

Vermigli on Penance: A third Sacrament?¹

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«Penance is a sacrament of the New Law constituted by Christ in which forgiveness of sins committed after baptism is granted through the priest's absolution to those who with true sorrow confess their sins and promise to satisfy the same.» (Cath. Enc., loc. cit.). «The acts of the penitent, contrition, confession and satisfaction, form as it were its matter (quasi materia).» (Council of Trent, Sess. XIV, ch. 3).

The doctrine of penance or penitence against which the Reformers reacted developed during the middle ages, influenced in part by the Celtic system of «penitentials» and the need for priestly authority («the power of the keys».² Church Fathers, otherwise admired by the Reformers, contributed to this development, as in the canons of the Council of Nicaea which Melanchthon noted in his «Catalogue of ancient abuses.»³ Jerome called penance «a second plank after a shipwreck.»⁴ Thomas Aquinas devoted a long treatise to it as a sacrament (*ST* 1a QQ 84–90); also Peter Lombard (*Sent.* IV, *dist.* 14–17). The Fourth Lateran Council (1215) called by Innocent III made the rule of auricular confession absolute, and it was recognized as a proper sacrament by the Council of Trent. It has been described as a growing influence in Western Europe from the late 15th to the early 17th centuries.⁵ Penance thus became an integral part of Christian identity, in that confession is the beginning of the way to union with God; it is the priestly *Ego te absolvo* that guarantees absolution. There was also the strange twist in which the punishment became itself the cause of absolution.⁶

Protestants attempted to relate the concept to their own views of sin and salvation. In the eyes of the Reformers, its function within church order led to abuse of clerical authority and reinforced a theology of works righteousness. It also contributed to the idea that sins are never finally forgiven, that God constantly demands reparation for wrongdoing. Nevertheless, Martin

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² E.g. J. T. McNeill, *The Celtic Penitentials and their Influence on Continental Christianity* (Paris, 1923): «the private and secret nature of the penance is a simple projection into the Latin church of the practice of the Celts» (181).

³ See Douglas Shantz, «Vermigli on Tradition and the Fathers,» in *Peter Martyr Vermigli and the European Reformations*, ed. Frank A James III (Leiden: Brill, 2004), 134f.

⁴ Jerome, *Ep.* 130, 9.

⁵ Katharine Lualdi, ed. *Penitence in the Age of Reformation* (St Andrews Studies in Reformation History, 2000).

⁶ K. Ross, *Hearing Confession* (London: SPCK, 1974) 10f.

Luther regarded it highly, at first accepting its sacramental nature (e.g. in *The Babylonian Captivity*) but later retracting this view because it lacked a distinctive outward sign. In its place Lutheranism came to adopt private confession as a consolation for the soul.⁷ John Calvin rejected it outright, allowing the Genevan Consistory to play the role of judge and confessor.⁸ In England, the exhortation for Ash Wednesday in the 1549 Book of Common Prayer («A Penitential Service») notes the primitive church custom of a season of «penitence and fasting,» when sinners «separated from the body of the faithful, were reconciled and restored to the fellowship of the Church by penitence and forgiveness.»

Peter Martyr Vermigli's teaching on the doctrine will be examined through three key documents: his first work, on the Creed, his biblical commentaries, and the chief source, his treatise *De Poenitentia*. But first we should note the influence of both Melanchthon and Calvin.

Melanchthon and Calvin

During his triennium as abbot of S. Pietro ad Aram in Naples, Vermigli began to read the transalpine Reformers; we know these included Bucer, Zwingli and Erasmus.⁹ At least on his arrival in Strasbourg in 1542, Bucer would have introduced him to Melanchthon's *Loci* and Calvin's *Institutes*. Barbara Pitkin has argued the role of Melanchthon's locus on *poenitentia* (1521) as the «decisive turning point of reference»¹⁰ for Calvin's 1536 and 1539 editions. This involved the distinctions *contritio*, *fides* and *nova oboedientia*, a more positive emphasis than traditional polemics against Roman teaching, «the positive redefinition of evangelical *poenitentia*.» Melanchthon treats the topic in the context of the sacraments, accepting absolution as a sacrament. Strasbourg's Martin Bucer, of course, played mentor to both Calvin (1538–41) and Vermigli (1542–47); his creative work on church order, including discipline, was surely of moment for both Reformers.

