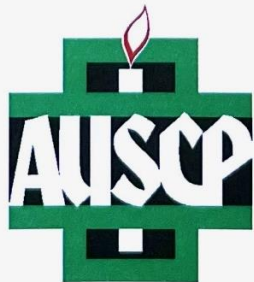


**AUSCP  
BACKGROUND DOCUMENT  
TO  
A REQUEST  
TO  
THE UNITED STATES CONFERENCE OF CATHOLIC BISHOPS  
URGING FULL  
RESTORATION AND IMPLEMENTATION  
OF THE RITE OF PENANCE**



**An AUSCP Publication**

January 15, 2015

©2015 by AUSCP

Published by AUSCP  
By decision of the Leadership Group/Board of Directors  
January 15, 2015

With special thanks to  
AUSCP Members;  
Rev. James Dallen, S.T.D., primary author,  
Rev. David Buersmeyer, S.T.L., consulting,  
and  
Joseph J. Martos, Ph.D., contributing.

## **Background to this Request**

During its 2013 Assembly in Seattle WA, the Association of U.S. Catholic Priests passed with strong consensus (2.4 on a scale of -3 to +3) a resolution proposed by its members urging “the USCCB to encourage the re-introduction of general absolution in U.S. parishes.” Subsequent work toward acting on the resolution made clear that the language of that resolution failed to distinguish “general absolution” from Rite 3 in the Rite of Penance (RP) authorized by the Vatican in 1973. The intent of the resolution is embodied in this request to the USCCB. It calls not for “general absolution” but for full implementation of the Rite of Penance, including Rite 3, the fully communal celebration with communal confession and absolution.

The pastoral value of allowing full use of the Rite of Penance for the faithful’s well-being motivates this request. That was the original intent of Vatican Council II’s call for revision: “The rites and formulas of penance are to be revised in such a way that they express more clearly the nature and effect of the sacrament” (*Sacrosanctum concilium* [SC], 72). The pastoral advantage to the faithful also underlies the Council’s insistence that “a community celebration, with a congregation present and actively participating . . . is to be preferred, as far as possible, to an individual and quasi-private celebration” (SC 27).

In support of our request, we will note aspects of the sacrament’s history and the RP’s theology as well as pastoral advantages to the faithful. We conclude that at this time in the United States Rite 3 can help restore the sacrament to more frequent and meaningful celebration. On that basis we urge full implementation of the RP and ask that the USCCB do what only it can to make that possible. Specifically, we priest members of the AUSCP urge the USCCB to request an indult from the Holy See to allow use of Rite 3 as part of the pastoral practice of the Church in the United States. The current restrictions on use of that form curtail the pastoral effectiveness of the sacrament, contribute to less frequent celebration, and limit the flow of God’s merciful love through the sacraments of the church into the hearts and minds of our faith communities and society at large. That situation need not---should not---continue. Further consideration of the current pastoral need for Rite 3 in the United States is found at the end of this paper (pp.11ff).

## **The Sacrament of Penance and Reconciliation in Scripture and History**

Our God is a God of mercy and compassion. Out of mercy, God did not slay our first parents for their sin. Out of compassion, God saved Noah and his family from the Flood. Out of mercy, God rescued the children of Abraham from slavery. Out of compassion, God promised a redeemer to Israel after its defeat and exile. In the fullness of time, God sent his only-begotten Son to make manifest and felt his love for humankind and to save people from their sins by bringing them into a community of salvation.

Jesus was and is a sacrament of God, incarnating in human form God's concern for people and their well-being, and revealing the Father's love and forgiveness. He healed people who came to him, and he forgave all those who acknowledged their sins. From the cross he even asked the Father to forgive those who had plotted and brought about his death. He taught his followers to forgive sins.

The apostles preached baptism for the forgiveness of sins. But soon the Church had to deal publicly with the reality of serious sin within the community of saints, challenging sinners ("binding") and supporting their conversion and reconciliation ("loosing"). This was the beginning of what we call the sacrament of reconciliation or sacrament of penance or confession. Its forms through history have been as varied as its names, with the Church slowly but surely adapting to meet the needs of repentant sinners in different pastoral settings.

