

Objection 1. It would seem that it is not lawful for anyone to confess to another than his own priest, even in virtue of a privilege or command given by a superior. For no privilege should be given that wrongs a third party. Now it would be prejudicial to the subject's own priest, if he were to confess to another. Therefore this cannot be allowed by a superior's privilege, permission, or command.

Objection 2. Further, that which hinders the observance of a Divine command cannot be the subject of a command or privilege given by man. Now it is a Divine command to the rectors of churches to "know the countenance of their own cattle" (Prov. 27:23); and this is hindered if another than the rector hear the confession of his subjects. Therefore this cannot be prescribed by any human privilege or command.

Objection 3. Further, he that hears another's confession is the latter's own judge, else he could not bind or loose him. Now one man cannot have several priests or judges of his own, for then he would be bound to obey several men, which would be impossible, if their commands were contrary or incompatible. Therefore one may not confess to another than one's own priest, even with the superior's permission.

Objection 4. Further, it is derogatory to a sacrament, or at least useless, to repeat a sacrament over the same matter. But he who has confessed to another priest, is bound to confess again to his own priest, if the latter requires him to do so, because he is not absolved from his obedience, whereby he is bound to him in this respect. Therefore it cannot be lawful for anyone to confess to another than his own priest.

On the contrary, He that can perform the actions of an order can depute the exercise thereof to anyone who has the same order. Now a superior, such as a bishop, can hear the confession of anyone belonging to a priest's parish, for sometimes he reserves certain cases to himself, since he is the chief rector. Therefore he can also depute another priest to hear that man.

Further, a superior can do whatever his subject can do. But the priest himself can give his parishioner permission to confess to another. Much more, therefore, can his superior do this.

Further, the power which a priest has among his people, comes to him from the bishop. Now it is through that power that he can hear confessions. Therefore, in like manner, another can do so, to whom the bishop gives the same power.

I answer that, A priest may be hindered in two ways from hearing a man's confession: first, through lack of jurisdiction; secondly, through being prevented from exercising his order, as those who are excommunicate, de-

graded, and so forth. Now whoever has jurisdiction, can depute to another whatever comes under his jurisdiction; so that if a priest is hindered from hearing a man's confession through want of jurisdiction, anyone who has immediate jurisdiction over that man, priest, bishop, or Pope, can depute that priest to hear his confession and absolve him. If, on the other hand, the priest cannot hear the confession, on account of an impediment to the exercise of his order, anyone who has the power to remove that impediment can permit him to hear confessions.

Reply to Objection 1. No wrong is done to a person unless what is taken away from him was granted for his own benefit. Now the power of jurisdiction is not granted a man for his own benefit, but for the good of the people and for the glory of God. Wherefore if the higher prelates deem it expedient for the furthering of the people's salvation and God's glory, to commit matters of jurisdiction to others, no wrong is done to the inferior prelates, except to those who "seek the things that are their own; not the things that are Jesus Christ's" (Phil. 2:21), and who rule their flock, not by feeding it, but by feeding on it.

Reply to Objection 2. The rector of a church should "know the countenance of his own cattle" in two ways. First, by an assiduous attention to their external conduct, so as to watch over the flock committed to his care: and in acquiring this knowledge he should not believe his subject, but, as far as possible, inquire into the truth of facts. Secondly, by the manifestation of confession; and with regard to this knowledge, he cannot arrive at any greater certainty than by believing his subject, because this is necessary that he may help his subject's conscience. Consequently in the tribunal of confession, the penitent is believed whether he speak for himself or against himself, but not in the court of external judgment: wherefore it suffices for this knowledge that he believe the penitent when he says that he has confessed to one who could absolve him. It is therefore clear that this knowledge of the flock is not hindered by a privilege granted to another to hear confessions.

Reply to Objection 3. It would be inconvenient, if two men were placed equally over the same people, but there is no inconvenience if over the same people two are placed one of whom is over the other. In this way the parish priest, the bishop, and the Pope are placed immediately over the same people, and each of them can commit matters of jurisdiction to some other. Now a higher superior delegates a man in two ways: first, so that the latter takes the superior's place, as when the Pope or a bishop appoints his penitentiaries; and then the man thus delegated is higher than the inferior prelate, as the Pope's penitentiary is higher than a bishop, and the bishop's pen-

itentiary than a parish priest, and the penitent is bound to obey the former rather than the latter. Secondly, so that the delegate is appointed the coadjutor of this other priest; and since a co-adjutor is subordinate to the person he is appointed to help, he holds a lower rank, and the penitent is not so bound to obey him as his own priest.

Reply to Objection 4. No man is bound to confess sins that he has no longer. Consequently, if a man has confessed to the bishop's penitentiary, or to someone else having faculties from the bishop, his sins are forgiven both before the Church and before God, so that he is not bound to confess them to his own priest, however much the latter may insist: but on account of the Ecclesiastical precept (*De Poenit. et Remiss., Cap. Omnis utriusque*) which prescribes confession to be made once a year to one's own priest, he is under the same obligation as one who has committed none but venial sins. For such a one, accord-

ing to some, is bound to confess none but venial sins, or he must declare that he is free from mortal sin, and the priest, in the tribunal of conscience, ought, and is bound, to believe him. If, however, he were bound to confess again, his first confession would not be useless, because the more priests one confesses to, the more is the punishment remitted, both by reason of the shame in confessing, which is reckoned as a satisfactory punishment, and by reason of the power of the keys: so that one might confess so often as to be delivered from all punishment. Nor is repetition derogatory to a sacrament, except in those wherein there is some kind of sanctification, either by the impressing of a character, or by the consecration of the matter, neither of which applies to Penance. Hence it would be well for him who hears confessions by the bishop's authority, to advise the penitent to confess to his own priest, yet he must absolve him, even if he declines to do so.