The Catholic Lawyer

Volume 43
Number 2 *Volume 43, Fall 2004, Number 2*

Article 3

November 2017

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THE SPIRITUALITY OF COMMUNION: A RESOURCE FOR DIALOGUE WITH CATHOLICS IN PUBLIC LIFE

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God comes down into me by way of bread: I go up to him by way of my neighbor.[1]

INTRODUCTION

The elements of the "communion controversy" had been brewing for some time before it exploded in the Spring of 2004. In 1995, Pope John Paul II's Encyclical on the value and inviolability of human life, *Evangelium Vitae*, had set out the "grave and clear obligation" of politicians to oppose laws which legitimate abortion.[2] The same point was

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[1] IGINO GIORDANI, DIARY OF FIRE 81 (1981) (entry for Apr. 14, 1960; I took the liberty of changing "brother" to "neighbor"). On June 6, 2004 the Diocese of Frascati, Italy opened the process of beatification for Giordani, a writer, journalist, politician, ecumenist, patrologist, married man, and "one of the most representative figures of the 20th century who left a deep mark and opened prophetic prospective at the cultural, political, ecclesial and social level." *Holiness Should Not Be the Privilege of a Few but Rather a Mass Phenomenon Involving All Christians*, AGENZIA FIDES, *at* www.fides.org/eng/news/2004/0406/04_2534.html (Apr. 6, 2004).

[2] POPE JOHN PAUL II, ENCYCLICAL LETTER *EVANGELIUM VITAE* ¶ 73 (1995) [hereinafter *EVANGELIUM VITAE*]. The Pope stated:

> Abortion and euthanasia are thus crimes which no human law can claim to legitimize. There is no obligation in conscience to obey such laws; instead there is a grave and clear obligation to oppose them by conscientious objection. . . . In the case of an intrinsically unjust law, such as a law permitting abortion or euthanasia, it is therefore never licit to obey it, or to "take part in a propaganda campaign in favour of such a law, or vote for it."

Id. (emphasis omitted).

emphasized again in a November 2002 Doctrinal Note in which the Vatican Congregation for the Doctrine of the Faith addressed some questions regarding the participation of Catholics in public life.[3]

As the United States Presidential campaigns began to heat up in late 2003, a number of bishops issued statements about political responsibility and the defense of human life. In November 2003, Raymond Burke, then-bishop of the Diocese of La Crosse, Wisconsin, subsequently appointed the Archbishop of St. Louis, published in the diocesan newspaper a canonical notification that "[a] Catholic legislator who supports procured abortion or euthanasia, after knowing the teaching of the Church, commits a manifestly grave sin which is a cause of most serious scandal to others."[4] Pursuant to Canon 915, the bishop concluded, "such persons 'are not to be admitted to holy communion.' "[5] Shortly thereafter, other bishops issued statements expressing similar concerns.[6]

In a January interview with the St. Louis Post-Dispatch, Archbishop Burke stated that if Senator John Kerry, well-known for his support for pro-choice legislation, were to present himself for communion, "I would have to admonish him."[7] For his part, Senator Kerry responded, "[W]hat I believe personally as a Catholic as an article of faith is an article of faith."[8] As a public official, however, he opined, it is not "appropriate in the United States for a legislator to legislate personal religious beliefs for the rest of the country."[9]

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[3] *Doctrinal Note on Some Questions Regarding the Participation of Catholics in Political Life*, *in* 32 ORIGINS 537 n.4 (Jan. 30, 2003) (Catholic lawmakers have a " 'grave and clear obligation to oppose' any law that attacks human life" (quoting John Paul II)). Catholic Church documents are compiled in a number of places both in hard copy and online. Hereinafter, this essay cites to ORIGINS, the Catholic News Services' weekly compilation.

[4] Archbishop Raymond Burke, *Catholics and Political Responsibility*, 33 ORIGINS 557 (Jan. 29, 2004).

[5] *See id.* at 559 (quoting CODEX IURIS CANONICI (Canon Law Society of America trans., 2004) [hereinafter CIC-1983]). The La Crosse notification is dated Nov. 23, 2003. In the accompanying pastoral letter to the Diocese of La Crosse, *On the Dignity of Human Life and Civic Responsibility*, also dated Nov. 23, 2003, but released on Jan. 8, 2004, Archbishop Burke explained his position in detail. *See id.* at 559–62.

[6] *See, e.g.*, Archbishop Alfred Hughes, *Catholics, the Common Good, and Public Policy*, 33 ORIGINS 562, 563 (Jan. 14, 2004) ("When Catholic officials openly support the taking of human life in abortion, euthanasia or the destruction of human embryos, they are no longer faithful members in the [C]hurch and should not partake of holy communion."); Bishop David Zubik, *Catholics in Public Office*, 33 ORIGINS 564, 565 (Jan. 9, 2004) ("Any Catholic legislator who supports and even more so advocates for abortion and euthanasia can be a contradiction to their faith and can be a scandal to others. A serious matter indeed.").

[7] Patricia Rice, *Archbishop Burke Says He Would Refuse Communion to Kerry*, ST. LOUIS POST-DISPATCH, Jan. 31, 2004, at 24.

[8] *Id.*

[9] *Id.*; *see* Jonathan Finer, *Kerry Says He Believes Life Starts at Conception*, WASH. POST, July 5, 2004 at A6 ("I oppose abortion, personally. I don't like abortion. I believe life does begin

More fuel was added to the fire in April 2004 when the Vatican Congregation for Divine Worship and Discipline of the Sacraments issued a document, *Redemptionis Sacramentum*,[10] which set forth guidelines to insure that celebration of the Eucharist follows proper liturgical norms. In treating the conditions for the reception of communion, the document reaffirmed the Church's discipline: "anyone who is conscious of grave sin should not celebrate or receive the body of the Lord without prior sacramental confession."[11] When asked at the press conference whether a politician who supports abortion should be denied communion, head of the Congregation for Divine Worship and the Discipline of the Sacraments, Francis Cardinal Arinze, responded, "Yes."[12]

In the weeks that followed, more bishops joined the chorus of those challenging Catholic politicians who publicly dissent from the Church's teachings on abortion, and some extended the argument to Catholic voters who vote for politicians because they advocate for pro-choice policies.[13] Others, in contrast, expressed concerns that the tenor of the debate stepped over the line of promoting one candidate over another, and that education rather than sanctions would be a more effective way to convey a message about the reality and immorality of abortion.[14]

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at conception. . . . [But] I can't take my Catholic belief, my article of faith, and legislate it on a Protestant or a Jew or an atheist . . . . We have separation of [C]hurch and state in the United States of America.").

[10] 33 ORIGINS 801, 811 (May 6, 2004).

[11] *Id.* at 811.

[12] *On File*, 33 ORIGINS 803, 805 (May 6, 2004) (reporting Cardinal Arinze's comments at the Apr. 23, 2004 press conference).

