

Brief for Defense

By the Reverend Milo Mahan

What follows was written by the Revd Milo Mahan D.D., when accused of holding false doctrine on the subject of Confession, by the Right Revd. Wm. R. Whittingham D.D., Bishop of Maryland. It constitutes his justification of himself under that charge. It was never published, because the Bishop of Maryland withdrew the charge, and Dr. Mahan was elected Professor of Systematic Divinity in the General Theological Seminary, June 30. 1870, notwithstanding the slurs & insinuations which he refers to in this MSS., & which had cost them place at that time.

Dr. Mahan appears to have intended to republish Gray's *Statement on Confession*; and these remarks were to have constituted a Preface to the American reprint.

This copy was made by Mrs. Mary G. Parker of Elizabethtown, N.J.

[The above is in the handwriting of the Reverend Dr. Morgan Dix, Rector of Trinity Church, Wall Street, New York—RJM]

Brief for Defense

The following "Statement on Confession" was drawn out as the Author declared by misunderstanding of his teaching on the subject: what he had really taught having been more or less distorted by "mere hearsay evidence on the one hand or misstatements of anonymous writers on the other."

The present Editor, to whom the writer has kindly given his permission to republish the tract in America is in a much more trying position. For he has been accused publicly in the Board of Trustees of The General Theological Seminary, not on mere hearsay evidence, nor by an anonymous scribbler, but by his own Diocesan, with whom he had every reason to think himself on terms of doctrinal accord, as well as of personal friendship, and from whose hand he had received but a few weeks before, on leaving home for a short trip in Europe, most ample and cordial letters of commendation, addressed to all "Catholic Bishops." This Father in the House of GOD, a man venerable for age and learning, as well as for long and faithful service to the Church, has seen fit without a syllable of warning and explanation to assail the undersigned with the same charges substantially as that to which the Author of the following tract replies: and in lieu of such evidence as a charge of false teaching demands, he has not disdained to use the weight of his own personal character & testimony, fortified by vehement declarations of confidence in the victim whom he was thus sacrificing for the purpose of affixing a stigma, which a man in his position may in a moment of lawless passion inflict, but which unhappily he has no power even if he desires it, to efface.

What is worse, any fraction of the House of Bishops, who happens to be present in the Board of Trustees have the unhappy prerogative of a veto on all elections by the Board, if only they can get a majority of the small fraction to concur. A privilege so absurd and so manifestly calculated to lead Episcopal novices into a snare, has been hitherto carefully declined by the prudence of our older prelates. But in the present instance, one of the two older of the Bishops present having been betrayed (as I believe) into the part of a sudden accuser and the other, Bp. Odenheimer, having warmly taken the part of the accused, as well he might, on the ground of a long, close, and cordial theological intimacy, the whole affair fell into the hands of four newly created Bishops, ho not having been sufficiently long in the exercise of their high office to have learned with S. Peter that they also are Elders, considered it a small matter to admit an accusation against an elder, and that the cruel blow already inflicted might lose nothing of it's effect by delay, they promptly invoked an unused prerogative of their Order, zealously upbraided the entire force of the American Episcopate and on the ground of

some *alleged unsoundness in the faith* vaguely, but vehemently affirmed by one Bishop, but squarely met and strenuously denied by the testimony of two Bishops, who have known me and my opinions, and my ways of teaching for a score of years at least, of cordial intimacy—They did what for the Church's sake and for the honor of the Episcopate I cannot but deeply regret: though, as far as I am personally concerned, nothing could be further from my desire than the office to which the majority of the Board had insisted upon calling me.

Now of this alleged charge, I would like to speak, with all respect on account of my true and filial regard for the eminent prelate who has been instrumental and performing it, in such an extraordinary way, as well as from a tenderness for the young rulers whose zeal has been signaled in the way they passed it. But with all my reverence for Bishops, I cannot see that the Bp of Maryland's words all told, can amount to anything more than a vague insinuation: an *ad captandum* appeal to a *common Protestant prejudice*, which so far as my experiences goes Protestants themselves are fast outgrowing, and with regard to which I can confidently appeal, and do solemnly appeal here from the Bp of Maryland in the Seminary Board of Trustees to the Bp of Maryland in the pulpit or in his study. What he said in the Board was substantially: that "Dr. Mahan fails in his teaching to distinguish with sufficient accuracy the *Catholic* and *Roman* doctrines of confession." Now Bp. Whittingham well knows, that in the American Church at large, in the Board of Trustees, in the Diocese of Maryland, and in my own beloved parish of S. Paul's, Baltimore, there are two sets of ears to which these words come, with directly opposite interpretations. There is one set, far the larger numerically, who have no sort of faith in any Catholic doctrine of confession, but who speak of Confession as solely and merely a Roman Catholic practice, which they think themselves bound to protest against out and out, in theory and in practice. This class of ears the Bp's words are eminently calculated to catch. For they belong a different "party" from that of the accused and of course will learn with a certain satisfaction that "Dr Mahan believes in Confession" namely as the *Bp insinuates* in Roman Catholic Confession "which" they will very naturally add "is precisely what they have believed all along." So my Bp throws me out to the whole of public opinion and virtually declares me a Romanist, so far as the majority of our own Communion is concerned: though he knows perfectly well that with regard to the main point in the "Doctrine of Confession" namely the right of "priestly absolution" he goes as far as I do, and perhaps a trifle further.