The most striking form that developed in the ancient Church was the once-in-a-lifetime process of public repentance in the order of penitents. This second conversion (*paenitentia secunda*) paralleled the first that took place in the catechumenate and gave the name "penance" to the process. Conversion was the focus. It took place with community support and led to restored communion with the Church. This was the only official means of reconciling repentant serious sinners for four centuries. As canonically regulated in the fifth and sixth centuries, it became increasingly strict and punitive. People avoided it to the extent that the only form commonly used was penance for the dying.

But when missionary monks from Ireland carried the gospel back into the heartland of Europe in the seventh century, they brought with them a practice borrowed from Eastern monasticism -- confessing faults to a spiritual father. They extended this practice to laypeople who sought assurance of God's forgiveness without undergoing the severity of the order of penitents. The penalties were much the same, but paying the price privately was easier. In this "tariff" perspective penance as conversion was becoming penance as penalty or satisfaction. Despite controversy and condemnation -- because it was contrary to canon law -- this repeatable private confession became popular. By the ninth and tenth centuries bishops approved it on condition that the confessor be a priest -- not all confessors had been ordained or male -- and that he absolve the penitent before the penitent returned to Eucharistic communion. Because penitents frequently failed to return for absolution after completing their assigned penance, the practice soon developed of granting absolution immediately after the confession of sins and assignment of penance. The penance then declined in importance and often became a token set of prayers. "Confession" had replaced "penance" as the name and most prominent part of the process.

Lateran Council IV (1215) established the requirement of annual confession of sin to one's pastor. Theologians eventually explained that only those conscious of having committed mortal

sin were obligated. Regulations later permitted the confession to be made to any priest approved for hearing confessions.

In the sixteenth century the Council of Trent defended the requirement of complete or integral confession to a priest against Protestant critics and insisted on the authoritative character of priestly absolution (Session 14, on Penance, canons 7-9). Using a judicial analogy -- though stating that a medical analogy was equally apropos -- the Council saw the priest as a judge needing to know the particulars of the case in order to recognize the penitent's contrition and grant absolution. Though Trent uses *ius divinum* with a variety of meanings, here it is certainly more than an arbitrary norm. Trent saw the current discipline as in line with Christ's will. But it did not exclude the possibility of a different discipline; e.g., it did not condemn the differing practice of the Eastern Churches, which it was probably not aware of. Nor did it exclude the possibility of another form realizing the same values. Other forms simply were not at issue -- only the discipline in force.

The value of integral confession seems presented as primarily juridical, in line with the judicial character of absolution, as evidence of genuine conversion and basis for the priest's judgment. Theological discussion later established that absolution could be given when confession was physically (e.g., language, time) or morally (e.g., reputation, scandal) impossible. In practice, however, only physical impossibility was taken into account. Psychological factors received little attention. Community worship was beyond the horizon.

Over the centuries the sacrament underwent far-reaching changes in order to meet pastoral needs. But from the sixteenth to the twentieth century the only ritual changes were to minimize liturgy and prayer in order to highlight confession and absolution. The medieval linking of confession and communion meant that, as communion increased in frequency, so did confession, reaching a peak in the 1940s and 1950s and then beginning to decline. Abbreviating the ritual was a pastoral accommodation. When the penitent was advised to make the act of contrition beforehand in order to listen to the priest's absolution the last vestige of prayer and worship was effectively gone.

### **Twentieth-Century Theological and Pastoral Renewal**

Given the history of significant changes in the sacrament traced above, it is not surprising that further change developed in the 20<sup>th</sup> century. The change was twofold: recognition of the communal character of the sacrament and introduction of communal celebrations of the sacrament. As with each change the sacrament took on certain characteristics and distinct nomenclature -- canonical penance with emphasis on penance, tariff penance with emphasis on satisfaction, auricular integral confession with emphasis on confession -- so now developed reconciliation with emphasis on God's reconciling mercy within the whole community. As usual,

this change of emphasis brought with it new developments – communal celebrations, including a rite for communal confession and absolution.

Historical studies done in the 19<sup>th</sup> and 20<sup>th</sup> centuries prepared for a reconsideration of what was then generally called ‘confession’. The understanding that real change takes place over time and acknowledgement that rites and theologies must be seen in context culminated in recognition of the communal character of ancient penance.