[13] *See* Archbishop John Meyers, *Catholic Voters, Political Leaders, and Abortion*, 34 ORIGINS 1, 3 (May 20, 2004); Bishop Michael Sheridan, *The Duties of Catholic Politicians and Voters*, 34 ORIGINS 5, 6 (May 20, 2004); Archbishop John Vlazny, *When Catholics Vote for Pro-Choice Candidates*, 34 ORIGINS 20, 21 (May 27, 2004); Eric Gorski, *Bishops in Colorado for Crucial Dialogue*, DENVER POST, June 13, 2004, at A-01; *see also* Tim Townsend, *Burke Clarifies Voting Stance*, ST. LOUIS POST-DISPATCH, Sept. 2, 2004, at A01 (noting Archbishop Burke's explanation that under the doctrine of "remote material cooperation" in evil, Catholics could vote for a candidate who supports abortion rights so long as that is not the reason they vote for the candidate and they believe that the politicians stance on other moral issues outweighs the abortion-rights stance).

[14] *See, e.g.*, Theodore Cardinal McCarrick, *On Using Denial of the Eucharist as a Sanction*, 34 ORIGINS 17, 19 (May 27, 2004) ("As a priest and bishop, I do not favor a confrontation at the altar rail with the sacred body of the Lord Jesus in my hand."); *On File*, *supra* note 12, at 802 (May 6, 2004) (reporting Cardinal McCarrick's discussion of the "delicate" interpretation of the Church law on when communion should be denied: "I would be very uncomfortable to have a confrontation at the altar because it implies that I know precisely what's in a man's heart or in a woman's heart, and I'm not always sure."); *id.* at 807 (reporting Bishop Wilton Gregory's description of denial of communion as a sanction of last resort: "In the nature of the [C]hurch, the imposition of sanctions is always the final response, not the first response, nor the second, nor maybe even the 10th."); *On File*, 34 ORIGINS 3–5 (May 20, 2004) (reporting Roger Cardinal

In the meantime, forty-eight Catholic members of the United States House of Representatives signed a letter to Theodore Cardinal McCarrick of Washington, D.C., expressing their concerns: "For any of us to be singled out by any bishop by the refusal of communion or other public criticism because we vote in what we believe are the requirements of the U.S. Constitution and the laws of our country, which we are sworn to uphold, is deeply hurtful."[15]

In June 2004, the debate came to something of a temporary resting spot when, based on an interim report, the bishops issued a statement entitled *Catholics in Political Life*.[16] The statement both reiterated the Church's general discipline, that an examination of conscience as to worthiness to receive communion includes "fidelity to the moral teaching of the Church in personal and public life,"[17] and left the decision of whether to deny the Eucharist to Catholics who publicly support "abortion on demand" to the prudential judgment of individual bishops.[18]

Commentators have already begun the formidable task of explaining the Canon Law provisions and internal Church regulations and traditions regarding the reception of the Eucharist and the Bishop's pastoral and teaching roles. Such "précis of ecclesiastical essentials" will be

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Mahony's statements that education would be a more effective than sanctions in communicating the Church's teachings, and his concerns that the debates not give the impression that "we are telling people to vote for this candidate or that candidate. That has never been our role, and if we give the impression that that is what we are doing, then we have failed our people."); Bishop Anthony Pilla, *The Debate About Public Morality and Public Policy, Statement in Cleveland* (June 2004), *in* 34 ORIGINS 126, 128 (July 15, 2004) ("The view of refusing communion to politicians who support keeping abortion legal is not part of the pastoral tradition of the [C]hurch. . . . The altar is a place of unity, healing, nourishment and grace. It is not a place for confrontation."); Bishop Donald Wuerl, Faith, *Personal Conviction and Political Life, Address for the Loebig Lecture, Pittsburgh, Pennsylvania* (May 25, 2004), *in* 34 ORIGINS 37, 40 (June 3, 2004) ("Given the long-standing practice of not making a public judgment about the state of the soul of those who present themselves for holy communion, it does not seem that it is sufficiently clear that in the matter of voting for legislation that supports abortion such a judgment necessarily follows.").

[15] Forty-eight House Members, *On Denying Communion as a Sanction: Letter to a Cardinal* (May 10, 2004), *in* 34 ORIGINS 35, 36 (June 3, 2004); *see also* David R. Obey, *My Conscience, My Vote*, AMERICA 8 (Aug. 16, 2004) (US Representative from Wisconsin outlines concerns).

[16] U.S. Bishops' Meeting, *Catholics in Political Life* (June 18, 2004) [hereinafter Bishops' Meeting], *in* 34 ORIGINS 97, 99 (July 1, 2004); *see also* U.S. Bishops' Task Force on Catholic Bishops and Catholic Politicians, *Interim Reflections of the Task Force on Catholic Bishops and Catholic Politicians* (June 15, 2004), *in* 34 ORIGINS 100 (July 1, 2004).

[17] Bishops' Meeting, *supra* note 16, at 99.

[18] *Id.*

extraordinarily helpful as experts and lay readers alike make their way through the tangle of delicate questions woven into this story.[19]

This essay poses a different, and in some sense, broader set of initial questions. It starts by asking, "What is the relationship between the Eucharist and political commitment?" As excerpts from Pope John Paul II's recent Encyclical on the Eucharist, *Ecclesia de Eucharistia*,[20] illustrate, the connections are broad and deep—and extend far beyond the issue of abortion. It then interfaces these reflections with two other texts: first, *Faithful Citizenship*,[21] the United States Bishop's most recent guide for reflection on political life in light of scripture and Catholic social teaching; and second, John Paul II's analysis in *Evangelium Vitae*[22] of political leaders' responsibilities to promote a culture of life. It concludes that just about every politician—right, left, and center—who claims to have a Catholic perspective on political life, could be more consistent with the broad and overarching vision of Catholic social teaching.

Against this backdrop, the essay then considers the Bishops' June 2004 statement on *Catholics in Political Life*,[23] particularly as an expression of hope for further and deeper conversation with Catholics in public life. It suggests that Pope John Paul II's recent descriptions of a spirituality "[t]o make the Church the home and the school of communion"[24] are a precious resource for the dialogue with Catholics in public life, and more generally in public conversations about the moral tragedy of abortion.

I. THE EUCHARIST AND "OUR DAILY COMMITMENT"

"The Church draws her life from the Eucharist," Pope John Paul II set out to explain in his recent Encyclical, *Ecclesia de Eucharistia*.[25] The extraordinarily rich text explored the manifold ways in which the Eucharist

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[19] *See, e.g.*, Gregory C. Sisk & Charles J. Reid, *Abortion, Bishops, Eucharist and Politicians: A Question of Communion*, 43 CATH. LAW. 225 (2004).

[20] POPE JOHN PAUL II, ENCYCLICAL LETTER *ECCLESIA DE EUCHARISTIA* (2003) [hereinafter *ECCLESIA DE EUCHARISTIA*].

