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Pro-Abortion Politicians and Voters And the Reception of Holy Communion

by

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The following is an expanded version of "Politics, Abortion, and Communion," Ethics & Medics, 31:1 (January 2006): 1-4. The author holds the John Cardinal Krol Chair of Theology at St. Charles Borromeo Seminary, Wynnewood, Pennsylvania.

The recent synod on *The Eucharist as the Source and Summit of the Life and Mission of the Church* was aimed at fostering greater reverence for the Eucharist. In addressing the worthy reception of the Eucharist, the bishops examined the pastoral questions raised because some people "receive communion while denying the teachings of the Church or publicly supporting immoral choices in life, such as abortion, without thinking that they are committing an act of grave personal dishonesty and causing scandal. Some Catholics do not understand why it might be a sin to support a political candidate who is openly in favor of abortion or other serious acts against life, justice and peace. Such attitudes lead to, among other things, a crisis in the meaning of belonging to the Church and in a clouding of the distinction between venial and mortal sin."¹

A Pastoral Problem

Many bishops have grappled with the best pastoral approach to take toward Catholic politicians who promote such immoral acts as abortion, euthanasia, the destruction of human embryos to extract stem cells, and granting the legal status of marriage to homosexual relationships. Last year, after reviewing a report from a bishops' task force on Catholic bishops and Catholic politicians, the United States Conference of Catholic Bishops (USCCB) issued the statement "Catholics in Political Life."² Citing St. Paul's admonition, "Whoever, therefore, eats the bread or drinks the cup of the Lord in an unworthy manner will be guilty of profaning the Body and Blood of the Lord" (1 Cor 11:27), the bishops note that an

examination of one's worthiness to receive Holy Communion "includes fidelity to the moral teaching of the Church in personal and public life."³

The statement lists five specific steps that bishops should take toward such politicians "in the hope that the scandal of their cooperating in evil can be resolved by the proper formation of their consciences." The bishops agreed 1) to *teach* clearly on their unequivocal commitment to the legal protection of human life; 2) to engage in dialogue with public officials in order to *persuade* all people that human life is precious and human dignity must be defended; 3) to *act* to form the consciences of their people so that they can examine the positions of candidates and make choices based on Catholic moral teaching; 4) *not to honor* those who act in defiance of our fundamental moral principles with awards, honors or platforms which would suggest support for their actions; 5) to *maintain communication* with public officials who make decisions affecting issues of human life and dignity.⁴

Regarding denying Communion to politicians who promote abortion, the document states that "such decisions rest with the individual bishop in accord with the established canonical and pastoral principles. Bishops can legitimately make different judgments on the most prudent course of pastoral action."^{5,6,7}

Bishops have long been engaged in instructing the faithful and persuading them about the sanctity of human life. Our late Holy Father, Pope John Paul II, personally proclaimed this message to all the peoples of the world. Despite these efforts, Catholic politicians continue to support abortion (and other immoral practices), often attempting to reconcile their violations of God's law and the teaching of the Church by claiming to be personally against these practices but somehow obliged to support them. Since the legalization of abortion in 1973 about 44 million unborn children have been killed in our country. Catholic politicians who have fought to keep abortion "safe and legal" have contributed to this tragic loss of innocent life, and have helped to obscure the evil involved in these acts. By eroding society's sense of evil regarding abortion, the actions of these politicians have contributed to the false conclusions reached by those who think that direct abortion is morally permissible in some circumstances. For Catholics, this scandal has been exacerbated by these same politicians receiving Communion while publicly flouting the Church's moral teaching. Some bishops have told such politicians not to present themselves for Communion until they repent, and, in some cases, have warned them that they will be denied the Eucharist if they should attempt to receive it. All bishops agree that instruction and persuasion are necessary elements of a sound pastoral approach to such politicians, but they do not all agree about the need or value of denying them Communion.⁸

Guidance from the Holy See

Before he became Pope Benedict XVI, Cardinal Joseph Ratzinger offered some guidance on this matter to the USCCB task force.⁹ While we await a possible post-synodal papal document, it is reasonable to assume that his guidance as Prefect of the Congregation for the Doctrine of the Faith (CDF) provides the framework for interpreting synod proposition 46, which states that bishops should exercise fortitude and prudence regarding the reception of the Eucharist by Catholic politicians who promote laws which violate the true good of persons.¹⁰ On this matter, three of Cardinal Ratzinger's points are particularly instructive:

4. Apart from an individual's judgment about his worthiness to present himself to receive the Holy Eucharist, the minister of holy communion may find himself in the situation where he must refuse to distribute holy communion to someone, such as in cases of a declared excommunication, a declared interdict or an obstinate persistence in manifest grave sin (Cf. Canon 915).