Theologians then began to re-examine the *res et sacramentum* of penance. In traditional theology the *res et sacramentum* is the connection between the ritual signs (*sacramentum*) and the grace-reality (*res*) of a sacrament. It is the way God’s Holy Spirit surfaces within human experience, the way in which the ultimate graced communion with God is humanly felt. Scholastic and neo-scholastic theology regarded the *res et sacramentum* of penance as interior penance or repentance, sincere contrition (or, in some theological circles, mere attrition) for one’s sins. The individualism of private confession, the only form of the sacrament for a millennium, largely determined that perspective. The rediscovery of reconciliation with the Church as the goal of postbaptismal conversion meant that the sacrament has a communal and ecclesial character and effect: return to communion with the Church is the *res et sacramentum* of penance. By the mid-twentieth century this was the consensus among theologians.

If reconciliation with the Church is the *res et sacramentum* of penance, then penitents, as active participants in the sacrament, should experience very clearly within the sacramental ritual itself returning to or being in ecclesial communion. Thus, the theological rediscovery of reconciliation with the Church was accompanied by the grassroots introduction of the first new form of celebrating the sacrament in a millennium, communal celebrations. The rituals of the ancient order of penitents and medieval communal absolutions in the liturgy provided precedent. These long-forgotten liturgies and the newly emerging celebrations contrasted sharply with the familiar, non-liturgical, private confession.

Parishes in France, Belgium, the Netherlands, and Germany began to offer liturgical services for penitents in the late 1950s and early 1960s. The celebrations came into use for several reasons: to prepare infrequent penitents for the sacrament at Christmas and Easter; to prepare children for the sacrament; to deepen the spirit of conversion; to restore the communal dimension; to provide a more formative experience. These were full liturgical celebrations with scripture readings and preaching, communal song and prayer. The assembly’s prayer in these services centered on acknowledging sinfulness and asking forgiveness, deepening conversion or seeking restoration to the divine communion.

The services took various forms. All were communal worship providing example, support, and prayer. Though they contained prayers for forgiveness, some celebrations included no

declaration of absolution, leading to theological debate regarding their sacramentality. Other celebrations, however, were clearly and intentionally sacramental, with a public or communal declaration of absolution. Some communal services included the opportunity for penitents to confess individually to the priest, with either individual or communal absolution following. Other services were fully communal, with communal absolution after a communal or general confession. Services with communal confession and absolution were the most controversial.

The only analog to these developments familiar to most people was wartime general absolution. (The Latin *generalis* contrasts with *singularis*, thus the contrasting meanings of “communal” and “individual,” rather than “general” and “singular.”) The large-scale mobilization of troops and the serious threats to civilian populations in the World Wars of the twentieth century made it more common and canonically regulated. General absolution was clearly intended for extraordinary or exceptional situations where individual confession was impossible, though not only because of danger of death. The 1944 instruction, *Ut dubia*, extended its use to other situations where there was a grave and urgent necessity proportionate to the divine precept to make individual integral confession. As an example, not taxative, the instruction mentioned deprivation of sacramental grace and Holy Communion for a long time.

This general absolution without previous individual confession was quick and to the point, usually the priest’s explanation and exhortation to contrition, a brief opportunity for examination of conscience and an act of contrition, then absolution. Though a group was present, prayer was individual and private, not part of liturgical celebration, and there was no common intercession or thanksgiving. The absolution was not part of community worship.

Communal absolution in the newly developed celebrations was very different. It took place in a stable liturgical community rather than in an ad hoc gathering in a critical situation. It was part of communal worship rather than a grant of forgiveness after a private act of contrition. In an emergency there would be no time to select scriptures and hymns, plan a homily and examination of conscience, schedule and announce the celebration, and gather musicians, priests, and other ministers. The difference between the two is substantial enough to justify the term “communal” or “public.”