But there is another class in the Church who distinguish between the Catholic and the Roman, and who acknowledge at least the possibility of a Catholic doctrine of Confession. In a general way, I might say, those who are

called High Churchmen, belong more or less to this class. Perhaps I belong to it myself, more or less. At all events, I never refuse a sinner the privilege of opening his griefs to his pastor, or withhold from him any counsel or comfort, I am able to give. I repel no one who comes to me as the Exhortation in the Communion office directs him. Moreover I am willing to confess before GOD and man that the few opportunities I have had of ministering in this way to weak or wounded souls, have been in my judgment, the most fruitful, nay perhaps the only fruitful parts of an unworthy ministry, and if I had life to live over again I would preach confession as well as practice it more earnestly than I have done. In this, I know well, none would concur with me more fervidly than the Bp of Maryland. On the other hand none would agree with him more cordially than I have done, that this dealing with men's ~~souls~~ griefs is a perilous matter liable to abuses: that Rome especially has caused it to be beset with scandals, that whether in the study, the confessional, the vestry room, the sick chamber, or in the open Church, the intercourse of Priest and penitent should be jealously guarded, that every precaution against abuse or calumny which the lawyer may need in his confidential intercourse with his clients or the physician in his sacred care of his patients, acquired to be at least equally observed by those who deal with spiritual troubles and that consciences had better not be medicined at all than tampered with by rash and over timid hands. On this ground, I see much to dislike in the Roman Confessional; much to admire in the Greek, which (theoretically) differs little from our own; much to approve in the Anglican & nothing to desiderate, save only that it should be honestly carried out in the spirit of the Prayer Book. For as things go now, a man may be easily enough *wounded* in the house of his friends, and the bruised seeds may be easily enough broken; but what with our "accurate" distinctions, and our "fear of Rome" and our readiness to devour one and another which is often only another word for our fear of men, the poor sickly sheep of the flock—if we have any such—are in a sad predicament.

But the Bp declares, that I fail to distinguish "with sufficient accuracy" between Catholic and Roman Confession. But what degree of accuracy is sufficient for the purpose? Churchmen generally object to *enforced* Confession. So do I. I might almost say I hate it, believing it to be destructive of the chief goods of Confession. I have the same feeling. To the soul, as to the body, food is better than physic, & beyond a certain point, exercise and rest are better than either. They also object to what Bp Whittingham has sometimes call "the heresy of *direction*" namely the very common practice, possibly more common among Romanists than among us of walking by other people's consciences, rather than by our own. I object to the same. But practically I have little faith in confession as a means of mere

influence. One may like his physician very well, if he is an agreeable man otherwise. But I doubt whether any one attaches his patients to him, or moulds their politics or religion by the mere goodness of his medicines. There is also a strong and well grounded objection to the minuteness of confession, as prescribed by R.C. books; and to the possible suggestion of evil by ill-advised questions. In the same way, the imposing of light penances, instead of insisting upon repentance & conversion, is doubtless a great abuse of the Roman Church; and to this & many like corruptions, the loose morals of the Roman Catholic countries may be very fairly attributed. But after I have made these distinctions, & many others which I am in the habit of making, who can say that I make them “with *sufficient* accuracy”? Who can affirm that the Bp does not know & practice some “Catholic doctrine of Confession” which has escaped my perception, & which ought to be required as an indispensable requisite for any future Prof. of Systematic Divinity.

I can only say that I have given much thought to the subject, and have read not a little, and have conversed with men of all views, the Bp of Maryland included, who might possibly afford further light. But so far as my Bp is concerned, I must say plainly, that though he knew as he now declares, that my views on the subject of confession were not “sufficiently accurate” & though he had opportunities, when expressly consulted on the subject, to correct these views, yet never on any occasion, by word, or hint, or sign, has he given me the slightest intimation of any shade of difference between us, but rather on the contrary, in what seemed to me the plainest and most unequivocal terms, he has impressed me with the conviction, that on this, as on other points of theology, we were entirely of one mind. That strange scene, which occurred in the meeting of the Board of Trustees of the Gen. Theo. Sem. came to me as lightning out of a cloudless sky. Nothing had gone before to prepare me for it; nothing has come after to explain it. It is not even, as it were, a word and a blow. The blow has come; the word of explanation remains unuttered.

Under these circumstances, when the news came to me at a distance, remote from any sort of explanation, I naturally turned to some of my English friends, with a view to ascertain the ground on which they stood in the theory and practice of confession: the subject as I know having been more discussed among them than with us. They gave me no new light on the subject; but this tract of Mr. Gray’s was put into my hands a fair exhibit of the stakes of their most earnest men at present, with a good *catena* of authorities generally appealed to. I found it to contain my own practice and teaching more precisely perhaps than I could conveniently have given it for myself. As such, I present it with the Author’s permission, to the American reader, hoping it may be useful, if not for my defense, which is a small

matter, yet for the purpose of removing a little dust that has been cast into men's eyes, and which prevents their using one of the most salutary helps that GOD has provided in His Church for the prevention and cure of sin.

