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WHY WE CAN'T CONFESS OVER ZOOM

by
Dominic M. Langevin, O.P.
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If you are stuck at home, or dying in a coronavirus-ridden hospital, can you dial a priest-confessor for sacramental forgiveness? 1-800-CONFESS? Or can you receive the sacrament of penance via Zoom or Skype?

No. It won't work.

Many have approached this issue from the perspective of canon law, namely, what the law will or will not allow (or should allow). But we should also approach this issue from the perspective of sacramental theology, upon which canon law must base itself. Although the COVID-19 crisis seems novel to us, the sacramental issues are not. The Church's penitential practice has gone through similar, indeed worse, trials. The Magisterium and the theologians have already considered the possibilities involved with such means as confession by telephone or the Internet, and they have rejected them—for good theological reasons.

As the *Catechism of the Catholic Church* states, “The sacraments are efficacious signs of grace.” As signs, the sacraments are physical. They are driven by spiritual principles and ends, but they are rites involving physically manifested words, gestures, and things. This is how Christ instituted the sacraments and how the Church must live them.

The sacrament of penance can be described in its signification and effects as a conversation. The sacrament's goal is to forgive serious postbaptismal sin so that we are restored to friendly and familial conversation with God and the Church. That conversation is itself brought about by a conversation. The ceremony for the sacrament of penance basically involves a discussion between two persons. The penitent confesses to the priest his sorrow for individual past sins, promises to do a satisfactory work, and asks for forgiveness. The priest-confessor assigns a satisfactory work and absolves the penitent, perfecting him in grace. Herein, the priest acts *in persona Christi*.

Unlike most other sacraments, an inanimate physical object is not needed. There is just a conversation. Some medieval understandings of penance placed the sacramental action exclusively in either the priest-confessor or the penitent. St. Thomas Aquinas clarified that both persons have an essential sacramental role. The Council of Trent confirmed this understanding. One could call the sacrament a “concelebration” between penitent and priest. The sacramental rite involves four specific acts: the penitent's contrition, confession, and satisfaction, and the priest's absolution. It is not a monologue, but a dialogue.

This salvific conversation cannot occur through electronic means because the sacrament of penance requires both joint physical presence and live, interpersonal action between the penitent and priest-confessor. The conditions for a full, natural, human conversation must exist.

At the beginning of the seventeenth century, the Magisterium taught that a penitent cannot “confess sins sacramentally to an absent confessor by letter or through a messenger” or “receive absolution from this same absent confessor” (*DH* 1994; see also 1995). The problem was not confession by the written word; such confession was readily permitted by St. Thomas Aquinas and other theologians. The problem was also not confession via the aid of another human person; confession is possible with a language interpreter, for instance. The problem was simultaneous presence and action, so that the confession and absolution were part of a single, physical, cooperative conversation.

The timing is crucial. Given the possible ups and downs of the moral life, the penitent needs to be able to confess *present* sorrow about *past*, now rejected, actions. And the priest-confessor must absolve in the present. Sometimes this requirement is described as “moral presence.” But this interpersonal attentiveness requires physical proximity.

Theologians over the centuries have detailed the physical conditions necessary for a true, live conversation apt for the sacrament of penance. Typically, they have taught that the penitent and priest-confessor could be up to around fifty feet apart—about the length of a large room. Beyond that distance, celebrating the sacrament is theoretically possible but uncertain. If a penitent were, say, 500 feet away, would there be a real human encounter, a true conversation, a personal presence with the priest in order to talk about the private, embarrassing matters of sin?

It’s doubtful. With an acoustic megaphone, which carries the human voice by naturally-produced sound waves, perhaps there could be a true conversation. But the sacramental structure of physicality could be pushed beyond its limits. The sacrament demands a truly human presence and conversation, which entails a natural, human scale.

The exclusive use of electronic devices for the purpose of penance over large distances has been widely condemned by sacramental and moral theologians and canonists for over a hundred years. This is because it violates the principles of physical presence and joint action. When sound waves are produced by an electric loudspeaker—even a small one, like a telephone—there is a disconnect between the electrical production and the human agent. The loudspeaker is not a part of the human body, as are the vocal cords or the hands. The loudspeaker is an artificial tool of communication. It is not fundamentally different from other forms of communication that work across extended distances, such as smoke signals, letters, and telegraphs. A loudspeaker is just faster and more accurate. The fact that a loudspeaker’s sounds can be perfectly recorded and perfectly played back proves that it is not human.

If a penitent’s confession uses solely artificial means without any natural sign that manifests contrition to the priest-confessor, or if the priest’s absolution uses solely artificial means, we certainly do not have the physicality and actuality necessary for sacramental signification. This does not rule out, for instance, the amplification of a hearing aid (which aids but does not replace natural communication). It simply means that the conditions for a physical conversation must exist and that the natural organs and senses must be engaged in the sacramental signification.

Penance via electronic means would also threaten penitents' right to confess privately, guarded by the seal of confession. The National Security Agency has shown that it can—and often does—record all telephone conversations in a country. The government and certain companies also often have “backdoor” access to so-called secure communications like Skype. Should the sacrament of penance be celebrated in such situations? It's true that penitents can waive their right to private confession—for instance, in a busy hospital room. But it is rash to contemplate inventing an electronic form of confession when we know that others are listening in.

Even with general absolution—the absolution of several persons simultaneously without prior integral confession due to an extreme lack of time—the Church's rite says that “penitents who wish to receive absolution . . . indicate this by some kind of sign,” such as by kneeling or bowing the head, and by saying an act of contrition. As the Council of Trent taught, “If anyone . . . says that the confession of the penitent is not required in order that the priest be able to absolve him, let him be anathema” (*DH 1709*).

It is undeniable that the sacraments' structure limits their applicability. This is the scandal of sacramental particularity, akin to the Incarnation's particularity: God has chosen fit to offer particular means of salvation to particular persons at particular places and times. What about other persons? They have other—though perhaps inferior—means of salvation. Indeed, God “desires all men to be saved” (1 Tim. 2:4).

The case against electronic penance may seem negative. But the opposite is the case. The requirements for penance respect and preserve the personal and social dimension of salvation, the sacrament, and the sacramental agents. The person's culpability for the past and his contrition in the present are underscored when he can say to the minister of God and the Church, “Forgive me, Father, for I have sinned. . . . For these sins, I am heartily sorry.” The same personalism applies when the priest, Christ's instrument, responds, “I forgive you.”

Indeed, the COVID-19 crisis reminds us of our existence as persons and of the conditions of Christian communion. Men and women in quarantine are lonely despite their electronic means of communication, and are breaking lockdown orders in order to spend physical time with family and friends. Electronic communication is not enough. And there is a reason that those watching Mass on TV know that it is not the same thing as physically being at Mass. This is why they hunger to be back in church. The TV screen's Eucharist is not the Real Presence.

We human beings are physical. Christian salvation and communion are also physical. The sacrament of penance protects and aids our enfleshed personhood.

Dominic M. Langevin, O.P., is a Dominican priest and a professor of theology at the Pontifical Faculty of the Immaculate Conception in Washington, D.C.