### **Vatican Council II and the Reform of Penance**

Reading the signs of the times, Vatican Council II set itself to the reform of the Church. That included the sacrament of penance: “the rites and formulas of penance are to be reformed so that they more clearly express the nature and effect of the sacrament” (SC 72). The *acta* and an official declaration indicate the intent: to emphasize the communal character of the sacrament and the sacrament’s effect, reconciliation with the Church. The Council later highlighted this in the Constitution on the Church: “Those who approach the sacrament of penance obtain pardon

from his mercy of [any] offense against God and are, at the same time, reconciled with the Church which they have wounded by sinning, and which works for their conversion by charity, example, and prayers" (*Lumen gentium*, 11). The same link is made in the Decree on the Ministry and Life of Priests (*Presbyterorum ordinis*, 5). Twentieth-century theological and pastoral developments provided the seeds that flowered in the reform of Vatican Council II.

Four criteria were to guide the workgroup responsible for preparing the new ritual. First was the nature of sin as an offense against both God and Church. Second, reconciliation with God and with the Church take place at the same time. Third, the whole Church works with the converting sinner through charity, example, and prayer. Finally, the ritual should express the sacrament's value for fostering the Christian life.

Intense controversy arose within the Curia, particularly with the Congregation of the Doctrine of the Faith (CDF), when the decision was made to include non-judicial formulas for absolution and fully communal celebrations (with communal confession and absolution). As early as 1966 the CDF had expressed reservations about the emphasis given the social dimension of the sacrament and reconciliation with the Church. After the new ritual was finished in 1969, the CDF delayed it for two and a half years until its 1972 Pastoral Norms gave cautious approval to communal celebrations and set restrictions on those with communal absolution.

The new norms somewhat relaxed the 1944 regulations. Necessity was grave but not urgent. Penitents were deprived of either Holy Communion or the grace of the sacrament of penance for a long time, not necessarily both. Priests could sometimes give general absolution in situations the bishop had not provided for. Most importantly, absolution was now recognized as part of community worship, not a response to an emergency situation. However, penance, unlike other sacraments, was not to be celebrated as part of Mass. Appreciation of the communal dimension of sin, conversion, and liturgy was minimal.

A new workgroup met within a week. It utilized the first group's research and work and the experience of liturgical renewal to complete the new ritual in less than six months. Though the workgroup's intentions were to allow more liberal use of the fully communal celebration, changes made by the CDF downplayed communal celebration in favor of the individual.

## **The Rite of Penance**

The Congregation for Divine Worship (CDW) promulgated the *Ordo Paenitentiae* on 2 December 1973 and published it on 7 February 1974. The English translation, *Rite of Penance*, was submitted to Rome on 4 March 1975, confirmed on 11 March 1975, and put into effect in the U.S. on 27 February 1977. The theological introduction and the liturgical rites show the intent to respond to the Council's mandate for reform and to comply with the criteria for



reform. Though the RP does not contradict the 1972 Norms, it gives them a fuller context -- especially the worship character of the three rites -- which affects their interpretation.

Chapter 1 gives the *ordo* or rite for reconciling individual penitents, a liturgy celebrated by penitent and priest (RP 11). Notable for its humane atmosphere, optional (!) scripture, personal dialogue and conversational manner, and prayer by priest and penitent, Rite 1 has higher expectations of both than did the preconciliar private confession.

Chapter 2 gives the *ordo* or rite for reconciling several penitents with individual and private confession and absolution. The RP presents a liturgy that the assembled community celebrates. The assembly gathers in prayer. It celebrates the Word of God, with homily and examination of conscience. Then, in beginning the rite of reconciliation the assembly makes a communal confession and prays the Lord's Prayer. Those who wish go to a priest for individual private confession, assignment of penance, and absolution. (The expectation of personal dialogue is the same as in Rite 1.) When they have all returned to the assembly, there is a communal thanksgiving proclaiming God's mercy and a concluding prayer of thanksgiving by the priest before the blessing and dismissal.

Chapter 3 gives the *ordo* or rite for reconciling several penitents with communal confession and absolution. The structure is much the same as in Rite 2. An instruction is given after the homily or as part of it and those wishing to receive absolution indicate it with a sign. A proclamation of praise follows absolution in the form of a hymn or song; there is no concluding prayer of thanksgiving because the service is fully communal throughout. The service concludes with a blessing and dismissal. That Rite 3 was not originally envisioned as intended only for emergencies is evident in that the RP describes how the rite can be shortened if necessary (RP 64) or even reduced to a short form of absolution if death is imminent (RP 65).