[21] UNITED STATES CONFERENCE OF CATHOLIC BISHOPS, *Faithful Citizenship: A Catholic Call to Political Responsibility* 3 (2003) [hereinafter *Faithful Citizenship*]. The United States Bishops have set up a website which includes the Faithful Citizenship document as well as resources for further discussion at http://www.usccb.org/faithfulcitizenship/. Citations in this essay refer to the PDF version on the website, http://www.usccb.org/faithfulcitizenship/faithfulcitizenship03.pdf. The document is also available at 33 ORIGINS 321 (Oct. 23, 2003).

[22] *EVANGELIUM VITAE*, *supra* note 2.

[23] Bishops' Meeting, *supra* note 16, at 99.

[24] JOHN PAUL II, APOSTOLIC LETTER *NOVO MILLENNIO INEUNTE* ¶ 43 (1995) [hereinafter *NOVO MILLENNIO INEUNTE*] (emphasis omitted).

[25] *ECCLESIA DE EUCHARISTIA*, *supra* note 20, ¶ 1.

is the "source and summit of the Christian life," containing the Church's "entire spiritual wealth: Christ himself," and through which "she discovers the full manifestation of his boundless love."[26]

The first part, a theological reflection on "The Mystery of Faith," concluded with a description of the Eucharist's "eschatological tension"—that is, the tension in Christian life between keeping one's gaze fixed on heaven as the final goal ("eschaton," or "end-times"), while at the same time remaining deeply engaged in building up God's kingdom in the world with careful attention to the needs of the people around us.[27] In this tension, the Eucharist both "expresses and reinforces our communion with the Church in heaven,"[28] and "spurs us on our journey through history and plants a seed of living hope in our daily commitment to the work before us."[29] In light of the "eschatological tension," the expectation of "new heavens" and "a new earth (Rev. 21:1) . . . increases, rather than lessens, our sense of responsibility for the world today."[30]

The concrete social implications of the Eucharist that the Pope drew out are striking. This discussion will briefly address just three of those implications. First, Jesus's institution of the Eucharist is itself a social model of the kind of the service and communion it signifies.[31]

> Significantly, in their account of the Last Supper, the Synoptics recount the institution of the Eucharist, while the Gospel of John relates, as a way of bringing out its profound meaning, the account of the "washing of the feet," in which Jesus appears as the teacher of communion and of service (cf. *Jn* 13:1-20).[32]

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[26] *Id.*

[27] *Id.* ¶¶ 19–20. As stated in *NOVO MILLENNIO INEUNTE*:

> The ethical and social aspect of the [social] question is an essential element of Christian witness: we must reject the temptation to offer a privatized and individualistic spirituality which ill accords with the demands of charity, to say nothing of the implications of the Incarnation and, in the last analysis, of Christianity's eschatological tension. While that tension makes us aware of the relative character of history, it in no way implies that we withdraw from "building" history. Here the teaching of the Second Vatican Council is more timely than ever: "The Christian message does not inhibit men and women from building up the world, or make them disinterested in the welfare of their fellow human beings: on the contrary it obliges them more fully to do these very things."

NOVO MILLENNIO INEUNTE, *supra* note 24, ¶ 52 (quoting POPE PAUL VI, PASTORAL CONSTITUTION *ON THE CHURCH IN THE MODERN WORLD—GAUDIUM ET SPES*, ¶ 34).

[28] *ECCLESIA DE EUCHARISTIA*, *supra* note 20, ¶ 19 (emphasis omitted).

[29] *Id.* ¶ 20.

[30] *Id.* (emphasis omitted).

[31] *Id.* ¶ 18–20.

[32] *Id.* ¶ 20.

Second, Jesus's continued and real presence on earth through the Eucharist is itself a sign of his own desire to "[s]tay with us,"[33] to participate in a very real way in humanity's hopes and struggles. As the Pope described:

> Many problems darken the horizon of our time. We need but think of the urgent need to work for peace, to base relationships between peoples on solid premises of justice and solidarity, and to defend human life from conception to its natural end. And what should we say of the thousand inconsistencies of a "globalized" world where the weakest, the most powerless and the poorest appear to have so little hope! It is in this world that Christian hope must shine forth! For this reason too, the Lord wished to remain with us in the Eucharist, making his presence in meal and sacrifice the promise of a humanity renewed by his love.[34]

Finally, the Pope highlighted the sense of solidarity and community which should form the context for a Eucharistic community.[35] "The Apostle Paul, for his part, says that it is 'unworthy' of a Christian community to partake of the Lord's Supper amid division and indifference towards the poor (cf. *1 Cor* 11:17-22, 27-34)."[36] The Pope emphasized this point again toward the end of the document, as he concluded his breathtakingly beautiful meditation on Mary as a woman of the Eucharist.[37] Rereading Mary's *Magnificat* in a "Eucharistic key," he explained:

> Every time the Son of God comes again to us in the "poverty" of the sacramental signs of bread and wine, the seeds of that new history wherein the mighty are "put down from their thrones" and "those of low degree are exalted" (cf. Lk. 1:52), take root in the world. . . . The Eucharist has been given to us so that our life, like that of Mary, may become completely *Magnificat*![38]

Thus, the Eucharist is anything but an invitation to withdraw into a private and individual realm.[39] It is a gift for transformation—both

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[33] *Luke* 24:29 (New American).

[34] *ECCLESIA DE EUCHARISTIA*, *supra* note 20, ¶ 20.

[35] *See id.*

[36] *Id.*

[37] *See id.* ¶ 58.

[38] *Id.*

[39] Roger Cardinal Mahony's reflections on this point in his March 2004 address to the Diocese of El Paso, Texas Eucharistic Congress are well worth an extensive quote. Explaining that the Second Vatican Council's Constitution on the Sacred Liturgy, *Sancrosanctum Concilium*, should be read through the lens of the Council's insights on mission (*Gaudium et Spes*), he explained:

> [Such] does not decenter the eucharist as source and summit, neither does it in any way compromise belief in the real presence. As I see it, the higher the view of sacramental presence, the higher must be our view of the poor, the weak and the

personal and social—so that Christians—or better, the very life of Christ in Christians transformed by the Eucharist[40]—may realize the plans of God for humanity and build up new heavens and a new earth. As the Pope emphasized:

> I wish to reaffirm this forcefully at the beginning of the new millennium, so that Christians will feel more obliged than ever not to neglect their duties as citizens in this world. Theirs is the task of contributing with the light of the Gospel to the building of a more human world, a world fully in harmony with God's plan.[41]

II. CATHOLIC SOCIAL TEACHING AND POLITICAL LIFE

In light of the profound link between the Eucharist and "our daily commitment" to build a more human world, the magisterium offers extensive reflections on how a faith perspective may inform public life. For example, in *Faithful Citizenship*, a guide for reflection on "the moral and human dimensions of the choices facing voters and candidates"[42] in the 2004 elections, the United States Bishops noted that the altar where we receive the Eucharist "is where we find the direction and strength to take what we believe into the public square, using our voices and votes to defend life, advance justice, pursue peace, and find a place at the table for all God's children."[43]

In what direction does the Eucharist take us? In a certain sense, *Faithful Citizenship* could be read as an extended reflection on John Paul II's prayer that our lives become a "Magnificat"—especially in light of its

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> wounded, and the deeper our commitment to justice. Why? Because God does not want to be present in the world as self-absorbed and turned inward. What we know from the Scriptures and from the riches of our tradition, especially the [C]hurch's teaching on the Trinity, is that God is turned toward us, is for us, with us and, yes, in us through the gift of the Spirit. God is not self-preoccupied but turned outward in self-giving, outpouring outgoing love in the world, precisely through the mission of the Word and of the Spirit.

