



The Holy See

JOHN PAUL II

APOSTOLIC LETTER
IN THE FORM OF *MOTU PROPRIO*

MISERICORDIA DEI

ON CERTAIN ASPECTS
OF THE CELEBRATION
OF THE SACRAMENT OF PENANCE

By the mercy of God, the Father who reconciles us to himself, the Word took flesh in the spotless womb of the Blessed Virgin Mary to save “his people from their sins” (*Mt* 1:21) and to open for them “the way of eternal salvation”.⁽¹⁾ By identifying Jesus as “the Lamb of God, who takes away the sin of the world” (*Jn* 1:29), Saint John the Baptist confirms this mission. In all his deeds and preaching, the Precursor issues a fervent and energetic summons to repentance and conversion, the sign of which is the baptism administered in the waters of the Jordan. Jesus himself underwent this penitential rite (cf. *Mt* 3:13-17), not because he had sinned, but because “he allows himself to be numbered among sinners; he is already ‘the Lamb of God who takes away the sin of the world’ (*Jn* 1:29); already he is anticipating the ‘baptism’ of his bloody death”.⁽²⁾

Salvation is therefore and above all redemption from sin, which hinders friendship with God, a liberation from the state of slavery in which man finds himself ever since he succumbed to the temptation of the Evil One and lost the freedom of the children of God (cf. *Rom* 8:21).

Christ entrusts to the Apostles the mission of proclaiming the Kingdom of God and preaching the Gospel of conversion (cf. *Mk* 16:15; *Mt* 28:18-20). On the evening of the day of his Resurrection, as the apostolic mission is about to begin, Jesus grants the Apostles, through the power of the Holy Spirit, the authority to reconcile repentant sinners with God and the Church: “Receive the Holy Spirit. If you forgive the sins of any, they are forgiven; if you retain the sins of any, they are

retained” (*Jn* 20:22-23).(3)

Down through history in the constant practice of the Church, the “ministry of reconciliation” (*2 Cor* 5:18), conferred through the Sacraments of Baptism and Penance, has always been seen as an essential and highly esteemed pastoral duty of the priestly ministry, performed in obedience to the command of Jesus. Through the centuries, the celebration of the Sacrament of Penance has developed in different forms, but it has always kept the same basic structure: it necessarily entails not only the action of the minister – only a Bishop or priest, who judges and absolves, tends and heals in the name of Christ – but also the actions of the penitent: contrition, confession and satisfaction.

I wrote in my Apostolic Letter *Novo Millennio Ineunte*: “I am asking for renewed pastoral courage in ensuring that the day-to-day teaching of Christian communities persuasively and effectively presents the practice of the Sacrament of Reconciliation. As you will recall, in 1984 I dealt with this subject in the Post-Synodal Exhortation *Reconciliatio et Paenitentia*, which synthesized the results of a General Assembly of the Synod of Bishops devoted to this question. My invitation then was to make every effort to face the crisis of ‘the sense of sin’ apparent in today’s culture. But I was even more insistent in calling for a rediscovery of Christ as *mysterium pietatis*, the one in whom God shows us his compassionate heart and reconciles us fully with himself. It is this face of Christ that must be rediscovered through the Sacrament of Penance, which for the faithful is ‘the ordinary way of obtaining forgiveness and the remission of serious sins committed after Baptism’. When the Synod addressed the problem, the crisis of the Sacrament was there for all to see, especially in some parts of the world. The causes of the crisis have not disappeared in the brief span of time since then. But the Jubilee Year, which has been particularly marked by a return to the Sacrament of Penance, has given us an encouraging message, which should not be ignored: if many people, and among them also many young people, have benefited from approaching this Sacrament, it is probably necessary that Pastors should arm themselves with more confidence, creativity and perseverance in presenting it and leading people to appreciate it”.(4)

With these words, I intended, as I do now, to encourage my Brother Bishops and earnestly appeal to them – and, through them, to all priests – to undertake a vigorous revitalization of the Sacrament of Reconciliation. This is a requirement of genuine charity and true pastoral justice,(5) and we should remember that the faithful, when they have the proper interior dispositions, have the right to receive personally the sacramental gift.