With Rite 3, there is a requirement or residual obligation of confessing grave sins individually to a priest. Though the 1972 Norms present this as a consequence of Lateran IV's requirement of annual confession of grave sins, its purpose is not merely juridical. The requirement is to seek assistance in conversion through pastoral counseling and spiritual direction. Rite 2 carries with it no such obligation, even though penitents are unlikely to receive counseling and spiritual direction when it is celebrated, suggesting that in the RP the obligation is mostly juridical. A just cause excuses the penitent from the obligation [canon 963], indicating that the obligation is not as serious after absolution as it was before. Penitents may receive general absolution again, apparently repeatedly, if there is no opportunity to speak privately with a confessor.

Appendix 2 gives examples of nonsacramental penitential celebrations (see RP 36-37). They are strongly encouraged for fostering conversion, for preparing people, especially children, to

celebrate the sacrament later, and as an aid to perfect contrition when the sacrament cannot be celebrated. There is no individual confession and no absolution, individual or communal.

Rite 3, the fully communal celebration, best expresses the theological character of the reform. However, its contrast with traditional private confession and relationship to the teaching of the Council of Trent has meant continued controversy.

Theologians have shown that Trent's defense of private confession does not prohibit the modern development of communal absolution within a communal liturgy. Complete (integral) confession is, in the Tridentine teaching and discipline, a conditioned necessity. Physical or moral obstacles can prevent it. Trent does not say what circumstances require it and which do not. Primary values are the penitent's openheartedness and the Church's ministry to its members in service to the reign of God. But other means of showing sincerity of conversion can be authorized and other values can take precedence in a different setting.

Resituating Trent's teaching and general absolution in the context of community worship necessarily transforms perspectives, even on integrity. Thus, the RP, in citing Trent, tempered and dejuridicized its statement that complete confession of grave sins is necessary (*necessarium*) by divine law (*iure divino*). Instead, it says that the penitent ought (*debet*) to make a complete confession "according to the plan of our merciful God" (*iuxta misericordis Dei dispositionem*).

However, tensions that surfaced during the Council and accompanied the preparation of the reformed rite were still strong in the years that followed the promulgation of the RP. The Curia's negative view of communal liturgy was still apparent. Tensions seem related to perceived conflicts between Trent and Vatican II, particularly as regards communal liturgies. Differences seem to have created some tensions between bishops and Curia. Several bishops who implemented the whole of the RP, including Rite 3, were reprimanded.

The 1983 Code of Canon Law tightened restrictions, underlining the exceptional -- but not solely emergency -- character of general absolution. It mentions reconciliation only in defining the sacrament (959) and in stating the ordinary requirement of complete or integral confession (960). "Confession" is the preferred term throughout. Communal celebrations are never mentioned, not even in restrictions on general absolution (961-963). The Code thus returned to the 1972 Norms with the 1944 understanding of absolution granted after an individual act of contrition, with little regard for the Council's call for reform and preference for communal celebrations. The RP was then amended to comply, clarifying restrictions and giving a rewording that seems designed to lessen emphasis on the social and ecclesial dimension.

The 1983 Synod on Penance and Reconciliation was an opportunity for some bishops to recommend wider use of Rite 3. In his 1984 post-synodal exhortation *Reconciliatio et*

*Paenitentia* Pope John Paul II responded and argued for the “profoundly personal” character of the sacrament and thus the priority of private confession. (Rite 2 is equivalent, because it includes individual confession. Pastoral experience, however, indicates that the dialogue here is not profoundly personal.) Rite 3 is for emergency use only, when penitents cannot comply with the Tridentine requirement. Characteristic features of twentieth-century reform and renewal—the social and ecclesial dimension, worship, communal celebration, people’s participation as a community -- receive little attention. Pope John Paul states that the purpose of Vatican II’s reform was to make clearer the fundamental teachings on penance that the Council of Trent had brought together. Because of his emphasis on the personal character of the sacrament, his usual presentation of the Church’s social teaching is muted; e.g., the Church’s ministry of reconciliation is primarily calling individuals to conversion. In a *motu proprio* in 2002, *Misericordia Dei*, he again called for the revitalization of the sacrament by compliance with canonical norms, especially those regulating general absolution.