Roger Cardinal Mahoney, *Church of the Eucharist, a Communion for Mission, Address to the Eucharist Congress of the Diocese of El Paso Texas* (March 20, 2004), *in* 33 ORIGINS 721, 724 (Apr. 1, 2004).

[40] *See* CHIARA LUBICH, A CALL TO LOVE 141–143 (1989) (compilation includes a translation of the 1977 text, *The Eucharist*) (discussing the purpose of the Eucharist as "to nourish us with Jesus in order to transform us into another Jesus because he has loved us as himself;" quoting several Fathers of the Church, including Leo the Great: "For nothing else is brought about by the partaking of the body and blood of Christ than that we become what we eat; and both in spirit and in body we carry about everywhere Christ in whom and with whom we were dead, buried, and risen again;" and Augustine: "you shall not change me into yourself as bodily food, but you shall be changed into me.").

[41] *ECCLESIA DE EUCHARISTIA*, *supra* note 20, ¶ 20.

[42] *Faithful Citizenship*, *supra* note 21, at 3.

[43] *Id.*

emphasis that "[o]ur faith reflects God's special concern for the poor and vulnerable and calls us to make their needs our first priority in public life."[44]

Undoubtedly the most vulnerable in our society include the victims of abortion, and the document minced no words: "Abortion, the deliberate killing of a human being before birth, is never morally acceptable."[45] Referring back to their statement, *Living the Gospel of Life*, the bishops affirmed the commitment "never to intentionally kill, or collude in the killing, of any innocent human life, no matter how broken, unformed, disabled or desperate that life may seem."[46] And certainly this commitment has political implications: "Laws that legitimize abortion, assisted suicide, and euthanasia are profoundly unjust and immoral. We support constitutional protection for unborn human life, as well as legislative efforts to end abortion and euthanasia."[47]

But the commitment to protect vulnerable human life is not limited to this issue: "For Catholics, the defense of human life and dignity is not a narrow cause, but a way of life and a framework for action."[48] To eradicate a "culture of death," we must denounce any use of violence to solve difficult social problems. "[E]ach person's life and dignity must be respected," the bishops stated, "whether that person is an innocent unborn child in a mother's womb, whether that person worked in the World Trade Center or a market in Baghdad, or even whether that person is a convicted criminal on death row."[49]

As with the issue of abortion, the bishops drew out the political implications for concerns about the death penalty and war. They noted Pope John Paul II's description of the death penalty as "both cruel and unnecessary,"[50] and his insistence that to work to abolish its use "is part of our pro-life commitment."[51] Similarly, while recognizing that "military force as a last resort can sometimes be justified to defend against aggression and similar threats to the common good," the bishops maintained "serious moral concerns and questions about preemptive or preventive use of force."[52]

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[44] *Id.* at 12.
[45] *Id.* at 10.
[46] *Id.* (quoting UNITED STATES CONFERENCE OF CATHOLIC BISHOPS, *Living the Gospel of Life: A Challenge to American Catholics* ¶ 21 (1998)).
[47] *Id.*
[48] *Id.* at 7.
[49] *Id.* at 8.
[50] *Id.* at 11.
[51] *Id.*
[52] *Id.*

In many ways, the Church's commitment to strengthen the structures needed to foster healthy family life and social institutions are also an expression of God's "special concern for the poor and vulnerable."[53] Public policies that ensure just wages, quality education, decent, affordable, and accessible housing and health care for all people can be seen as an important means for insuring that "those of low degree are exalted."[54]

The bishops also drew our attention to those who are left out or pushed aside because of racism, prejudice, religious bigotry, and other forms of discrimination, and called for basic protection, rights and opportunities for immigrants, "both documented and undocumented."[55] In working for justice in immigration policy, they encouraged a broad perspective that appreciates and addresses the political, social, and economic inequities that are the root causes of migration.[56]

And of course the vision does not stop at the borders of domestic policy. "We are one human family. We are our brothers' and sisters' keepers, wherever they may be."[57] Recalling the words of Pope John Paul II, "We are *all* really responsible *for all*," the bishops affirmed, "Loving our neighbor has global dimensions in a shrinking world."[58]

As *Faithful Citizenship* highlighted, the 30,000 children who die every day as a result of hunger, international debt, and lack of development around the world are our brothers and sisters.[59] The bishops urged "[i]n a world where one-fifth of the population survives on less than one dollar per day, where some twenty countries are involved in major armed conflict, and where poverty, corruption, and repressive regimes bring untold suffering to millions of people, we simply cannot remain indifferent."[60] As the "world's sole superpower," the United States should not miss the opportunity to build, together with others, "a system of cooperative security that will lead to a more united and more just world."[61]

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[53] *Id.* at 12.

[54] *See supra* notes 35–38 and accompanying text (discussing the Magnificat); *see also Faithful Citizenship*, *supra* note 21, at 12–13.

[55] *Faithful Citizenship*, *supra* note 21, at 14.

[56] *See id.*

[57] *Id.* at 9.

[58] *Id.* (quoting POPE JOHN PAUL II, ENCYCLICAL LETTER *SOLLICITUDO REI SOCIALIS* ¶ 38 (1987)).

[59] *See id.* at 3–4.

[60] *Id.* at 15.

[61] *Id.*

III. CATHOLIC POLITICIANS CAN DO BETTER

In light of *Faithful Citizenship's* broad and sweeping vision of the implications of scripture and Catholic social teaching, most politicians, and certainly most Catholic politicians have plenty of room for improvement in "the building of a more human world, a world fully in harmony with God's plan."[62]

Measured against these principles, the bishops are right to call Catholic politicians—perhaps predominantly but certainly not limited to Democrats—to task for the extent to which they have bought into a rhetoric that fails to acknowledge that abortion is a profound moral and human tragedy. There is plenty of room for improvement in backing off from a rigid and individualistic rights rhetoric that calls no one to responsibility, inspires no sense of community or solidarity, and can ultimately leave women very much alone.[63] With more courage, creativity, and certainly more conviction, there should be some way to create space, even within a traditionally Democratic platform, to acknowledge openly that abortion is not a glorious triumph for anyone, to express appreciation for the ways in which many pro-life efforts are deeply attuned with classically democratic social justice goals, and to articulate concrete commitments to work toward a society in which abortion is rare.

