

CDF

## Canon law denies Communion to abortionist politicians

---

ECCLESIA

15\_05\_2021



**Tommaso  
Scandroglio**



The recent letter by the Prefect of the Congregation for the Doctrine of the Faith, Luis Francisco Ladaria Ferrer, president of the US bishops in response to José Horacio Gomez, about communion with pro-abortion politicians, has raised quite a clamour. The

issue returned to the forefront with the election of US President Joe Biden, a Catholic but also strongly in favour of policies that extend abortion. There is disagreement among the American bishops on the appropriacy of denying communion to Biden and to those who support the same policies, while the prefect Cardinal Luis Ladaria asks for dialogue in order to arrive at a solution that does not contradict the teaching of the Church.

But, what does the Code of Canon Law say about this?

**Canon 915 states: “Those upon whom the penalty of excommunication or interdict has been imposed or declared,** and others who obstinately persist in manifest grave sin, are not to be admitted to Holy Communion”. So, let us now turn our attention to the category of excommunicated persons. Canon 1398 in turn states: “A person who procures a completed abortion incurs a *latae sententiae* excommunication”. At first glance it would seem that only the doctor who materially performs the abortion and the woman who chooses to have an abortion for herself can be excommunicated. Therefore, a politician who is publicly in favour of abortion would seem to be excluded from the group of persons who have recourse to abortion and are therefore affected by excommunication. If not excommunicated, then the politician could take Communion. But this is not the case because excommunication can also affect collaborators, both material and moral. Canon 1329 § 2 states: “Accomplices who are not named in a law or precept incur a *latae sententiae* penalty attached to a delict if without their assistance the delict would not have been committed [...]”. Generally speaking, doctrine indicates these figures of collaborators who contribute in a necessary way to the crime of abortion: parents, nurses, social workers, clinic personnel, etc. But, what about pro-abortion politicians?

**Take Biden. The President, among other initiatives,** approved the allocation of pro-abortion funds. Without that money, some (it doesn't matter whether few or many) abortions could not have been and will not be performed. In short, the funding is a *condicio sine qua non* for causing some women to have abortions. Without that money, some mothers would have had abortions anyway, but it still remains that others would not. So these initiatives by the President, like those by other politicians, fall within the condition of necessity indicated by Canon 1329: “if without their assistance the delict would not have been committed”,

**But it cannot be excluded that a form of necessary collaboration** is also that of the politician who, while not signing any law facilitating abortion and while not allocating pro-abortion funds, speaks out in favour of abortion. His words could be that incentive,

necessary even if not sufficient, to motivate some woman - one is enough - to resort to abortion. In short, it could be the final straw that breaks the camel's back.

**Let us return to canon 915, which prohibits the giving of Communion not only to the excommunicated** - and among these we have seen, there are also those who materially and morally collaborate in abortion by providing a necessary contribution - but also to all those "who obstinately persevere in a grave and manifest sin". Does the politician who speaks out in favour of abortion persist in a grave and manifest sin? Let us begin with a reflection. Abortion is a grave sin. Advising abortion is also a grave sin. A politician who publicly and continuously endorses abortion practices not only approves them, but spreads them widely: in short, it is as if he were advising an indeterminate number of people. Approving and, even more so, wanting to spread abortion, is a grave sin. Provided the other two conditions are met - full awareness and deliberate consent - the politician would be in a state of mortal sin, a condition that would prevent him from taking Communion if he had not first gone to confession.

**If, the politician went up to the altar anyway to receive Holy Communion, what should the priest do?** He would have to forbid him to receive Communion precisely because his public support for abortion makes him rightfully one of those "who obstinately persist in a grave and manifest sin", as recalled in the 2004 Note sent by the then Cardinal Ratzinger to the American bishops (original text in English [here](#)). The doctrine generally includes in this category, among others, cohabitants, Catholics married only civilly, and remarried divorcees. If the unmarried cohabitant must be refused Communion, *a fortiori* the politician who is publicly in favour of abortion must be refused, just as it must be refused to those who are known adherents of atheistic and materialistic ideologies: does not the pro-abortion ideology rightfully belong to the materialistic ideologies?

**N.B.: it is sufficient for refusing Communion that the sin is grave and manifest,** it does not matter whether the politician is aware of this gravity or has freely chosen to support abortion. Even if these two conditions are lacking - awareness and freedom - which greatly affect individual responsibility by significantly diminishing it or even cancelling it (more in theory than in practice), the priest must nevertheless refuse Communion because public support for abortion constitutes an objectively disordered situation in contrast with the sanctity of the Eucharist, as well as with personal dignity, and which may provoke scandal: it would constitute a sort of Eucharistic blessing for abortion. This is how the then Cardinal Ratzinger expressed himself in the Note of 2004, quoted in the recent letter of the CDF but disregarded by the same in the pastoral

indications: “the Holy Communion minister must refuse to distribute it” (cf. Declaration of the Pontifical Council for Legislative Texts Holy Communion and Catholics who are divorced or civilly remarried [2002], nos. 3-4). This decision, properly speaking, is not a sanction or penalty. Nor is the minister of Holy Communion judging the subjective guilt of the person, but rather is reacting to the public unworthiness of the person to receive Holy Communion because of an objective situation of sin”.

**What if the politician had changed his mind on abortion?** In the first place he would have the duty, out of a spirit of reparation, to make his conversion public. If he had not done so, but had gone to confession promising to do so in the future, and the priest was unaware of these conditions, the priest would rightly have to refuse Communion anyway, believing him to be a grave and manifest sinner. If, on the other hand, the priest was aware of the presence of these conditions, it would be appropriate, in order to avoid scandal, for Communion to take place in private, until the politician had publicly communicated his aversion to all forms of abortion.

**In short, Holy Communion must be refused to the pro-abortion politician** both because he is excommunicated since he is complicit in abortion by making a necessary contribution, and because he is persisting in a grave and manifest sin. This is what the letter of the CDF should have pointed out in order to protect first of all the infinite sanctity of the Eucharist, secondly the faith of all, and thirdly the spiritual and even physical safety of the politician himself, as St. Paul recalls: “Therefore, whoever eats the bread or drinks the cup of the Lord in an unworthy manner will be guilty of the body and blood of the Lord. Let each one, therefore, examine himself and then eat of this bread and drink of this cup; for whoever eats and drinks without recognising the body of the Lord, eats and drinks his own condemnation”. And note how he concludes: “This is why there are many among you who are sick and infirm, and a good number have died” (1 Cor. 11:27-30). Paul is not only talking about spiritual death, but also physical death.