Calvin changes the context in the 1536 *Institutiones*, placing it within the «five false sacraments.» Repentance is the mortification of the flesh accomplished by the fear of God (hence, prior to faith). In 1539 it has its own chapter (5) following the discussion of the Creed. Here and in 1559 he cites

⁷ See, e.g., R. K. Rittgers, *The Reformation of the Keys: Confession, Conscience, and Authority in Sixteenth-Century Germany* (Cambridge MA: Harvard University Press, 2004).

⁸ See Max Thurian, *Confession* (London: Mowbray, 1985), ch. 1: «Protestant Criticism of the Sacrament of Penance.»

⁹ See Simler's *Life* (in Donnelly, PM Library vol. 5) p. 20.

¹⁰ Pitkin, quoting Olivier Millet – «Redefining Repentance: Calvin and Melanchthon» in H. J. Selderhuis, ed. *Calvinus Praecepto Ecclesiae* (Geneva: International Congress of Calvin Research, 2002) pp. 275–85.

docti quidam viri who distinguished two parts, mortification and vivification, without specifying who these ancients are. In the definitive 1559 edition (III.iii) repentance is defined as «mortification of the flesh and of the old man and [in] the vivification of the spirit.»¹¹ Calvin heralds «the transition from faith to repentance» as the first of «the effects which we experience.» The substance of the Gospel is «repentance and remission of sins,» but these flow from our «participation of Christ,» the *unio Christi* effected by faith. This *imago dei* is «righteousness and true holiness;» so that «believers may attain to this, God assigns them the race of repentance to run during their whole life.» (§ 9). This prepares for Calvin's great treatise on the Christian life (III.vi-viii) which he promises as «evidence of a sincere repentance.» Pitkin concludes: «the eventual triumph of Calvin's efforts to give the church (rather than the magistrates) the power to regulate access to the sacraments, and his explicit criticism of absolution as a sacrament, individual confession of sin and reception of private absolution were nevertheless important features in Calvin's vision of ideal church practice.»¹² It is significant that subsequent Reformed teaching may be located – by Heinrich Heppe for instance – under the heading of sanctification, summarizing it as consisting of mortification and quickening, keeping remarkably close to Calvin's distinctions.¹³

1) *Credo*

Vermigli's first published work, the only one in Italian, was a commentary on the Apostles' Creed, *Una Semplice Dichiaratione sopra gli XII Articoli della Fede Christiana* (Basel, 1544). Its early publication, and in Italian, so soon after leaving Italy suggests that it reflects his evangelical turn of recent years.¹⁴ It is curious that one of his early biographers, F. C. Schlosser, thought that Vermigli accepted penance as a third sacrament.¹⁵ In fact this earliest writing provides a succinct and explicit statement declaring the opposite. It supports Robert Kingdon's argument that Vermigli's stress on discipline raised it to the third mark of the church (*nota ecclesiae*).¹⁶ Kingdon's

¹¹ *Inst.* III.111.V.

¹² Pitkin, p. 283.

¹³ See H. Heppe, *Reformed Dogmatics* (trans G. T. Thomson, London: Allen & Unwin, 1950) pp. 571–76.

¹⁴ *Una Semplice Dichiaratione sopra gli XII Articoli della Fede Christiana* (Basel: Hervagius, February 1544). Trans. by M. Di Gangi in *Early Writings*, Peter Martyr Library vol. 1, ed. J. C. McLelland (Kirksville, MO: Sixteenth Century Journal Publishers, 1994), 91–159.

¹⁵ Schlosser, *Leben des Theodor de Beza und des Peter Martyr Vermili* (Heidelberg: Mohr u. Zimmer, 1809) 397–98.