In order that the minister of the Sacrament may know the dispositions of penitents with a view to granting or withholding absolution and imposing a suitable penance, it is necessary that the faithful, as well as being aware of the sins they have committed, of being sorry for them and resolved not to fall into them again,(6) should also confess their sins. In this sense, the Council of Trent declared that it is necessary “by divine decree to confess each and every mortal sin”.(7) The Church has always seen an essential link between the judgement entrusted to the priest in the

Sacrament and the need for penitents to name their own sins,⁽⁸⁾ except where this is not possible. Since, therefore, the integral confession of serious sins is by divine decree a constitutive part of the Sacrament, it is in no way subject to the discretion of pastors (dispensation, interpretation, local customs, etc.). In the relevant disciplinary norms, the competent ecclesiastical authority merely indicates the criteria for distinguishing a real impossibility of confessing one's sins from other situations in which the impossibility is only apparent or can be surmounted.

In the present circumstances of the care of souls and responding to the concerned requests of many Brothers in the Episcopate, I consider it useful to recall some of the canonical laws in force regarding the celebration of this Sacrament and clarify certain aspects of them – in a spirit of communion with the responsibility proper to the entire Episcopate⁽⁹⁾ with a view to a better administration of the Sacrament. It is a question of ensuring an ever more faithful, and thus more fruitful, celebration of the gift entrusted to the Church by the Lord Jesus after his Resurrection (cf. *Jn* 20:19-23). This seems especially necessary, given that in some places there has been a tendency to abandon individual confession and wrongly to resort to “general” or “communal” absolution. In this case general absolution is no longer seen as an extraordinary means to be used in wholly exceptional situations. On the basis of an arbitrary extension of the conditions required for *grave necessity*,⁽¹⁰⁾ in practice there is a lessening of fidelity to the divine configuration of the Sacrament, and specifically regarding the need for individual confession, with consequent serious harm to the spiritual life of the faithful and to the holiness of the Church.

Thus, after consultation with the Congregation for the Doctrine of the Faith, the Congregation for Divine Worship and the Discipline of the Sacraments, and the Pontifical Council for Legislative Texts, and after hearing the views of venerable Brother Cardinals in charge of the dicasteries of the Roman Curia, and reaffirming Catholic doctrine on the Sacrament of Penance and Reconciliation as summarized in the *Catechism of the Catholic Church*,⁽¹¹⁾ conscious of my pastoral responsibility and fully aware of the need for this Sacrament and of its enduring efficacy, I decree the following:

1. Ordinaries are to remind all the ministers of the Sacrament of Penance that the universal law of the Church, applying Catholic doctrine in this area, has established that:

a) “Individual and integral confession and absolution are the sole ordinary means by which the faithful, conscious of grave sin, are reconciled with God and the Church; only physical or moral impossibility excuses from such confession, in which case reconciliation can be obtained in other ways”.⁽¹²⁾

b) Therefore, “all those of whom it is required by virtue of their ministry in the care of souls are obliged to ensure that the confessions of the faithful entrusted to them are heard when they reasonably ask, and that they are given the opportunity to approach individual confession, on days and at times set down for their convenience”.⁽¹³⁾

Moreover, all priests with faculties to administer the Sacrament of Penance are always to show themselves wholeheartedly disposed to administer it whenever the faithful make a reasonable request.⁽¹⁴⁾ An unwillingness to welcome the wounded sheep, and even to go out to them in order to bring them back into the fold, would be a sad sign of a lack of pastoral sensibility in those who, by priestly Ordination, must reflect the image of the Good Shepherd.

2. Local Ordinaries, and parish priests and rectors of churches and shrines, should periodically verify that the greatest possible provision is in fact being made for the faithful to confess their sins. It is particularly recommended that in places of worship confessors be visibly present at the advertized times, that these times be adapted to the real circumstances of penitents, and that confessions be especially available before Masses, and even during Mass if there are other priests available, in order to meet the needs of the faithful.⁽¹⁵⁾

3. Since “the faithful are obliged to confess, according to kind and number, all grave sins committed after Baptism of which they are conscious after careful examination and which have not yet been directly remitted by the Church’s power of the keys, nor acknowledged in individual confession”,⁽¹⁶⁾ any practice which restricts confession to a generic accusation of sin or of only one or two sins judged to be more important is to be reprobated. Indeed, in view of the fact that all the faithful are called to holiness, it is recommended that they confess venial sins also.⁽¹⁷⁾