5. Regarding the grave sin of abortion or euthanasia, when a person's formal cooperation becomes manifest (understood, in the case of a Catholic politician, as his consistently campaigning and voting for permissive abortion and euthanasia laws), his pastor should meet with him about the church's teaching, informing him that he is not to present himself for holy communion until he brings to an end the objective situation of sin and warning him that he will otherwise be denied the Eucharist.

6. When "these precautionary measures have not had their effect or [when] they were not possible," and the person in question, with obstinate persistence, still presents himself to receive the Holy Eucharist, "the minister of holy communion must refuse to distribute it" (Cf. Pontifical Council for Legislative Texts declaration "Holy Communion and Divorced, Civilly Remarried Catholics" [2002], Nos. 3-4). This decision, properly speaking, is not a sanction or a penalty. Nor is the minister of holy communion passing judgment on the person's subjective guilt but rather is reacting to the person's public unworthiness to receive holy communion due to an objective situation of sin.¹¹ [This point includes guidance regarding Catholic voters, which I will examine later.]

Determining an Objective Situation of Sin

Although it is impossible to judge the state of another's soul, it is possible to know whether his actions violate the dictates of right reason and are objectively sinful. A politician who supports immoral practices formally cooperates in the immoral acts which others perform. The essential difference between formal and material cooperation is found in the disposition of the cooperator's will, which is expressed both in what he does and in his motive(s) for acting. In formal cooperation the secondary agent wills the same evil as the primary agent, whereas in material cooperation the secondary agent opposes the evil willed by the primary agent but nevertheless contributes to that evil while pursuing some good. Objectively, a politician who supports abortion promotes the killing of unborn children, irrespective of any claim he may make to be personally opposed to such killing, or any good motive he may have for acting. If an act is immoral by reason of its object no motive or good consequence can purify it. As Pope John Paul II explained:

The rational ordering of the human act to the good in its truth and the voluntary pursuit of that good, known by reason, constitute morality. Hence human activity cannot be judged as morally good merely because it is a means for attaining one or another of its goals, or simply because the subject's intention is good. Activity is morally good when it attests to and expresses the voluntary ordering of the person to his ultimate end and the conformity of a concrete action with the human good as it is acknowledged in its truth by reason. If the object of the concrete action is not in harmony with the true good of the person, the choice of that action makes our will and ourselves, morally evil, thus putting us in conflict with our ultimate end, the supreme good, God himself.¹²

A politician who supports abortion (and other immoral practices) wills that evil be done. He wrongly affirms that a woman has a right to abort her unborn child and wills that this "right" be legally enforced. Whenever a candidate promotes (and is not trying only to limit) immoral acts, he manifests an evil will, and is a formal cooperator in evil. Formal cooperation in abortion, and other gravely immoral acts, constitutes grave objective sin.

Voters and the Common Good

Voters may have a variety of motives for supporting a candidate, but to be responsible citizens they should vote to promote the true good of all persons and not merely their own interests.

When political activity comes up against moral principles that do not admit of exception, compromise or derogation, the Catholic commitment becomes more evident and laden with responsibility. In the face of *fundamental and inalienable ethical demands*, Christians must recognize that what is at stake is the essence of the moral law, which concerns the integral good of the human person. This is the case with laws concerning *abortion and euthanasia* (not to be confused with the decision to forgo *extraordinary treatments*). Such laws must defend the basic right to life from conception to natural death. In the same way, it is necessary to recall the duty to respect and protect the rights of the *human embryo*. Analogously, the *family* needs to be safeguarded and promoted, based on monogamous marriage between a man and a woman, and protected in its unity and stability in the face of modern laws on divorce: in no way can other forms of cohabitation be placed on the same level as marriage, nor can they receive legal recognition as such.¹³

However much a candidate may provide the best hope for improving health care, ending war, creating jobs and educational opportunities, eradicating poverty and crime, providing better housing and protecting the environment, he is unsuitable for public office if at the same time he violates the common good by promoting the killing of the innocent and other gravely immoral practices.