Confession to GOD is a necessary and commanded act, which if done at all, should be thoroughly and well done, with every proper help and appliance. Confession to man is not so necessary nor so commanded. Its advantage arises chiefly from human ignorance and weakness, a proper sense of which will lead every sober person to get counsel and comfort from those who are best qualified to give it. For the maxim confession your sins one to another and pray for one another does not imply promiscuous confession. It is enough to confess to such as we can best confide in, conforming to the rule of propriety and order.

The same principle that leads me to a physician for confession of bodily ailments or to a lawyer for counsel in troubles of estate, will naturally designate a clergyman for relief in spiritual affairs. This is a matter of common sense, conceded by all. The reason why it is not more generally acted upon by Protestants is the dread of Rome. Where Satan cannot lead men into evil, by love of a false system, he deters them from good by an unreasonable dread.

An abuse which ceases to be an attraction, is converted into a scarecrow. In this way it happens that the pastoral office instead of being an easy and familiar help to our communicants and young people, is becoming more and more an object of dread or suspicion. When the staff of the Lawgiver was thrown upon the ground it became a serpent; when his hand was thrust into his bosom it was covered with leprosy. Such is the fate now threatening the pastoral office in the Church. Our older people sinking under weights which they are exhorted to lay aside, but with no hand helping them so to do, are less and less intimate with their spiritual guides; our younger people fall insensibly, often through ignorance, into besetting sins of which no man gives them fair warning. Young and old alike are afraid to see their pastors except in "Classes."

Diffident about recommending to others what I know to have been good for myself, yet in cases not so few, here and there, I have felt obliged to do for others what others have done for me, and in the more perilous matter of half confidences & consultations about private affairs, where the clergy are frequently called to share the sweet burden of their brethren, I deem it always an advantage to all parties, if the thing can be so religiously conducted as to give the priest the benefit of the 119th canon by putting everything confided to him under the seal of the confessional. For after all, whether we desire it or not, the clergy become the repositories of many secrets. The only difference made by a formal opening of one's griefs, is that the spiritual adviser is less tempted to blab or gossip, and cases which I have

known to occur, where eloquent ecclesiastics in the mere heat of speaking have divulged to the public things manifestly spoken in confidence, which could never happen if the clergy were more trusted in a religious way. It is true in a certain way that clergymen of all denominations are already very much trusted, and that going about a good deal from house to house, and hearing a great deal of confidential talk, they become the repositories of all sorts of secrets, the sharers of all sorts of private burdens, the keepers, as it were, of all skeletons in all closets, without putting themselves under the seal of religious silence, and without securing very much opportunity for religious counsel or comfort. But this is often and evil rather than a benefit. There is immense waste of time in the first place. There is danger of stake in the second. One satisfactory visit to a parishioner is gotten at the cost of a dozen mere "calls." Half confidences, gossip, tattle, controversy and the like, take the place of the opening of one's griefs. Moreover, the thing engendered among the clergy, that worst disease in a spiritual or a professional man, looseness of tongue. What men receive in mere gossip, they are tempted to set all as such. What is uttered in real confidence, with a formal and strict understanding, and only for a religious profit, is buried and put away as though it had never been uttered. A physician seldom blabs the infirmities of his patients. A lawyer can be still as the grave where the secrets of a silent are involved. Professional confidence, in fact is protected by all laws human and divine. I have always regarded it therefore as a great advantage that when a person wishes to see a minister, that is when he really wishes to confer with him privately about the state of his soul, there should be in the first place perfect freedom so to do without blame or suspicion, and in the second place such directions, safeguards, and helps, as the Church of England has provided in the Exhortation to the Holy Communion as well as in other places referred to in the following tract. A Pastor's office, like that of a physician, is necessarily a sort of "Confessional" though he may scruple to call it by that name. While we shrink from the evils that long abuse has associated with the Roman doctrine of confession, it would be mere cowardice and folly to confound the abuse with the use.

But however this may be, I deny that I have ever taught or practiced any doctrine of confession without carefully guarding against the notion of compulsion, in the first place, which *is one gist of the Roman doctrine* or of over-frequency, direction, probable opinions, penances in place of conversion, privacy to crimes intended or perpetrated, and many other abuses warranted by Roman authority which I beg to say to the Bishop I have carefully studied from my youth, and to suppose me ignorant of which, I regard as an empty sneer. Nay in dealing with persons who are disposed to attribute too much to Confession as is often the case, both with penitents and with loose men of the world I have habitually underrated its importance by

showing how easily, like other remedies, it loses its effects. In the same way, the only point in which I have differed by any shade of opinion from Bp Whittingham's opinion is that, on the lawfulness of using in our Church the English form of Absolution. That the English Priest has a right to use it, is plain enough, that we have the same right is in my judgment doubtful, and though my scruples would not bind me in cases of necessity, yet in most instances I prefer that a penitent should come to the Holy Table for a formal absolution and receive it then and there, where it is so appropriately provided. I can see why the devil should seek to defile Confession with vague suspicions, by associating it with Roman abuses, but why our Bishops should do the same, by recklessly misrepresenting the *doctrine* of those Priests who seek in conformity with the Prayer Book to deprive Rome of her chief vantage ground, I confess I do not understand.