The previous practice of granting indulgences for general absolution was one reason for the postconciliar workgroup’s commission to develop a liturgy for communal confession and absolution. During the 1960s Rome granted at least 48 indulgences for general absolution, several without the residual obligation of presenting grave sins to a priest later. Most of these were for mission territories where there were few priests and travel was difficult; e.g., Sudan, Uganda, Papua-New Guinea.

After the RP, the Roman Curia intervened when national conferences of bishops or individual bishops used or planned to use Rite 3; e.g., Australia, Ireland, Portugal, the British Isles. Papal comments and repeated instructions (e.g., by the CDW in 1999 and 2000) indicate tensions between Curia and diocesan bishops.

Tensions are still with us. Critics of Rite 3 still seem to see it competing with traditional private confession and needing to be restricted in order to protect private confession. Our hope is that we can now transcend disagreement and ideology to make Christ’s message of mercy and reconciliation more deeply felt among our people and to revitalize the sacrament of penance in our parishes. For pastoral reasons we urge our bishops to seek an indulgence for the broader use of Rite 3 in the United States.

### **The Pastoral Value of Rite 3 in the U.S.**

The massive and widespread decline in the faithful’s celebrating the sacrament of penance, whether privately or communally, is beyond debate. The decline seems to have begun in the 1950s. A staple of Catholic piety, what some historians have called the “basic sacrament” of Counter-Reformation Catholicism, has collapsed almost as radically as the ancient system did. The 2008 CARA study indicated that 45% of U.S. Catholics never celebrate the sacrament and another 30% do so less than once a year. Even among those who participate in Mass weekly or

more often, 15% never celebrate it and 23% do so less than once a year. (Which forms are used is not indicated.)

The causes of the decline are many: e.g., a changing sense of sin, dissent from Church teaching, concerns about clergy sex abuse, other ways of experiencing conversion and reconciliation, dissatisfaction with available forms of the sacrament. In some cases these are moral obstacles to integral confession, as real as the physical obstacles that have received more attention. A reversal of the decline seems as unlikely as the revival of the ancient order of penitents was in the ninth century or is now.

In addition, neither Rite 1 nor Rite 2 is celebrated according to the RP. The standard rote confession is inadequate and improper -- that is why there was a reform. But Rite 1 has such heightened expectations of priest and penitent (e.g., personal dialogue for pastoral counseling and spiritual direction, as needed) that there would not be enough confessors if people were coming to celebrate Rite 1 in the numbers that came for private confession in the 1950s. In many parishes confessions are still heard and Rite 1 is not really used. A reason for people's dissatisfaction is that they do not experience confession as worship, but worship is where they are accustomed to experience God in Church.

When Rite 2 is celebrated it is generally impossible to gather enough confessors to hear individual confessions properly within an appropriate time period, not with the personal dialogue the RP envisions and the time limits people expect. Penitents generally feel constrained to confess as quickly and concisely as in traditional rote confession or to mention only one or two "items." Priests in turn feel pressured to make compromises, encouraging brevity of confession, saying little in response, and accepting that people will leave before all finish confessing sins and join together in confessing God's mercy in grateful praise. In many, perhaps most, parishes, penitents return to an assembly that has gone home. The liturgy is experienced more as a preparation for private confession than as communal reconciliation, but the private confession is far from what the RP expects.

The nonsacramental penitential celebrations of the RP are rarely used, usually for fear they might be confused with the sacrament. The International Theological Commission in 1984 recommended them because they foster perfect contrition when the sacrament of reconciliation cannot be celebrated, thus allowing reception of Holy Communion according to the teaching of the Council of Trent. The liturgical celebration, together with the desire for the sacrament, expresses the ecclesial dimension.