4. In the light of and within the framework of the above norms, the absolution of a number of penitents at once without previous confession, as envisaged by Can. 961 of the Code of Canon Law, is to be correctly understood and administered. Such absolution is in fact “exceptional in character”⁽¹⁸⁾ and “cannot be imparted in a general manner unless:

1. *the danger of death is imminent* and there is not time for the priest or priests to hear the confessions of the individual penitents;

2. a *grave necessity* exists, that is, when in light of the number of penitents a supply of confessors is not readily available to hear the confessions of individuals in an appropriate way within an appropriate time, so that the penitents would be deprived of sacramental grace or Holy Communion for a long time through no fault of their own; it is not considered sufficient necessity if confessors cannot be readily available only because of the great number of penitents, as can occur on the occasion of some great feast or pilgrimage”.⁽¹⁹⁾

With reference to the case of *grave necessity*, the following clarification is made:

a) It refers to situations which are objectively exceptional, such as can occur in mission territories or in isolated communities of the faithful, where the priest can visit only once or very few times a year, or when war or weather conditions or similar factors permit.

b) The two conditions set down in the Canon to determine grave necessity are inseparable. Therefore, it is never just a question of whether individuals can have their confession heard “in an appropriate way” and “within an appropriate time” because of the shortage of priests; this must be combined with the fact that penitents would otherwise be forced to remain deprived of sacramental grace “for a long time”, through no fault of their own. Therefore, account must be taken of the overall circumstances of the penitents and of the Diocese, in what refers to its pastoral organization and the possibility of the faithful having access to the Sacrament of Penance.

c) The first condition, the impossibility of hearing confessions “in an appropriate way” “within an appropriate time”, refers only to the time reasonably required for the elements of a valid and worthy celebration of the Sacrament. It is not a question here of a more extended pastoral conversation, which can be left to more favourable circumstances. The reasonable and appropriate time within which confessions can be heard will depend upon the real possibilities of the confessor or confessors, and of the penitents themselves.

d) The second condition calls for a prudential judgement in order to assess how long penitents can be deprived of sacramental grace for there to be a true impossibility as described in Can. 960, presuming that there is no imminent danger of death. Such a judgement is not prudential if it distorts the sense of physical or moral impossibility, as would be the case, for example, if it was thought that a period of less than a month means remaining “for a long time” in such a state of privation.

e) It is not acceptable to contrive or to allow the contrivance of situations of apparent *grave necessity*, resulting from not administering the Sacrament in the ordinary way through a failure to implement the above mentioned norms,⁽²⁰⁾ and still less because of penitents' preference for general absolution, as if this were a normal option equivalent to the two ordinary forms set out in the Ritual.

f) The large number of penitents gathered on the occasion of a great feast or pilgrimage, or for reasons of tourism or because of today's increased mobility of people, does not in itself constitute sufficient necessity.

5. Judgement as to whether there exist the conditions required by Can. 961 §1, 2 is not a matter for the confessor but for “the diocesan Bishop who can determine cases of such necessity in the light of criteria agreed upon with other members of the Episcopal Conference”.⁽²¹⁾ These pastoral criteria must embody the pursuit of total fidelity, in the circumstances of their respective territories, to the fundamental criteria found in the universal discipline of the Church, which are themselves based upon the requirements deriving from the Sacrament of Penance itself as a divine institution.

6. Given the fundamental importance of full harmony among the Bishops' Conferences of the world in a matter so essential to the life of the Church, the various Conferences, observing Can.

455 § 2 of the Code of Canon Law, shall send as soon as possible to the Congregation for Divine Worship and the Discipline of the Sacraments the text of the norms which they intend to issue or update in the light of this *Motu Proprio* on the application of Can. 961. This will help to foster an ever greater communion among the Bishops of the Church as they encourage the faithful everywhere to draw abundantly from the four fountains of divine mercy which flow unceasingly in the Sacrament of Reconciliation.

In this perspective of communion it will also be appropriate for Diocesan Bishops to inform their respective Bishops' Conferences whether or not cases of *grave necessity* have occurred in their jurisdictions. It will then be the task of each Conference to inform the above-mentioned Congregation about the real situation in their regions and about any changes subsequently taking place.