And herein, I blame Bp Whittingham more especially: that however good his *intentions* may have been, he has pretended to give his "testimony" on a point involving nice and accurate distinctions, and relating almost entirely to private pastoral intercourse, wherein from the very nature of things no testimony could be admissible but that of express words or acts of the accused himself or of persons whom I had taught on the subject. Moreover his pretended "testimony" involved the still more subtle point of what I have failed to teach, nay of what I have failed to teach with "sufficient accuracy." That a Bp who, I feel bound in justice to say, is not in any way my "Confessor," who sees little of me, and of my hearers, and who as he has never questioned *me* on the subject could never have resorted to the extreme measure of a private examination of my friends, much less of my enemies—that a Bp thus circumstanced should be able to know, with such accuracy what I have taught, and what I left untaught, in a ministry filled with almost innumerable sermons, lectures, catechisings, homilies, conferences, conversations, discussions and the like, in the course of which by the way, no sort of question has come before me more constantly than this very one of "the doctrine of Confession." All speak for myself, I will therefore say plainly that so far as the real drift of the accusation is concerned, so far as I look to its "*ad captandum* force, which is the only force it has, I declare before GOD and man, that in all my innumerable answers on Confession, on which I have been appealed to by all sorts of men and for all sorts of purposes, I have invariably taught, *first of all* that *confession should be always voluntary and unforced*; that overfrequency in the use of such medicine is deleterious; that for the soul as for the body, food is better than physic and food is better than both; that the Jesuit doctrine of "probable opinions" so called is immoral; that no amount of "penance" is a substitute for conversion; that absolution without due promise of amendment is sacrilegious; that immodest and over minute questions or suggestions tend

only to evil; that the habit of confessing only to priests personally unknown is pride assuming the garb of humility; that sin alone is the subject of confession and holiness of life alone a matter of counsel or direction; that consciences is to be enlightened not forced, that while "the seal of the confessional" is inviolable in legitimate matters of confession yet to appeal to it for meditated sins or crimes, as in the famous Gunpower Plot is an outrage to GOD and man; that numbering or weighing, or curious searching out of sins, is an unwise thing, if not positively injurious; that in short the rules laid down in Roman Catholic directions and practiced more or less in Roman confessions are for the most part unwarranted by Catholic teaching and are rather to be avoided than commended; these and many like points which mark out a clear line between confession popularly so called, and a proper pastoral care, or as the Bp phrases it between "Catholic and Roman Catholic Confession" have been perfectly familiar to my mind from my youth up, and any insinuation to the contrary I reject as an unwarrantable and uncharitable sneer.

For the rest, I commend the following Tract as an honest statement of the position of the Anglican standards on the subject, and as showing that good men will not substitute for any real belief a mere libel or caricature, which less a mere invention on an Episcopal Election Day.

And with regard to the Bp himself while I avail myself gladly of the suddenness and mysteriousness of the transaction, with its utter absence of any rational motive, to avoid even the appearance of any personal controversy with him, yet I can not honestly ignore the very marked fact that while he had subjected me in my absence to a charge which cannot remain unanswered, for however short a time without serious injury to the usefulness of my ministry, still he has so nicely framed the language of the indictment before the Board as to be capable of the very worst meaning an enemy might choose to put upon it, & yet in its mere words to be void of any meaning at all.

First in *spirit and effect*, he subjects me to the stigma of grave disloyalty to the Church of which I am a minister, of unfaithfulness to the standards which I profess to hold. There can be no doubt of this; for on his own express declaration, he came on to the seminary to *prevent my election* which of course he could not have expected to accomplish by charging me with any common or pardonable offence. In such a body as the Board of Trustees a mere difference on some nice points of Theological distinction would certainly not have sufficed to proscribe a candidate otherwise deemed competent. If so, it would have been necessary to have examined all the candidates alike.

But, secondly when we come to the Bp's *express terms*, he so effectually moulds and modifies his language, and so etherializes the charge

involved that I almost feel like a brute for seeing in it any thing to assent. In my doctrine, he declares I “fail to distinguish with sufficient accuracy the Catholic and Roman doctrine of confession.” That an heretical taint so fine, so subtle, so capable of infinitesimal reduction, should nevertheless so have shocked the nostrils of four of our divines seems to me incredible.