Voters and Material Cooperation in Evil

Ratzinger's memorandum included this note regarding Catholic voters: "A Catholic would be guilty of formal cooperation in evil, and so unworthy to present himself for holy communion, if he were to deliberately vote for a candidate precisely because of the candidate's permissive stand on abortion and/or euthanasia. When a Catholic does not share a candidate's stand in favor of abortion and/or euthanasia, but votes for that candidate for other reasons, it is considered remote material cooperation, which can be permitted in the presence of proportionate reasons."¹⁴ Such cooperation is justified when the good which voters *directly* intend is proportionate to the evil they do not will or intend but rather tolerate, and when they have taken reasonable steps to avoid giving scandal to others.

It seems that the only good proportionate to the wholesale destruction of innocent human life would be preventing the killing of even more innocent persons. When presented with one candidate who is pro-abortion, and another who is both pro-abortion and pro-euthanasia, a voter who opposes abortion may conclude that he could prevent more evil by voting for the pro-abortion candidate who does not promote euthanasia as well. This would be similar to a politician's support for imperfect legislation.

However, a voter who disagrees with a candidate's support for abortion or euthanasia would not be justified in voting for that candidate because he or she favors such worthy objectives as improving education, health care, the environment, and so forth. Some mistakenly think that the pursuit of a "greater" good constitutes a proportionate reason for performing or assisting in acts which are intrinsically evil. This claim is contrary to the traditional understanding of a proportionate reason as presented, for example, in the principles of double effect and cooperation. It is a proportionalist argument, which Pope John Paul II judged to be incompatible with Catholic moral teaching.¹⁵

Doing Evil to Achieve Good

Fr. Thomas R. Kopfensteiner employs a typical proportionalist argument in an attempt to show that voting for candidates who promote abortion and euthanasia is a form of material cooperation that is justified by the pursuit of some greater good or more urgent good.¹⁶ He likewise suggests that politicians who promote these and other immoral practices are engaged in justifiable material cooperation. For example, he states that "a candidate's support for same-sex unions... is not of necessity an attack on the institution of marriage or the promotion of sexual activity, but can be interpreted as a response to a perceived injustice toward people..."¹⁷ However, this position is untenable. By appealing to the politician's efforts on behalf of a greater or more urgent good – redressing a perceived injustice – it distorts the object of the moral act.

Perhaps the candidate is motivated by a perceived injustice, but by promoting same-sex unions he nevertheless undermines marriage and promotes immoral relationships. This is an integral part of the object of the moral act. "Laws in favor of homosexual unions are contrary to right reason because they confer legal guarantees, analogous to those granted to marriage, to unions between persons of the same sex. Given the values at stake in this question, *the State could not grant legal standing to such unions without failing in its duty to promote and defend marriage as an institution essential to the common good.*"¹⁸ Nor can it be claimed that the Catholic moral tradition would justify a candidate's advocacy for such unions because of his efforts to correct a perceived injustice.

That material cooperation may be justified for a proportionate reason does not mean that one is justified in willing evil for the sake of some “greater” good, as Kopfensteiner claims:

...Human life, however, is far from an absolute good; life can be sacrificed for higher goods such as one’s faith, defense of one’s country or the protection of one’s family and friends. The state can take life by means of capital punishment or by waging war, including the loss of civilian lives through so-called collateral damage.

The defense of life is not always the most urgent good, either. A woman on a fixed income may choose a candidate whose platform guarantees better medical care or prescription drug coverage. A father whose son is at war may support a candidate with a plan to end the conflict. A community hard hit by job layoffs may choose a candidate with a plan to provide more immediate jobs to the area. A district that suffers from the vicious cycle of poverty may rally behind a candidate with the hope of welfare reform, better schools and broad educational opportunities. A neighborhood that has been devastated by drugs and violence may be rightly drawn to a candidate who will provide security, housing, and landmark development. People who are in a state whose native beauty and natural resources are put in jeopardy by unrestricted development may find it compelling to support a candidate with a more balanced focus on the environment. These and other issues may provide a serious enough or proportionate reason to vote for one candidate over another. For a voter to be guided only by the fundamentality of human life risks falling into a radicalism that is foreign to the Catholic moral tradition.¹⁹