But neither are minimally "pro-life" Republican Catholic candidates off the hook. According to *Faithful Citizenship*, it is not enough to express an isolated commitment to lobby for more restrictive abortion laws.[64] The "life" agenda also extends to work so that respect and dignity will be accorded to each person—including the person who works at a market in

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[62] *ECCLESIA DE EUCHARISTIA*, *supra* note 20, ¶ 20.

[63] The jurisprudence of *Evangelium Vitae* expresses particular concern with the extent to which legalized abortion is nested within the rhetoric of individual rights. *EVANGELIUM VITAE*, *supra* note 2, ¶ 71.

> [C]ivil law must ensure that all members of society enjoy respect for certain fundamental rights which innately belong to the person, rights which every positive law must recognize and guarantee. First and fundamental among these is the inviolable right to life of every innocent human being. While public authority can sometimes choose not to put a stop to something which—were it prohibited—would cause more serious harm, it can never presume to legitimize as a right of individuals—even if they are the majority of the members of society—an offence against other persons caused by the disregard of so fundamental a right as the right to life. The legal toleration of abortion or of euthanasia can in no way claim to be based on respect for the conscience of others, precisely because society has the right and the duty to protect itself against the abuses which can occur in the name of conscience and under the pretext of freedom.

Id. (citations omitted).

[64] *See Faithful Citizenship*, *supra* note 21, at 10.

Baghdad, and the convicted criminal on death row.[65] In aspects of the Republican platform, there is plenty of room for improvement in appreciating that "[God's] special concern for the poor and vulnerable"[66] includes not only unborn children, but all people who struggle to feed, house, and clothe their children in order to provide for them a dignified human existence—in the United States and in every other country.

Of course, there is room for debate over the role of the government in ensuring that basic needs are met both at home and abroad. But if the needs of the poor and vulnerable are to be considered truly "our first priority" for public policy, there is plenty of room for a realistic critique of the extent to which dreams of success and upward mobility are for many a cruel illusion.[67]

One might argue—and some have—that there is simply no comparison between Catholic politicians who neglect their "grave and clear obligation to oppose [laws]" that legitimate abortion,[68] and those who debate legitimately contestable claims about the proper role of government in providing domestic social services and in responding to international needs, or even other "life" decisions such as the conditions in which war or the application of the death penalty may be justified.[69] Abortion is always a grave evil—end of discussion.

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[65] *See id.* at 8. There is considerable debate whether the Church's recent statements in opposition to the death penalty rise to the same level as its opposition to abortion. In comparison with the teaching on abortion, clear opposition to application of the death penalty is more recent, and still recognizes at least in theory that execution of an offender could be an absolute necessity in order to defend society. *See EVANGELIUM VITAE*, *supra* note 2, ¶ 71(noting that cases in which execution of an offender is an absolute necessity "are very rare, if not practically non-existent."). I tend to agree with Professors Sisk and Reid that the Church is "gravitating" toward including opposition to the death penalty as a "plainly proscribed" unequivocal Church teaching. *See* Sisk & Reid, *supra* note 19, at 276.

[66] *Faithful Citizenship*, *supra* note 21, at 9.

[67] *Id.* at 12. *See generally* David Brooks, *How to Reinvent the G.O.P.*, N.Y. TIMES MAG., Aug. 29, 2004, at 30. Mr. Brooks stated:

> When people call themselves "have-nots," they are not only commenting on their current economic status. They are also commenting on their prospects. They are saying that they do not see any plausible way they are going to make it and thrive in this society. This is poisonous. It is doubly poisonous because African-Americans feel this way in such high numbers. In other words, not only is there a perceived lack of opportunity, but this perception also rubs raw at the central wound that runs through our entire history: racial inequality.
>
> Worst of all, this is not just perception. People without skills really *do* have limited prospects in the world. There really *is* a huge achievement gap.

Id. at 37.

[68] *EVANGELIUM VITAE*, *supra* note 2, ¶ 73.

[69] *See, e.g.*, Sisk & Reid, *supra* note 19, at 276. It is important, however, to note their reservations about including the death penalty in this category. *See id.*

True, *Evangelium Vitae* is a clarion call for Catholics in public life to "make courageous choices in support of life, especially through legislative measures."[70] As John Paul II explained: "Although laws are not the only means of protecting human life, nevertheless they do play a very important and sometimes decisive role in influencing patterns of thought and behaviour."[71] Reasoning that "a law which violates an innocent person's natural right to life is unjust and, as such, is not valid as a law," he "urgently appeal[ed]" to all political leaders "not to pass laws which, by disregarding the dignity of the person, undermine the very fabric of society."[72]

But this is only half of his analysis. Especially in "pluralistic democracies," where there are "strong cultural currents with differing outlooks," the Pope explained, "it is not enough to remove unjust laws."[73] Here *Evangelium Vitae* sets out an extensive social agenda to eliminate "[t]he underlying causes of attacks on life . . . especially by ensuring proper support for families and motherhood."[74]

> A family policy must be the basis and driving force of all social policies. For this reason there need to be set in place social and political initiatives capable of guaranteeing conditions of true freedom of choice in matters of parenthood. It is also necessary to rethink labour, urban, residential and social service policies so as to harmonize working schedules with time available for the family, so that it becomes effectively possible to take care of children and the elderly.[75]

In light of this two-fold agenda, both parties and politicians on both sides of the aisle could be more consistent in the commitment to build a culture of life that ensures *both* legal protection for the unborn *and* the social conditions that nurture "true freedom of choice" for families. A broader and more positive political commitment to improve the social conditions which make it "effectively possible" to welcome children into the world strengthens, rather than detracts from the effort to build an authentic culture of life.

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[70] *EVANGELIUM DE VITAE*, *supra* note 2, ¶ 90.
[71] *Id.*
[72] *Id.*
[73] *Id.*
[74] *Id.*
[75] *Id.*

IV. THE SPIRITUALITY OF COMMUNION: IN DIALOGUE WITH CATHOLICS IN PUBLIC LIFE

In light of these teachings, assuming that a Catholic politician has examined his or her conscience for "fidelity to the moral teaching of the [C]hurch in personal and public life,"[76] under what circumstances should communion be denied? The United States Bishops' June 2004 statement leaves that question to the discretion of the individual bishop[77]—and many of the bishops have expressed a preference that the context for making this determination should be a private discussion rather than a showdown at the altar.[78]

In fact, other than to affirm the traditional discipline of the Church, the June 2004 statement lays down no particular rule. Instead, it focuses on the importance of opening up the lines of communication with Catholics in public life. Realizing that to "persuade" all people to defend human life and dignity requires "more effective dialogue and engagement with all public officials, especially Catholic public officials," the bishops expressed their openness to "conversation initiated by political leaders themselves," and their own commitment to "maintain communication with public officials[] who make decisions every day that touch issues of human life and dignity."[79]

What resources might help to ensure the most fruitful dialogue between the Church and Catholics struggling with difficult questions in their public life? In the midst of these controversies, many bishops were traveling to Rome for their *ad limina* visits with Pope John Paul II.[80] One can imagine the host of painful burdens on their shoulders—from the urgent need for healing between bishops, priests and laity in the wake of the clergy abuse scandals,[81] to the consequent financial burdens,[82] to the

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[76] Bishops' Meeting, *supra* note 16, at 99.