From the effect produced, the Bp must have meant the “Episcopal doctrine” or the “Anglican doctrine” or something at all events of which a “sufficiently accurate” account exists. I know the Romanists call their the “*Catholic*” doctrine—And so I suppose Bp Whittingham calls his. And so, it may be Bp Coxe calls his. And so I may add, I would gladly call mine, if I had not learned from some little study and thought, that a doctrine is not made Catholic by calling it so. No, not even if a whole Church should unite with one in so doing. So that if by “Catholic doctrine” he means merely *his* doctrine—for men are naturally averse to so little a word as “*my*” and love to disguise it by more sonorous phrases such as “Catholic” on the one hand or “Evangelical” on the other—Yet even in that case I claim to be acquitted of his unproven charge, or to have the advantage at least of a definite and intelligible accusation. I know there are times when our Prelates may find it convenient to throw some test to the whole of popular opinion. But I must respectfully decline to serve in the character of a “tub”. What opinions I hold I am always ready to explain for myself. No Bishop has a right to be my proxy in the matter, whether to represent or to misrepresent—and if the object be, not to represent, but to accuse, then I hold the Bishop of Maryland, with the four young Prelates who abetted him, in the Board of Trustees to be responsible before GOD, for a palpable violation of GOD’S law; for it is He who hath said “Against an Elder receive not an accusation save before two or three witnesses.” Nor do I regard it as any excuse for the plain violation of this law, that the Bp of Maryland may have felt himself bound in conscience to bear his “testimony” to what he considered false teaching. But what “testimony” has he borne to any such point? Merely a vague insinuation of *insufficient accuracy*—a phrase ludicrously indefinite; in the *doctrine of Catholic Confession*, a phrase as strange to any received formulary, and as incapable of definitions, as if we had been told of Catholic psalm singing, or Catholic election to the Professorship of Divinity. The testimony, moreover though it was to the alleged fact of *inaccurate teaching*, which no man can know without a fair hearing of the teacher, or at least, a fair examination of his hearers, did not even allege any such trial of the case to my certain knowledge, not a question was even put to me in the subject, and if any of my hearers were catechized, it must have been done in a way, compared with which “Roman confession” is quite a venial offence. In fact, I do utterly deny that the Bishop had any “testimony” to bear in any right sense of the word. His “testimony” resting on a not very intimate acquaintance of five years was

fully and squarely met by the counter evidence of the Bp of New Jersey, a ripe theologian, and stiff protestant, who in times that tried men's souls has known me and my opinions, habits, mental peculiarities, and ways of teaching for twenty years at least of frank and cordial intercourse. The same is true of the Bp of Albany, who knows my whole heart and mind as well as one heart or mind can know another. The Bp of Western New York without so close an acquaintance could still declare that he had come to the Board to give me his vote, and had changed his purpose only in defence to what he considered Bp Whittingham's superior knowledge of my views.

The three remaining Bishops had another candidate in view whose merits they had a perfect right to press, though not, I feel free to say, at the cost of what is dearer than life to a brother. To open the way for one candidate by springing a sudden calumny upon the fair fame of another is a common electioneering device, but I trust the time is far off when it shall be thought worthy of the House of Bishops.

Of course I do not deny that there is a "Catholic doctrine" on this subject of Confession, and it will give me pleasure to show presently, how such a doctrine may be ascertained. But meanwhile I utterly deny that any such doctrine however accurately made out, even if it had the imprimatur of all the five Bishops, who wielded the prerogative of the Upper House, could be any authority to us. We have the Book of Common Prayer, the Articles, the Homilies, and the like. By them, and them only can the doctrine of our clergy be tried, as no one knows better than the Bp of Maryland. But so far as our Church is concerned, of which I avow myself a dutiful though unworthy son; or so far as the Catholic Church goes, in which "I believe" though I see less of her than my poor heart craves; I find no very "accurate statement of the doctrine of confession." I find in our admirable formularies, however, a very beautiful exhortation to *Confession*, where the sinner thinks he needs it, and to "counsel, comfort and absolution" where the Priest is disposed to give it. These with a few other like points, here and there, are the "Catholic doctrine of Confession" so far as I know or teach in any real sense. If the Bishop therefore means anything more by his words, then the intelligible though false charge that I am unfaithful to the standards to which I have sworn allegiance, I regard the use of his vague terms as a gross aggravation of the wrong committed. Let him slay me with a sword if he will, but not attempt to push me over with a bulrush. A charge I can meet; an *insinuation* which is all his language amounts to, is proverbially unanswerable. If I were silly enough to take his words as they stand, and to answer "I *do* distinguish with sufficient accuracy" &c I might find myself caught in an amphibological trap and the learned Prelate with his superior erudition & capacity, might overwhelm me with some difference between Catholic and Roman doctrine that I had never heard nor even dreamed of

before. I dare not venture therefore on that line of defense. On the other hand if I were to attempt to show merely what the “*Catholic doctrine of Confession*” is, leaving out the “*Roman*” I doubt whether the sagacity of an angel could keep me out of the briars, whichever way I turned.