¹⁶ R. M. Kingdon, «Peter Martyr and the Marks of the True Church,» in *Continuity and Discontinuity in Church History: Essays Presented to George Hunston Williams*, ed. F. F. Church & Timothy George (Leiden: Brill, 1979) 198–214.

research, especially his paper to the 1999 Vermigli symposium in Kappel, argues cogently that Vermigli's concept of discipline expanded Calvin's to become the formative influence on subsequent Reformed teaching.¹⁷ The «curious disjunction in Calvin between teaching and action» created an opening for Vermigli's doctrine of discipline as an essential note of the church, to be exercised by the whole community and to be given its extreme expression in excommunication. The proper marks by which the true church is to be recognized are three: «wherever the purity of doctrine flourishes, the sacraments are administered purely, and discipline exercised, you have a congregation to which you may safely join yourself.»¹⁸ Kingdon concludes: «Vermigli thought the exercise of discipline was an absolute necessity for a properly ordered Christian church ... he thought the most important tool in establishing discipline was excommunication.»

No doubt Vermigli's stress on discipline reflects his experience as Visitor of the Augustinian Order (1539–41). He had already established a reputation as diligent disciplinarian while Abbot in Spoleto (1533–36), infamous for its factions and feuds. Philip McNair comments: «It was in Spoleto that he first manifested administrative genius. It was here that he gave demonstration of that cast of mind which came to be known as Puritan. It was in Spoleto that Peter Martyr became a reformer ... For evidently there was much to reform.»¹⁹

The *Credo* has three sections on «The Forgiveness of Sins» (§§ 44–46) with three topics. First is that absolution comes «by the grace and Spirit of Christ,» received through faith. A second way is through the sacraments, «visible words of this absolution.» «We can respond to the reality represented only because of the inward movement of the Spirit of Christ.» (§ 45) Moreover, «If you were to ask me which sacrament in the church expressly signifies this remission, I would answer: baptism.» So by Word and sacrament the remission of sins is offered and sealed. As for «the third mode related to this remission» (§ 46), Vermigli means *brotherly correction*. Referring to Matthew 18:15–18 he states: «When those warned do not repent, they are disciplined by separation as a last resort. This should last until they repent of sins committed. With penitence for sin comes an end to the penalty of excommunication for sin.»

Such absolution relates to the authority granted to the church by Christ, «the power of the keys.» To safeguard against abuses it is an authority shared

¹⁷ Robert M. Kingdon, «Peter Martyr Vermigli On Church Discipline,» in *Peter Martyr Vermigli: Humanism, Republicanism, Reformation*, ed. E. Campi (Geneva: Librairie Droz, 2002) 67–76. Euan Cameron, however, credits Luther's 1538 *Von der wahren Seelsorge* with introducing the «third mark» of discipline (book review in JEH 1996, pp. 363–66).

¹⁸ Vermigli, *ad Cor.* 1; LC IV.6.17.

¹⁹ P. McNair, *Peter Martyr in Italy* (Oxford: Clarendon, 1967) 128.

by the whole community of believers. «We do not depreciate the authority of the church, but only deny that it should be entrusted to the will and whim of one person acting alone.» He concludes: «But you see how this third mode contains only the absolution of public sins, while the church through those other two modes mentioned above exercises everywhere the remission of all sorts of sins. Here we are dealing exclusively with the open kind, which by their evil example offend and scandalize whoever hears and knows of them.»

2) Commentaries

While in Strasbourg Vermigli composed theses based on his Pentateuch lectures for student debate. They include the following:

«We allow a confession of sins made not only to God but also to men.» (27.N. 16)
«Repentance is threefold: the first is perfect and whole, which pleases God; another is temporary, which God counts for something; the third is hypocritical, which God detests.» (33.N. 9)

His Old Testament commentaries contain scattered references to the topic, including the extended treatise *De Poenitentia* at the end of 2 *Samuel*. For example, commenting in *Judges* on the story of the Israelites' weeping under judgment, he writes: «true and lawful repentance consists chiefly of two principal points, a sorrow acknowledging the wicked acts committed, and a sure confidence to obtain pardon by Christ.» (*Jud.* 2:4) In this context he declares that their ceremony (tears and sacrifice) showed «that by the death and oblation of Christ all their sins were removed, and already forgiven. Without doubt true repentance can be found only through such faith.»