The vast majority of active Catholics regularly experience expressing sorrow for sin and seeking forgiveness communally only in the non-sacramental Penitential Act at Mass. Most seem satisfied with that and with such expressions of reconciliation in the Mass as the sign of peace,

together with a heightened sense of Holy Communion as communion. If they are to have the sacramental experience of being called to conversion and embraced in the Church's communion regularly, it will only be if Rite 3 is approved for pastoral use in the United States.

Rite 3 is the form of celebration that best corresponds to Vatican II's call for reform, especially when the other two forms are not or cannot be celebrated properly. Without it the decline will likely continue. The sacrament of penance will become as marginal in the lives of Catholic Christians as penance was at the end of the ancient period -- for the dying -- or as the sacrament of anointing was for a millennium. A broader use of Rite 3 can help restore the vitality of penance in Catholic life as a sacrament of God's love and forgiving mercy. We see this as important for our people and for the communal well-being of our Church and our society. The situation appears to us as a "grave necessity" calling for the use of Rite 3 (canon 961), even though it is not exactly the same as the example given in the canon.

Despite tensions and canonical restrictions, all three forms of sacramental celebration have a place in the Church's ministry to its members. In each of them, as in celebrations of other sacraments, penitents can encounter Christ personally. One may be more appropriate for reconciliation after grave sin and another more appropriate for what has in recent centuries been called "devotional confession." Rite 1, properly celebrated, should be available weekly in our parishes. Either Rite 2 (if enough priests can gather for proper celebration) or Rite 3 should be available on a regular basis, perhaps monthly, not just in preparation for Easter and Christmas. Still, it is especially during Advent and Lent that the value of Rite 3 will be apparent, when parish communities can gather and, as communities, commit anew to conversion, experience the merciful love of God, and work with the Lord in his ministry of reconciliation.

God's mercy has been a constant theme in the ministry of Pope Francis: "mercy is at the heart of the Gospel!" Paramount among the values and benefits of Rite 3 is the priority it gives God's mercy in our justification and salvation. Penance and satisfaction over a lengthy period of time were the evidence of conversion in the ancient period. Accepting individual confession and absolution relativized penance and satisfaction and gave greater prominence to confession as expression of sincere conversion. Similarly, Rite 3 indicates that God's mercy and gratuitous grace, not the penitent's actions, reconciles the sinner with God and Church. Even confession is relativized, as the parable of the prodigal son suggests: the father's love and compassion cuts off the son's attempt at confession.

The proclamation of God's mercy speaks to our pastoral situation and especially helps heal those who, to use Pope Francis' image, have found the confessional to be a torture chamber. But Rite 3 has other values. Even more than Rite 2, Rite 3 enables penitents to experience reconciliation in and with community as indication of their reconciliation with the Church and God. Through their participation in the liturgy by which the Church is renewed (RP 11),

members of the assembly support and assist one another in the process of conversion and reconciliation. They form their consciences in response to God's Word and with the assistance of instruction, homily, and common reflection and prayer. That conversion and reconciliation are a process in everyday life and not reducible to ritual is made clear in the course of the community's worship. Showing the priority of God's mercy is matched by showing trust in penitents' conscience and mature sense of responsibility, allowing them to benefit from a more frequent celebration and to determine the help that they need to continue ongoing conversion and reconciliation.

Another factor that deserves consideration is how a well-prepared, pastorally sensitive and fuller use of Rite 3 may actually lead more penitents to incorporate Rite 1 into their ongoing lives. Forbidding the use of Rite 3 except under rarely experienced conditions combined with more focused preaching about the importance of individual confession has not led to a large increase in participation of the sacrament, except among a devotional few. Those who experience grave sins are not turning to the sacrament for repentance and conversion. We should not underestimate the power of God's mercy within the fully sacramental Rite 3 to move hearts in the future toward the value of periodic personal confession with its availability of pastoral counseling and spiritual direction.

Conscious of the pastoral advantage to our people, we, members of the Association of U.S. Catholic Priests, urge our bishops to read the clear signs of our times regarding the sacrament of penance and reconciliation. We ask them, as the United States Conference of Catholic Bishops, to request an indult from the Holy See to allow celebration of Rite 3 of the Rite of Penance in parishes in our country. We are sending a copy of this request to the Committee on Divine Worship and recommending that our members discuss this request with their bishops.