Some of the five Bishops who smote me in the Seminary Hall would not consider me “sufficiently accurate” till I denied the existence of any “*Catholic doctrine of confession*” whatever. Others would allow me to affirm “the powers of the keys” in the tremendous language of the old standard Divines—but if I were to suggest that one power of the keys is power to open doors—viz to let in sinners who are shut out by conscientious scruples they would be shocked by my want of “sufficient accuracy” for to some minds nothing is more accurate than a practical conclusion, & no terms are accounted truly theological, unless they unsay in one clause what is said in another, and like two buckets in a well, each in turn must go down empty, that the other may come up full. There other of the Bishops, and I feel at liberty to say the Bp. of Maryland was of the number, before I come aboard, who would allow no one to pass as “sufficiently accurate” who should deny that the “*Catholic doctrine*” as expounded by the Anglican Prayer Book allowed all sinners “to open their griefs” to their ministers, with a view to counsel, comfort and absolution; that is in plain words to confess & be absolved as often as they humbly, soberly, and in a proper spirit may desire it. In this, however there must be liberty of conscience and no compulsion—*compulsory confession* being Roman, as distinguished from the “*Catholic doctrine.*”

Now whether I could answer with “sufficient accuracy” for this party, I of course cannot judge. But as the subject in my opinion is a very grave one, I must take the liberty to say, that there may be no misunderstanding of my views, that I consider the Seminary in New York as well as our other Seminaries in a very bad way for want of *pastoral care*; and that a proper pastoral care of young men, requires a full liberty of their part to open their griefs to their pastors, and an equal liberty on the other side to give comfort, counsel, absolution, or whatever else in the way of spiritual medicine each several case may require. To send clergymen to such a post, with their hands tied in this respect is as wise as to send a Physician there with strict orders not to practice diagnosis, or to administer drugs.

One may not be able to distinguish with “sufficient accuracy” all points of difference between us and Rome, but it required very little sense to see that Rome is a great fisher of young people, that she knows what food the young appetite craves; and consequently if she baits the hook chiefly with the benefits of Confession it is because she knows this to be a most attractive part of her system. I have had some experience of what are called tendencies to Rome; and I believe as the upshot of my experience that with young

people especially the desire to go to Rome, is in nine cases out of ten, simply the desire of confession. I do not hesitate therefore to commend such confession as our Church allows and I know of none better, as particularly to be encouraged in the Seminary and in all other schools. Indeed from what I know of Seminary life and temptations, immunity from great evils so far, is almost a miracle.

But while I am unwilling to expose myself to ridicule by pretending to any “sufficient accuracy” either in this or in any other point of doctrine, yet I think I know what the “Catholic doctrine of confession” may be safely affirmed to be, in a general and historical way. It is a doctrine of *confession* and *absolution* for the relief of sinners, always the same in substance but carried out in different ways, at different and places.

In Apostolic times, as we learn from a marked example it may be briefly summed up as follows: A communicant commits a manifest or notorious sin; by the ministry of the Church this sin is brought home to his conscience; by the same ministry acting in the spirit of love, he is cut off from Communion and moved to *open confession*; by the same ministry he gets absolution after due repentance and so is finally restored to the communion which his sin had forfeited. I Cor. V. 1-5 II Cor. II 5-11.

In the early Catholic Church the process was substantially the same, though perhaps with more of severity and less of love. Briefly the sinner was turned out of Church, and was kept on a long course of prostration in the dust, with weeping, mourning, fasting, supplication, howling, kissing the feet of the faithful, clutching at the garments of the clergy, with exposures to the weather and the like (see Bingham’s Antiquities) till his heart being sufficiently tribulated and melted, he was finally allowed to *confess* before the whole congregation and to receive *absolution*, and so to be restored to his former estate. This was pretty strict discipline; yet it was not severe enough to satisfy the great party called *puritans*, who contended that the sinner should be given over to Satan entirely as far as Communion went, denied *confession* and absolution altogether—at least till the Day of Judgment.

At a later period the Church became more courtly, if not more loving; discipline began to fall away: and a Priestly official called a Penitentiary, was allowed in lieu of sharper measures, to receive *private confession* at the sinner’s mouth, and therefore to give him *absolution*.

But a great scandal having occurred in Constantinople, involving the character of a lady, the office was summarily abolished, and the “Catholic doctrine of confession” lay at loose ends for a time. Afterwards the Latin Church, stiffened by digress, amid a great flood of scandals, into its present way of accounting all alike to be sinners, and of enforcing confession and absolution upon *all*, as a *sine qua non* of Communion. The Greek Church settled into a practice much the same; save that in the East, Confession being

made to married Priests, and each sinner being restricted to his own pastor there is less coarseness in the examination of penitents, less of [illegible] underbidding among the priests, less jealousy and wrangling, less disturbance of the peace of families, less casuistry, less mystery, and altogether less scandal and confusion than in the rival communion. So at least, I have heard from an eminent and intelligent Greek Priest.

It is a mistake however to suppose, that confession is less obligatory among the Greeks, than among the Latins. No man comes to the Communion without notice to his Priest, with some examination of conscience; though this examination is for the most part summary, and has nothing of the formality of what is called "auricular confession" and in fact it is a different sort of thing.