Again: «People who are truly repentant wish very much that others might be influenced by their example and abstain from vices. In my view those public confessions of transgressions were in ancient times taking place in the church for the following reasons: to implore the prayers of those standing by; second, to provoke others (if they had fallen into such practices) to come to their senses by the example of those who groan under punishment; finally and most importantly, to strengthen still others to keep themselves from these practices, being clearly warned of the consequences of such behavior.»²⁰

At Oxford (1547–53) Peter Martyr's lectures on 1 Corinthians and Romans include passages on this and related themes. In *1 Corinthians*²¹ Vermigli

²⁰ *Lamentations* 36:18 (PML vol. 6), trans. Dan Shute, 52–53.

²¹ *In selectissimam D. Pauli Priorem ad Corinth., epistolam Commentarijs ...* (Zurich: C. Fro-schauer, 1551).

is clear that «two sacraments have been handed down to us by God» (10:2). While there is no direct reference to the ordinance of penance, there are distinct echoes of Calvin's twin emphases on mortification and vivification: «repentance and mortification of evil desires are preached, by which our flesh is refurbished in a wonderful way» (10:7); «Faith refers to doctrine and repentance to behavior» (11:27); «when we do penance and when we are converted to God» it is «the working of the Holy Spirit» (11:25).

Vermigli is explicit on the role of discipline. In the scholium *De ecclesia*²² he defines the church as «a company of believers and regenerate people, whom God gathers together in Christ, by the word and the Holy Spirit, and by his ministers governs the same with purity of doctrine, with lawful use of the sacraments, and with discipline.» Again: «Ecclesiastical discipline is nothing else than a power granted to the church by God, by which the wills and acts of the faithful are made to conform to God's law. This is accomplished by teaching, admonitions, correction, and finally by punishments and excommunication if required.» This sort of «medicine» is different from that wielded by fathers or pastors or magistrates. While they should not allow sins to pass unnoticed, the pastor must exert the «greater discipline» in order to admonish and rebuke wayward brethren. (10:9)

The Treatise *De Iustificazione* (in *ad Romanos*)²³ states: regarding good works of the penitent, the Fathers «were concerned about ecclesiastical satisfactions, not our own works, by which God could be appeased or the forgiveness of sins deserved.»²⁴ Martyr joins penance with good works in refuting Richard Smith's argument that «penal works (as he calls them) ... were required of men not so they should be justified before God through them, but only to prove themselves to the church, that is, lest by a sham and affected repentance they should seek to be reconciled» (§ 87). God does have regard to true repentance, for by such «outward discipline ... punishments of this present life are avoided» (§ 29). «They claim that the Holy Scriptures attribute a great deal to repentance; we do not deny it.» But it is the fruit of faith, as it was with David and Peter, but not Judas. Therefore «it is not the cause but the effect of justification, for it follows faith, rather than precedes it.» Auricular confession is «completely superstitious, we utterly reject it for they impose it as something necessary for salvation and a reason why sins should be forgiven, which they are never able to prove from the testimonies of Scripture» (§ 32).

²² Rom. 1; LC IV.1.

²³ *In Epistolam S. Pauli Apostoli ad Romanos commentarij doctissimi* ... (Basel: P. Perna, 1558). References are to the James translation of *Predestination and Justification* (PML 8, 2003).

²⁴ § 22; quotations are from the James translation (p. 121).

3) On Repentance

The lengthy scholium *De Poenitentia* appears at the very end of the commentary on 2 Samuel.²⁵ It provides Martyr's mature reflection on the sacraments, affording definition, critique of the traditional seven sacraments, and a clear exposition of his sacramental theology.

