, sins committed against one's own person. The priest is reminded not to give one and the same satisfaction for every sin, "like some miserable and avaricious priests who impose Mass offerings for every sin" (257-260). (The editors tell us that this practice had occasioned a local Synod at Angers to stipulate that priests not accept Mass stipends from those to whom they assigned them as satisfactory works in the confessional.) By way of afterthought in the text, the priest is reminded to ask about sins of omission according to the New Testament warning in Mt 25: 42. The text comes to a close with some fine points of moral theology and canon law, namely, concerning restricted circumstances for the marriage act and the sins that, according to the law of the day, were reserved either to the diocesan bishop (incest, defloration of a virgin, sacrilege, striking a father, and sodomy) or to the Roman Pontiff (arson, striking a cleric, simony).

The particular and auricular confession of sins constitutes an important part of the Church's penitential and sacramental practice. In the recent encyclical on moral teaching, *Veritatis splendor*, we are reminded that the truth about the moral life forms the basis for the Christian's claim on the power of the cross of Christ. Copies of the "*Summa Penitentiae Fratrum Predicatorum*" are found in manuscript collections all over Europe. This text witnesses then to the careful and humane way that the Friars Preachers fulfilled a grave work throughout the universal Church. It also demonstrates that a full and complete teaching about moral truth was a matter of special concern for men who were intent on drawing many persons into the full imitation of Christ.

- 1 See Leonard E. Boyle, "Notes on the Education of the *Fratres communes* in the Dominican Order in the Thirteenth Century", in *Xenia medii aevi historiam illustrantia oblata Thomas Kaeppeli OP*, ed. R. Creyvens and P. Künzle (Rome, 1978), 2 vols., 1: 249-267, and reprinted in *Pastoral Care, Clerical Education and Canon Law, 1200-1400* (London, 1981), no. VI.
- 2 See Joseph Goering and Pierre J. Payer, "The '*Summa Penitentiae Fratrum Predicatorum*': A Thirteenth-Century Confessional Formulary," *Mediaeval Studies* 55 (1993): 1-50. The authors favour the hypothesis that associates this confessional guide with the Dominican Order, a view especially supported by a manuscript (Ms. 326) in Trinity College (Dublin) that calls the work "of the Friars Preachers."