[77] *See id.*

[78] *See supra* notes 14–18 and accompanying text.

[79] Bishops' Meeting, *supra* note 16, at 99.

[80] *See, e.g.*, POPE JOHN PAUL II, Ad Limina Address to the Bishops from Georgia, Florida, South Carolina and the U.S. Archdiocese for the Military Services, *The Bishop's Prophetic Witness of Hope at a Difficult Time* (Apr. 2, 2004) [hereinafter *Bishop's Prophetic Witness of Hope at a Difficult Time*], *in* 33 ORIGINS 763, 763 (Apr. 15, 2004). All Catholic bishops have an "*ad limina*" visit every five years.

[81] *Bishop's Prophetic Witness of Hope at a Difficult Time*, *supra* note 80, at 763 ("Many of you have already spoken to me of the pain caused by the sexual abuse scandal of the past two years and the urgent need for rebuilding confidence and promoting healing between bishops, priests and the laity in your country.").

[82] *See, e.g.*, Bishop Gerald Kicansas, *Diocese May File for Bankruptcy*, 34 ORIGINS 115 (July 15, 2004); Archbishop John Vlazny, *Archdiocese Files for Bankruptcy Protection*, 34 ORIGINS 113 (July 15, 2004).

deep and complex cultural rifts which continue to polarize the Church.[83] As the Holy Father himself noted in the first of the series, "Our meetings are taking place at a difficult time in the history of the [C]hurch in the United States."[84]

How has the successor of Peter sustained his brothers? Certainly he encouraged them to persevere in a "forthright and credible witness to the deposit of faith," especially in the face of widespread agnosticism and relativism.[85] Specifically, the Pope spurred them on in their work so that the Church in the United States may "respond to the profound religious needs and aspirations of a society increasingly in danger of forgetting its spiritual roots and yielding to a purely materialistic and soulless vision of the world."[86]

But another consistent theme running through Pope John Paul II's series of *ad limina* remarks also merits further attention and exploration. Acknowledging that the Church's internal harmony can be "challenged" by a lack of charity and conflict, he observed that such "can lead to the formation of factions within the Church which often become so concerned with their special interests that they lose sight of the unity and solidarity which are the foundations of ecclesial life and the sources of communion in the family of God."[87] His suggested medicine? A "spirituality of communion," through which the bishops, as "men of communion," strive to rebuild trust, reconciliation and mutual understanding.[88]

Here, perhaps, is one of the richest and most promising resources—not only for the substance, but also for the process—to bring ahead a

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[83] Francis Cardinal George, *External and Internal Threats to the Church's Mission*, 34 ORIGINS 52, 53 (June 10, 2004) ("The [C]hurch is an arena of ideological warfare rather than a way of discipleship shepherded by bishops.").

[84] *Bishop's Prophetic Witness of Hope at a Difficult Time*, *supra* note 80, at 763.

[85] POPE JOHN PAUL II, Ad Limina Address to the Bishops from Illinois, Indiana and Wisconsin, *Reflections on the Church's Prophetic Mission* (May 28, 2004) [hereinafter *Reflections on the Church's Prophetic Mission*], *in* 34 ORIGINS 1, 51 (June 10, 2004).

[86] *Id.*

[87] POPE JOHN PAUL II, Ad Limina Address to the Bishops from Texas, Oklahoma and Arkansas, *Marriage, the Family and the Church as a Communion* (May 22, 2004) [hereinafter *Marriage, the Family and the Church as a Communion*], *in* 34 ORIGINS 42, 42 (June 3, 2004).

[88] *See Reflections on the Church's Prophetic Mission*, *supra* note 85, at 51 ("[I]n the daily exercise of your ministry of teaching I encourage you to ensure that the spirituality of communion and mission finds expression in a sincere commitment on the part of each believer and of every one in the [C]hurch's institutions to the proclamation of the Gospel . . . ."); POPE JOHN PAUL II, Ad Limina Address to the Bishops from Michigan and Ohio, *Fostering and Strengthening the Spirituality of Communion* (May 6, 2004), *in* 34 ORIGINS 13, 13 (May 20, 2004); *see also Marriage, the Family and the Church as a Communion*, *supra* note 87, at 43 (stating that bishops are charged with acting as "men of communion" to remedy division, and rebuild trust, reconciliation and mutual understanding in the ecclesial family).

genuine and fruitful dialogue with Catholic politicians about the questions they face in public life.

A. Elements of a Spirituality of Communion

As John Paul II described in *Novo Millennio Ineunte*, his Apostolic Letter to mark the beginning of the new millennium, "the great challenge facing us in the millennium which is now beginning, if we wish to be faithful to God's plan and respond to the world's deepest yearnings" is "[t]o make the Church *the home and the school of communion.*"[89] What are the practical implications? He warned that it is not a matter of setting up another committee or action plan: "our thoughts could run immediately to the action to be undertaken, but that would not be the right impulse to follow."[90] Instead, "[b]efore making practical plans, we need *to promote a spirituality of communion,* making it the guiding principle of education wherever individuals and Christians are formed, wherever ministers of the altar, consecrated persons, and pastoral workers are trained, wherever families and communities are being built up."[91]

What does this mean concretely? *Novo Millennio* sets out a number of elements.[92] It is first of all a capacity to trace the patterns of the very communion of God, in the heart of the Trinity, not only "dwelling in us," but also present in the community: "A spirituality of communion indicates above all the heart's contemplation of the mystery of the Trinity dwelling in us, and whose light we must also be able to see shining on the face of the brothers and sisters around us."[93]

This realization, then, generates a life of communion in the Mystical Body in which joys and burdens are shared:

> A spirituality of communion also means an ability to think of our brothers and sisters in faith within the profound unity of the Mystical Body, and therefore as "those who are a part of me." This makes us able to share their joys and sufferings, to sense their desires and attend to their needs, to offer them deep and genuine friendship.[94]

As the Pope described, it is precisely in "mak[ing] room" for others and bearing their burdens, where one may find the key for going beyond the "selfish temptations" which can divide any community:

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[89] *NOVO MILLENNIO INEUNTE, supra* note 24, ¶ 43.
[90] *Id.*
[91] *Id.*
[92] *See id.*
[93] *Id.*
[94] *Id.*