7. As regards the personal disposition of penitents, it should be reiterated that:

a) "For the faithful to avail themselves

validly of sacramental absolution given to many at one time, it is required that they not only be suitably disposed but also at the same time intend to confess individually the serious sins which at present cannot be so confessed".(22)

b) As far as possible, including cases of imminent danger of death, there should be a preliminary exhortation to the faithful "that each person take care to make an act of contrition".(23)

c) It is clear that penitents living in a habitual state of serious sin and who do not intend to change their situation cannot validly receive absolution.

8. The obligation "to confess serious sins at least once a year"(24) remains, and therefore "a person who has had serious sins remitted by general absolution is to approach individual confession as soon as there is an opportunity to do so before receiving another general absolution, unless a just cause intervenes".(25)

9. Concerning the *place* and *confessional* for the celebration of the Sacrament, it should be remembered that:

a) "the proper place to hear sacramental confessions is a church or an oratory", (26) though it remains clear that pastoral reasons can justify celebrating the Sacrament in other places.(27)

b) confessionals are regulated by the norms issued by the respective Episcopal Conferences, who shall ensure that confessionals are located "in an open area" and have "a fixed grille", so as to permit the faithful and confessors themselves who may wish to make use of them to do so

freely.(28)

I decree that everything I have set down in this Apostolic Letter issued *Motu Proprio* shall have full and lasting force and be observed from this day forth, notwithstanding any provisions to the contrary. All that I have decreed in this Letter is, by its nature, valid for the venerable Oriental Catholic Churches in conformity with the respective Canons of their own Code.

Given in Rome, at Saint Peter's, on 7 April, the Second Sunday of Easter, the Feast of Divine Mercy, in the year of our Lord 2002, the twenty-fourth of my Pontificate.

JOHN PAUL II

(1) *Roman Missal*, Advent Preface I.

(2) *Catechism of the Catholic Church*, 536.

(3) Cf. Ecumenical Council of Trent, Session XIV, *De Sacramento Paenitentiae*, Can. 3: DS 1703.

(4) No. 37: AAS 93 (2001) 292.

(5) Cf. *Code of Canon Law*, Cans. 213 and 843 § 1.

(6) Cf. Ecumenical Council of Trent, Session XIV, *Doctrina de Sacramento Paenitentiae*, Chap. 4: DS 1676.

(7) *Ibid.*, Can. 7: DS 1707.

(8) *Ibid.*, Chap. 5: DS 1679; Ecumenical Council of Florence, *Decree for the Armenians* (22 November 1439): DS 1323.

(9) Cf. Can. 392; Second Vatican Ecumenical Council, Dogmatic Constitution on the Church *Lumen Gentium*, Nos. 23, 27; Decree on the Pastoral Ministry of Bishops *Christus Dominus*, No. 16.

(10) Cf. Can. 961, § 1, 2.

(11) Cf. Nos. 980-987; 1114-1134; 1420-1498.

(12) Can. 960.

(13) Can. 986, § 1.

(14) Cf. Second Vatican Ecumenical Council, Decree on the Ministry and Life of Priests *Presbyterorum Ordinis*, 13; *Ordo Paenitentiae, editio typica*, 1974, *Praenotanda*, No. 10, b.

(15) Cf. Congregation for Divine Worship and the Discipline of the Sacraments, *Responsa ad dubia proposita: Notitiae*, 37 (2001) 259-260

(16) Can. 988, § 1.

(17) Cf. Can. 988, § 2: John Paul II, Post-Synodal Apostolic Exhortation *Reconciliatio et Paenitentia* (2 December 1984), 32: *AAS* 77 (1985) 267; *Catechism of the Catholic Church*, 1458.

(18) John Paul II, Post-Synodal Apostolic Exhortation *Reconciliatio et Paenitentia* (2 December 1984), 32: *AAS* 77 (1985) 267.

(19) Can. 961, § 1.

(20) Cf. above Nos. 1 and 2.

(21) Can. 961, § 2.

(22) Can. 962, § 1.

(23) Can. 962, § 2.

(24) Can. 989.

(25) Can. 963.

(26) Can. 964, § 1.

(27) Cf. Can. 964 § 3.

(28) Pontifical Council for the Interpretation of Legislative Texts, *Responsa ad propositum dubium: de loco excipiendi sacramentales confessiones* (7 July 1998): *AAS* 90 (1998) 711.

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