It is true that life is not an absolute good. But the norm proscribing the intentional killing of the innocent is absolute. The absolute norm against killing the innocent, particularly in abortion and euthanasia, has been infallibly taught by the ordinary and universal magisterium of the Church (see *Evangelium Vitae*). Those who attempt to kill innocent human beings violate the absolute right of persons not to be killed. Innocent victims are justified in defending themselves against such attacks, even by using deadly force if necessary. For this reason, and not because there is some greater good to be maintained, the Catholic moral tradition allows the killing of unjust aggressors in self-defense, in a just war and in capital punishment. As Ratzinger notes:

Not all moral issues have the same moral weight as abortion and euthanasia. For example, if a Catholic were to be at odds with the Holy Father on the application of capital punishment or on

the decision to wage war, he would not for that reason be considered unworthy to present himself to receive holy communion. While the church exhorts civil authorities to seek peace, not war, and to exercise discretion and mercy in imposing punishment on criminals, it may still be permissible to take up arms to repel an aggressor or to have recourse to capital punishment. There may be a legitimate diversity of opinion even among Catholics about waging war and applying the death penalty, but not however with regard to abortion and euthanasia.²⁰

It is also true that one may be willing to die while defending his faith, country, family and loved ones. But here again the reason is not because these goods are more important than one's own life. It is because such things are worth defending, even at the cost of one's own life. The person who is willing to die in defense of faith, country and family does not choose to take his own life or that of another innocent person. His death is not itself intended. Jesus did not commit suicide.

In the Catholic tradition, one cooperates with evil only when his pursuit of some good itself involves contributing to the evil someone else performs. Material cooperation in evil is not some neutral act that is "misused" by someone else, as Kopfensteiner states.²¹ A vote for a candidate who promotes abortion includes the intention to put into office someone who wants to ensure that this killing continues. There can never be a proportionately grave reason to kill, or to promote or contribute to the killing of innocent human beings.

Culpability

To be morally responsible for their unjustifiable cooperation in evil, voters need to know that, in voting for this candidate, they also endorse the evil he promotes. It is possible that people may vote for anti-life candidates without attending to this fact. Their ignorance, though vincible, may make them in these circumstances innocent of the evil in which they cooperate. It is also possible that voters may become so intent on promoting a morally good cause that they dismiss the significance of the other issues presented in a candidate's platform. These circumstances may also mitigate responsibility.

Reception of Holy Communion

In light of Ratzinger's memorandum, it seems that bishops, courageously and prudently exercise their pastoral office by utilizing every

means at their disposal, including threatening the refusal of Holy Communion, to bring politicians who promote abortion and other immoral acts to a conversion of heart. If they refuse to repent then bishops exercise these same virtues of fortitude and prudence in refusing Communion to them in order to avoid further scandal.²² In refusing Communion, a bishop makes no judgment about the state of the politician's soul, but rather responds to the contradiction between the politician's objectively evil choices and the reception of the Eucharist.

Catholic voters who make a public declaration of their support for candidates who promote immoral practices, for example, members of the organization "Catholics for a Free Choice," should be denied Communion for the same reasons. Catholics who do not make a public statement regarding their support for a pro-abortion candidate require a different pastoral approach. If they vote for a candidate who promotes immoral practices precisely because he does so, then they are formal cooperators in those evil actions who should be instructed not to receive Communion until they repent. All Catholics should be instructed that their vote for a candidate is in fact a vote for all that he promotes, and that they have a moral duty not to support immoral practices. Such instruction may help the ignorant or those too narrowly committed to avoid the unjustifiable cooperation in which they are engaged, but about which they may be unaware.

References

1. Synod of Bishops, 11th General Assembly (October 3-23, 2005), *Instrumentum Laboris*, n. 73, http://www.vatican.va/roman_curia/synod/documents/rc_synod_doc_20050707_instralabor-xi-assembly_en.html.
2. U.S. Bishops, "Catholics in Political Life," *Origins* 34:7 (July 1, 2004): 97, 99.
3. *Ibid.*, 99.
4. *Ibid.* These are summaries of the original text.
5. *Ibid.*
6. Here, the U.S. Bishops recognized that decisions about denying Communion to such politicians are a matter for each bishop's conscience. As is true of all judgments of conscience, each bishop must take into consideration all circumstances related to his decision. The Bishop of Pittsburgh, Donald Wuerl, noted "The issue of a national politician's reception of holy Communion and public stance on moral issues is a

concern that affects not just the local church wherein the politician lives, but also considerably affects the church throughout the nation, as was evidenced in last year's election and the controversy surrounding Sen. John Kerry. Here, one may well understand the national implications on the part of any diocesan bishop who would rightfully wish to make declarations in regard to a politician receiving or not receiving holy Communion in the church while at odds with church teaching."