> A spirituality of communion implies also the ability to see what is positive in others, to welcome it and prize it as a gift from God: not only as a gift for the brother or sister who has received it directly, but also as a "gift for me". A spirituality of communion means, finally, to know how to "make room" for our brothers and sisters, bearing "each other's burdens" (Gal 6:2) and resisting the selfish temptations which constantly beset us and provoke competition, careerism, distrust and jealousy.[95]

And knowing the human tendency to form committees and institutional structures, the Pope re-emphasized, "Let us have no illusions: unless we follow this spiritual path, external structures of communion will serve very little purpose. They would become mechanisms without a soul, 'masks' of communion rather than its means of expression and growth."[96]

B. The Spirituality of Communion & Political Commitment

How might the elements of a spirituality of communion weave into a dialogue with Catholics in public life? At the very least it is an invitation to genuinely listen to the concerns of Catholics in public life as "those who are a part of me," taking on their burdens, and understanding their struggles. In his June 2004 Interim Report, Archbishop William Levada put it well:

> It would seem that we bishops have as our first duty, then, to undertake the appropriate dialogue with our Catholic faithful in public service to listen to their concerns, offer them the opportunity for fruitful examination of Catholic teaching, and look for ways to assist them to exercise their public responsibilities in ways that are compatible with Catholic faith and life.[97]

What might the dialogue reveal? It could be that over the course of discussions, it becomes clear that a particular Catholic politician is unequivocally committed to a political agenda that advocates for the availability of abortion "on demand" as a positive and essential element to ensure women's equality and freedom in our society. In these cases, to paraphrase Archbishop Meyers, conversations may reveal that it is probably time for the particular politician to be honest and admit that such convictions are quite far afield from communion with essential Catholic

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[95] *Id.*

[96] *Id.*

[97] Archbishop William J. Levada, *Reflections on Catholics in Political Life and the Reception of Holy Communion*, *in* 34 ORIGINS 101, 105 (July 1, 2004); *see also id.* at 102 ("Catholic teachers and bishops need to hear from our Catholics in political life the challenges they face in the application of just moral principles in the arena of American political life . . . .").

teaching, and thus to receive communion would be a profound contradiction.[98]

On the other hand, conversations with many—perhaps most—others would probably reveal not only profound sadness for the moral and human tragedy of abortion and perhaps even agreement that it is a grave moral disorder, but also layers of complex questions. Given the current Constitutional scheme and the constraints of our pluralistic and democratic society, what should we do? What can we do?

It is true that important distinctions should be drawn between abortion and other areas of Catholic social thought where there is legitimate diversity of thought and a variety of acceptable political applications. Just as slavery is always wrong, abortion "always constitutes a grave moral disorder, since it is the deliberate killing of an innocent human being."[99] But just as we continue to grapple with the public policy response to the wounds of slavery inflicted more than a century and a half ago,[100] the fact that abortion always constitutes a grave moral disorder does not signal the end of the public policy discussion. If the amount of law review ink spilled over the past thirty years in the area of abortion law is any indication, the questions "what should we do, what can we do?" can be extremely difficult and complex to answer.[101]

As the bishops listen to the concerns of Catholic politicians, what might emerge? Catholics in public life might point out that despite strong arguments that the separation of Church and State poses no obstacle to a faith-informed approach to moral questions in the development of public policy,[102] the debate continues to rage.[103] Conversations may also unearth

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[98] *See* Archbishop John Meyers, *A Time for Honesty*, 34 ORIGINS 1 (May 20, 2004); *see also* Raymond L. Burke, *Prophecy for Justice: Catholic Politicians and the Bishops*, *in* AMERICA 11, 15 (June 21, 2004) (noting that to publicly declare the moral duty of politicians and their exclusion from communion is not to create division, for "the division is already present, both in the conscience of Catholics who dissent from a most fundamental [C]hurch teaching and in the 'intolerant secularism' prevalent in our nation, which would exclude Catholics from political life unless they be willing to violate their conscience.").

[99] *EVANGELIUM VITAE*, *supra* note 2, ¶ 62.

[100] *See, e.g.*, Norman Redlich, *"Out, Damned Spot; Out, I Say." The Persistence of Race in American Law*, 25 VT. L. REV. 475, 516 (2001) (discussing the complexity in legal responses to racism: "pure racial preferences, while probably a just and appropriate remedy for the historical spot of race on the law, probably also run counter to the hard-won public perception of universal racial equality and could generate racial division").

[101] *See, e.g.*, MICHAEL J. PERRY, UNDER GOD? RELIGIOUS FAITH AND LIBERAL DEMOCRACY 98–123 (2003); Robert P. George, *Public Reason and Political Conflict: Abortion and Homosexuality*, 106 YALE L. J. 2475, 2475 (1997); Gregory A. Kalscheur, S.J., *John Paul II, John Courtney Murray, and the Relationship Between Civil Law and Moral Law: A Constructive Proposal for Contemporary American Pluralism*, 1 J. CATH. SOC. THOUGHT 231 (2004).

[102] *See, e.g.*, *Faithful Citizenship*, *supra* note 21, at 5 ("Major public issues have moral dimensions. Religious values have significant public consequences. Our nation is enriched and

centuries-old and still unresolved debates about the role of and limits of law especially when legal prohibition of an evil could procure an even greater evil,[104] and more specifically about the limits of particular types of law.[105] When Catholic politicians raise these concerns, they are not necessarily looking for excuses to avoid an awkward and unpopular stance.

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our tradition of pluralism is enhanced, not threatened, when religious groups contribute their values to public debates."); Eduardo Penalver, *Bishops Criticized for Wrong Reason*, CHI. TRIB., May 21, 2004, § C, at 29 ("The Catholic Church has consistently taken the position that it has something valuable to say about law and politics. . . . Within the Catholic tradition, the decision whether to vote for one politician or another is as fraught with religious significance as the decision whether to go to [C]hurch on Sunday.").

[103] *Compare, e.g.*, KENT GREENAWALT, RELIGIOUS CONVICTIONS AND POLITICAL CHOICE 215–16 (1988) (arguing that described model of liberal democracy "leaves considerable room for religious citizens to rely on religious grounds for moral judgments that affect public policy"), *and* KENT GREENAWALT, PRIVATE CONSCIENCES & PUBLIC REASONS 134–64 (1995) (proposing a distinct analyses for judges, legislators, and ordinary citizens) (1995), *and* JOHN RAWLS, POLITICAL LIBERALISM 224–25 (1993) (arguing that reasons used in political discussions must be accessible to the comprehension, scrutiny, and response of those who do not share the speaker's religious identity), *and* Edward B. Foley, *The Political Theory Perspective: Jurisprudence and Theology*, 66 FORDHAM L. REV. 1195, 1195 (1998) (discussing whether it is ever appropriate in our system of law for a principle of law to depend upon a religious belief), *with* PERRY, *supra* note 101, at 45–46 (arguing that neither the Establishment Clause nor the "morality of a liberal democracy" forbids political representatives from introducing religiously grounded moral belief into public political argument or disfavoring conduct on the basis of a religiously grounded belief that it is immoral), *and* Jeremy Waldron, *Religious Contributions in Public Deliberation*, 30 SAN DIEGO L. REV. 817, (1993).