In the Anglican Church the old distinction is maintained between an ordinary Christian and a "notorious evil liver," including any one known to have wronged his neighbor "by word or deed" or even any one betwixt whom and any other, "the *minister* perceiveth malice, and hatred to reign."

The latter must openly declare himself to have truly repented and amended his former evil life to the satisfaction both of the minister and of the congregation, who being satisfied, the minister ought to admit, "the penitent person to the Holy Communion and not him that is obstinate." This of course cannot be done without at least virtual confession and absolution, the priest meanwhile holding the offender in a state of excommunication, from which only he or his Ordinary can release him. Thus "enforced confession" is the rule of the Church, restricted however as in the early Church to notorious evil livers, and to sins which cause scandal, variance, hatred and the like.

With regard to the large class, who come not under this category, but yet are more or less, conscious of sin, the Church enjoins in the first place, through self-examination, bemoaning of sin, confession to GOD, full purpose of amendment, restitution, satisfaction, forgiveness; and in the second place, if there is still a lack of full trust in GOD'S mercy or of a quiet conscience, or of further comfort or counsel, she sends the sinner to the pastor "or to some other minister" that he may open his grief and *that he may receive the benefit of absolution.*" I quote the English book, because I am now speaking only of the *Church's doctrine* on the subject, which is of course the same in both Books, our American Church having solemnly declared in her Preface, that in the verbal variations she has made, she is far from intending to depart from the Church of England in any essential point of doctrine, discipline or worship, further than local circumstances require. And this I feel free to say is also, so far as can be known, the Bp of Maryland's opinion. For on the two important points of "Confession" on the one hand, and "Absolution" on the other, I have formally consulted him, as other priests have done, and his answer has been as plain and outspoken as human words could be.

But if he has seen fit to retract these views expressed to me, and to proclaim on the housetops something different from what is heard in the closet, there are plenty of others who still hold the doctrine, and I confess myself to have been one of the number during all my ministerial life.

Moreover as far as the care of my own soul is concerned, I have practised what I hold; though from a fear of misapprehension and from want of zeal, I have been far too infrequent in the use of this help, as well as too slack in recommending to others, so salutary a medicine. Yet in cases not a few, some of them clergymen, my Superiors in age, purity and zeal, I have felt obliged to do for others, what I have known to be good for myself. As a matter of taste however I do not always call the thing "Confession" much less by so sounding a name as '*Catholic Confession*,' but am content to regard it as a *Conference*, a *confidential talk* on spiritual matters.

At the present day Religion is choking itself with *names*. If people would look more at things, and less at words, the Church would be far better off.

And in all this I think I differ little, if at all from the practical belief of the Clergy generally of all sects, and parties and views. There is a well-grounded dislike of such terms as "Auricular Confession," "Popish Confession" "Confession to man" and the like, and I must say in passing, that where our Author used this expression "Confession to man" and defends it, I think he might have employed a better phrase, though his meaning is safe enough. For when the Church exhorts a person to come to *me* or to some other discreet and learned minister of GOD'S word," I do not understand her to mean "*me*" or any other "minister" as a mere "man" but rather as an "ambassador for Xt" and as though *GOD* did beseech you *by us*, which we pray you in *Xt's stead* be ye reconciled to *GOD*."

True confession is always "to *GOD*" however much the instrumentality of man may be used, for comfort, counsel, and the like; true absolution comes only from *GOD*, by whatever messenger or in whatever form it may be conveyed. But saving some objection to phrases, capable of misinterpretation, or at least of exception I believe all religious men of all sects and parties could be glad to see a greater readiness on the part of clergy and laity alike to confide their spiritual griefs to some "learned and discreet minister," who should feel himself under bonds, as it were, to know nothing of men's secrets *as a man* but only as *GOD'S* angel ministering in the presence of *GOD*.

There is a feeling among us all that if we *could know* our people better, our people would know us. But to know any one really, in spiritual affairs, is a rarer thing by far than is commonly imagined. However frank we may be in everyday intercourse, no person ever carried his *soul* upon his sleeve; and if any one should be found who is an exception to this rule in

ordinary cases, even he will take care to have an oversleeve for Sundays, or for pastoral visitations. On the other hand, few persons would object to frank and frequent conference with the Clergy if only it be done, medicinally and with proper care. Hence all that the Clergy need is opportunity and occasionable confidence. If they could see their flocks separately, in proper time and place for religious intercourse, if they could learn their griefs, scruples, struggles, weights, and the like, if they could deal with their sins, as physicians deal with diseases not as monsters to make faces at, but as infirmities to be healed, the pastoral relation would be much more satisfactory to all parties.

As things go now, Society is to the Clergy as the woman of Samaria to our LORD. What she desires is a pleasant little chat about religion in general, a charming little discussion of Jerusalem and the Mountain; what he has in view is a word of solid counsel in relation to her “five husbands.” She wishes to hear “Where” *men* ought to worship. He would rather tell her *how she* ought to worship. So society bluffs off her spiritual guides, sitting down with them most amiably at any Jacob’s well of wayside conversation, and ready to listen eagerly to “accurate” distinctions of doctrine, Catholic or Roman, but when it comes to the point as we say when we ask as I would like to ask the five Bishops, who have called me into court “What *Catholic* confession” is, and *where* it is to be found, and where, and when, and *how* it is *taught* and *practised*, the matter is apt to end less profitably, I fear, than with the woman of Samaria. For she had too firm an eye upon her to escape in that way. But society evades us by any colored rag she may flaunt in our faces, and the real religious question of the day, namely, *how to get at our people, how to bring about a real pastoral relation* is swallowed up in controversies about form and clothes.