While recognizing the right of diocesan bishops to make such decisions, Bishop Wuerl nevertheless proposes that individual diocesan bishops express a collegial spirit with regard to such decisions either through "an actual mechanism of the conference [USCCB] to facilitate some consensus and unified pastoral practice," or by a "commitment on the part of all the bishops to discuss beforehand, through some conference structure, decisions that will impact all of the bishops and the church as a whole." (See, Bishop Donald Wuerl, "Episcopal Pastoral Decisions and Ecclesial Communion," *Pittsburgh Catholic* (August 26, 2005).

The first of these recommendations would effectively prevent the diocesan bishop from acting in conformity with his own conscience whenever the consensus of the USCCB would differ from his own judgment. The second proposal, if understood as requiring the permission of the USCCB before acting, could also impede the diocesan bishop's exercise of conscience. Perhaps the best way to ensure the freedom of a diocesan bishop to exercise such pastoral decisions in his own diocese according to his own conscience while at the same time contributing to the collegial spirit of the body of bishops, would be to request that bishops inform the USCCB of such decisions whenever possible.

7. Some bishops and commentators have expressed grave concern about telling such politicians not to receive Communion. They fear that refusing them Communion would turn the Communion line into a battle line. Such a view presupposes that politicians would present themselves for Communion in defiance of the bishop's directive. However, the hope is that denying Communion to such politicians would persuade them to rectify their situation of objectively grave sin by repenting and ceasing to promote gravely immoral practices.

8. In a September, 2005 address to the Commission of the Bishops' Conferences of the European Community (COMECE), the Archbishop of Washington, D.C., Cardinal Theodore E. McCarrick, stated that the U.S. bishops are facing a choice between a persuasive and a defensive approach to influencing public policy. He stated that "one of the most serious challenges facing our Church involves Catholics in public life who publicly take positions that violate fundamental Church teaching." The Cardinal characterized the approach of those bishops who threatened to deny Communion to such politicians as defensive, and added that most bishops chose "to reach out and teach and persuade these people without publicly using the sacrament as a disciplinary tool." (For a report on the Cardinal's remarks see the newspaper of the Archdiocese of Washington, *The Catholic Standard*, October 20, 2005.) However, those bishops who have threatened to deny Communion to such politicians have done so only after all other efforts to persuade have failed. In fact, given such efforts, the threat to refuse Communion must itself be viewed as a last effort to persuade.

9. Cardinal Joseph Ratzinger, "Worthiness to Receive Holy Communion: General Principles," *Origins* 34:7 (July 1, 2004): 133.
10. "Propositions of Synod on the Eucharist, Nos. 46-50," *Zenit.org*, November 6, 2005, Proposition 46.
11. Ratzinger, *op. cit.*, 133.
12. John Paul II, *Veritatis Splendor* (August 6, 1993) (Boston: Daughters of St. Paul, 1993), n. 72.
13. Congregation for the Doctrine of the Faith, "Doctrinal Note on Some Questions Regarding the Participation of Catholics in Public Life." No. 4, http://www.vatican.va/roman_curia/congregations/cfaith/doc_doc_index.htm (original emphasis).
14. Ratzinger, *op. cit.*, 133.
15. See *Veritatis Splendor*, nn. 71-83.
16. Thomas R. Kopfensteiner, "The Man With a Ladder," *America* 191:13 (November 1, 2004): 9-11.
17. *Ibid.*, 11.
18. Congregation for the Doctrine of the Faith, "Considerations Regarding Proposals to Give Legal Recognition to Unions Between Homosexual Persons," (July 31, 2003), *Origins* 33:11 (August 14, 2003) N. 6, 180 (emphasis added).
19. Kopfensteiner, *op. cit.*, 11.
20. Ratzinger, *op. cit.*, n.3, 133.
21. Kopfensteiner, *op. cit.*, 10.
22. As Bishop of La Crosse, Wisconsin, Raymond L. Burke (now Archbishop of St. Louis) showed great fortitude and prudence in his efforts to bring three pro-abortion Catholic politicians to a change of heart. Although his actions predate Ratzinger's memorandum to the USCCB Task Force, Burke followed the very same procedure outlined by Ratzinger.