The treatise begins by declaring that there is «one purgation, which is set forth to us by faith, which has repentance joined with it, by this men are cleansed and are at rest.» God called our first parents to such repentance, echoed by the prophets, and by Christ himself: «Repent, for the kingdom of heaven is near.» The kingdom is to be understood as «newness of life, heavenly actions, and regeneration.» Therefore it is not the case that we should first repent and by the merit of repentance have remission of sins. «First it is apprehended by faith: afterwards a sound repentance follows.» Rehearsing some Patristic definitions, he refers to Jerome on Ezekiel 16, and the decree *De Poenitentia*, that «after baptism, repentance is the second bond» by which we swim from shipwreck.²⁶ He now surveys, in typical exhaustive fashion, scriptural texts on repentance, and then the Fathers. But first he notes that some «would have removed repentance entirely,» such as the Novatians – and the Puritans! – as being self-righteous, and «denying repentance to those that are fallen.»

The kinds and parts of repentance are analyzed: private, public and solemn; then comes the crucial question whether this is a sacrament, «because in a way it is the cause of forgiveness of sins.» But where is absolution, Martyr asks, since this is the principal thing? Noting the origin of *sacramentum* in *mysterion* (a significant point, not always recognized or emphasized by other Reformers), he states: «Sacraments are tokens by which God is bound to us and we to him.» But to say merely «the sign of a holy thing,» is not enough; «visible sign of invisible grace» is better, showing the specific relation to grace.

The Fathers acknowledged only two sacraments, «sometimes mentioning repentance.» Hence, «those who say that the grace of forgiveness of sins is signified by the same, tie themselves to these two alone, namely baptism and the Lord's supper.» Remission of sins may be signified by the imposition of hands, but it is the effect of the Word of God. Contrition is «a sorrow lodged in the will because of sins.» Confession is «to acknowledge and declare God's benefits.» Auricular confession is not warranted by the Word of God, since «sins should be showed to God himself, not to put God in mind of them (so

²⁵ *In duos Libros Samuelis Prophetæ ... Commentarii doctissimi ...* (Zurich: C. Froschauer, 1564), fol. 324v-334r. Also in LC/CP 3.8.

²⁶ *Tractatus de Poenitentia, dist. 1, ch. secunda tabula*, PL 187, 1519ff.

he knows our hearts) but that we may know our own selves, and see our own miseries.» The problem is to know whether you have confessed everything: this theory leaves one in perpetual doubt. Satisfaction is, as tradition held, «the sign of true repentance, that the church might be well regarded.» There is no condign merit, for the Pope is not «the disposer of the sufferings of Christ and the martyrs and other saints.» Rather, the good works of the godly «have the analogy and force of prayers.»

In sum, «we are to embrace true repentance that comes by faith, and that speedily.» We must follow this way which Christ taught and weigh its effects, namely renewal; «it works marvellous joys, first in us, secondly in the church and also among the heavenly company. ... Lastly, God's mercy must be set forth, how ready he is to receive penitents.»

Conclusion

The texts show Vermigli's consistent teaching on penance as non-sacramental and related more to the well-being of the Christian community than to priestly absolution. As such it is necessary to maintain that moral rectitude which is the fruit of justification by faith; thus its extreme form of excommunication must be acknowledged as sometimes in order. Positively, it is symbolic of the brotherly correction that elevates ecclesiastical discipline to the third mark of the true church. Thus Vermigli reflects not only Calvin's «mortification and vivification,» but also the general Reformed view that there are but two dominical sacraments, while repentance is tied to justification by faith and not to the priestly office.

Abstract

Peter Martyr Vermigli deals with the doctrine of penance in three texts, his early Credo, biblical commentaries, and the late treatise *De Poenitentia*; all three are consistent in their teaching. Following the example of Melanchthon and Calvin, he emphasizes the positive benefits of repentance, namely mortification and vivification. He rejects the sacramental nature of absolution, but makes repentance, private and public, part of his stress on discipline as the third mark of the church.

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