I grant there is a real difficulty in pushing points of this kind. Clothes, or rags, are easily converted into scare-crows, and scare-crows of course are calculated to scare. On the other hand I submit, they are meant to scare *crows*, not men, so that while there is among us a well grounded dislike of such terms as “Confession” or “Confession to man” yet I think we are reasonable creatures, and are bound to deal with men’s words in a liberal way. Thus the term “Confession” I do not altogether like on account of some of its associations, but it expresses that opening of one’s griefs which the Church expressly sanctions and is sufficiently Catholic in its use to be easily understood.

“Auricular Confession” is in a different category, because custom associates it only with a particular mode of Confession which is peculiar to Rome. A great trust in one another and more readiness to confess to one another, is a thing that may exist without Rome; and if it may I think that we are all agreed that it ought.

Now from this brief sketch we may deduce at least the main points of the “Catholic doctrine of confession” viz, those points which have been held by all such Churches, Ancient and Modern, as profess to believe in the Holy Catholic Church.

I take them to be first, for open, notorious, scandalous sins, *Excommunication*, enforced confession, in connection with such discipline, as changing times and places may determine: *Absolution* in such forms and ways, as from time to time may be adopted. Entire *Restoration* to Church Communion.

With regard to this order, however, and in the same way, with regard to any particular forms, words, or ceremonies, or the like, I think the “Catholic doctrine” to be eminently grounded in the “law of liberty.” When our LORD said to the Paralytic “Rise and walk” it was all the same virtually as to say “thy sins be forgiven thee.” When a modern Priest says to a sinner “I admit you to the LORD’S Table,” he absolves him as effectually, though not so solemnly, as when an ancient Priest laid his hands on him, with all the elaborate ceremonial of primitive Catholic times.

But secondly for sins not notorious, scandalous or uncharitable, *private confession* is allowed, or commended but not forced on any man’s conscience.

It is a part of one’s Christian liberty. And where it has come to be enforced, as by the modern Romish Church it is grounded on no “doctrine” so far as I understand, but like the withholding of the cup from the Laity, or the celibacy of the Clergy, or Kneeling at the Communion, or numberless other things of the sort, it is simply a matter of disciplinary law, a matter of wise or unwise legislation.

When the Latin or Greek Church imposes Confession upon all alike, it is done by special legislation, as a matter of discipline, which like the withholding of the cup from the Laity, or the denial of marriage to the Clergy, is defended on grounds of expedience, or necessity, not of doctrine in the full sense of the word.

The Church of England, if she liked, might on the same grounds *forbid* private confession altogether. But as she has never done so; as she has never put any such absurd restriction upon the liberty of her children, but allows every one to “open their grief” to a minister as freely as he opens his mouth and receive his “absolution” as freely as he receives his “counsel” we can appeal to her formularies as “sufficiently accurate” with regard to the “Catholic doctrine of confession” and may fairly challenge Bishops as we would challenge other men, to tell what they mean by their new and ambiguous phrases.

In short my doctrine is, with regards to the matter, that a communicant *may*, and under certain circumstances, *ought* to come to some

suitable minister, that he may “open his grief” which I take to be virtually “confession” and that having thus confessed, so as to satisfy his minister of the sincerity of his repentance he may receive, and the minister ought to grant “the benefit of Absolution.” This is the length and breadth of my belief or doctrine on the subject.

To all, whatever may be their name or sect, who will give me a fair hearing before they judge, I commend the following Tract; not of course as an authority in itself, or as a thing that I endorse in every phrase, but as a clear and honest statement of Anglican standards on the subject invoked, and as showing that good men of all professions and schools have substantially borne the same witness.

If this is not enough I am ready to say more in proper time and place. And with a view to that further examination, which I hereby challenge, I respectfully invoke the Bps of Maryland, Pittsburg, Buffalo, Western New-York, and Long island, to explain to the Church What is the “Catholic doctrine of Confession.” What the Roman? What the Anglican? What the points of differences among them? wherein I am held to differ from all or either?

It is surely time to be done with this child’s play, this mere game of bluff in matters of religious faith.

Let our Fathers come out like men and tell us, not what to dodge, but what to believe. Let us turn over a new leaf; beginning with this deeply interesting subject of “Confession” and “Absolution.”

Let us learn what the Church teaches; and if she teaches amiss, let us honestly confess it.

Copy of papers left by Dr. Mahan, on the subject of Confession.

The Tract referred to is

“A statement on Confession” by The Revd. C. A. Gray, made by request on the Church of S. John Baptist, Kidderminster on Sunday Nov. 15th 1868.”