> Even if people are exposed in argument to ideas over which they are bound to disagree—and how could *any* doctrine of public deliberation preclude *that*?—it does not follow that such exposure is pointless or oppressive. For one thing, it is important for people to be acquainted with the views that others hold. Even more important, however, is the possibility that my own view may be improved, in its subtlety and depth, by exposure to a religion or a metaphysics that I am initially inclined to reject.

Id. at 841–42.

[104] *See, e.g.*, *EVANGELIUM VITAE*, *supra* note 2, ¶ 71 (noting that "public authority can sometimes choose not to put a stop to something which—were it prohibited—would cause more serious harm") (citing SAINT THOMAS AQUINAS, *Summa Theologiae*, pt. I-II, Q. 96, art. 2, at 1018 (American 1947)).

> [W]hen it is not possible to overturn or completely abrogate a pro-abortion law, an elected official, whose absolute personal opposition to procured abortion was well known, could licitly support proposals aimed at *limiting the harm* done by such a law and at lessening its negative consequences at the level of general opinion and public morality. This does not in fact represent an illicit cooperation with an unjust law, but rather a legitimate and proper attempt to limit its evil aspects.

Id. ¶ 71. *See generally* Kalscheur, *supra* note 101, at 243–264 (discussing John Courtney Murray's social theory in which the moral aspirations of the law are minimal).

[105] *See, e.g.*, PERRY, *supra* note 101, at 117–123; M. Cathleen Kaveny, *The Limits of Ordinary Virtue: The Limits of the Criminal Law in Implementing Evangelium Vitae*, *in* CHOOSING LIFE: A DIALOGUE ON EVANGELIUM VITAE 132 (1997); Kevin P. Quinn, S.J., *Whose Virtue? Which Morality? The Limits of the Law as a Teacher of Virtue – A Comment on Cathleen Kaveny*, *in* CHOOSING LIFE, *supra*, at 150; M. Cathleen Kaveny, *Toward a Thomistic Perspective on Abortion and the Law in Contemporary America*, 55 THOMIST 343, 372–80 (1991).

They may be genuinely searching for a way to articulate a positive and constructive political vision for how to respond to a complex social problem.

Letting a spirituality of communion permeate how the Church takes on these burdens and struggles may open the door to an appreciation that to pose these questions may be not so much an expression of "obstinately persist[ing] in manifest grave sin,"[106] but more the tip of an iceberg of the vast cultural project for which the entire Church bears responsibility, and for which the Eucharist itself is our greatest resource on the journey.

Through the lens of a spirituality of communion, one might even begin to imagine how the debate might be transformed if Republicans and Democrats could learn to "make room" for each other, to recognize the positive qualities in the others' vision for the common good, and even to see the others' different vision and emphases as "a gift for me." For example, one might begin to see the Republican party's capacity to articulate a commitment to legal protection for the unborn as a positive gift for the common good. At the same time, one might also begin to appreciate that it is no less important to emphasize ways to nurture the social conditions which make it "effectively possible" to welcome children into the world, a stance more typical of Democrats.

Perhaps if politicians and citizens on both sides of the aisle begin to see the extent to which they might be engaged in a common project to build an authentic culture of life, they may also begin to see their differences as part of the constructive challenge to strive to build a more human world.

C. The Spirituality of Communion and the Moral Tragedy of Abortion

More generally, the spirituality of communion as outlined in *Novo Millennio* can also provide a series of guideposts for attitudes toward women who are struggling with how to deal with an unwanted pregnancy. Through the lens of a spirituality of communion, the woman who faces the terror of an unplanned pregnancy is "a part of me," just as much as the child within her. Through this lens, one may share not only the joyful hope of a new life, but also the worries and uncertainties of those who feel burdened by the pressures of our society which can make it extremely difficult to welcome the responsibility of a new child. Through this lens, the political commitments of the *Magnificat*, sung by another woman who knew well the social challenges of an unplanned pregnancy, find their deepest meaning.

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[106] *See* CIC-1983 c.915 (see discussion *supra* at notes 4–5).

If there is anyone who lived the elements of a spirituality of communion—seeing others as a part of himself, taking on their burdens, "making room" for their questions and problems, and pulling out from them and building on all that is positive—it was Jesus himself. The account of Jesus's conversation with the woman caught in the act of adultery in the Gospel of John[107] is a paradigmatic example.

The scribes and the Pharisees brought the woman before Jesus and asked him, " 'Teacher, this woman has been caught in very the act of committing adultery. Now in the law, Moses commanded us to stone such women. So what do you say?' " Jesus's oft-quoted response: " 'Let the one among you who is without sin be the first to throw a stone at her.' " When they heard this, they went away, one by one, beginning with the eldest. Once Jesus was left alone with the woman, he looked up and asked, " 'Woman, where are they? Has no one condemned you?' " She responded, " 'No one, Sir.' " And Jesus said, " 'Neither do I condemn you. Go, [and] from now on do not sin any more.' "[108]

Certainly Jesus did not equivocate on the content of the moral law, and on the fact that the woman's conduct was sinful—in fact, he concluded, "from now on do not sin any more."[109] But this was only after she had experienced his unconditional love: "Neither do I condemn you."[110] Or as the recent television miniseries, *Jesus*, had Mary Magdalene, another woman facing her own set of moral challenges, summarize the scene, "You treated her like she was worth something."[111]

It was not so much the clarity of the law, nor its coercive force, but a personal encounter with the unconditional love of God that gave the woman the courage and strength to make a radical moral change in her life. Law is important—but, as John Paul II notes, it is not enough.[112]

And here the spirituality of communion responds to the deepest hopes of each person, and of the Church as a whole—for it is, in essence, an invitation to discover the truth of his words, "I am with you always, until the end of the age"—to accompany us as we face the "great challenges of our time."[113] As John Paul II described in *Novo Millennio*: "we shall not be saved by a formula but by a Person, and the assurance which he gives us: *I am with you!*"[114] The spirituality of communion challenges the entire

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[107] *John* 8:3–11 (New American).
[108] *Id.*
[109] *Id.*
[110] *Id.*
[111] *Jesus* (CBS miniseries event 2000)
[112] *See EVANGELIUM VITAE*, *supra* note 2, ¶ 90.
[113] *Matthew* 28:20 (New American).
[114] *NOVO MILLENNIO INEUNTE*, *supra* note 24, ¶ 29.

Church, nourished by the Eucharist, to embody the living presence of Christ who brings to each person not only the clarity of moral truth, but also the personal courage to walk along his way, and the consequent joy and beauty of his abundant and attractive life.

For all who struggle deeply and mightily with the moral questions of our day—politicians and ordinary citizens, bishops, priests, and laity—this living presence of Christ in the community can become a transformative encounter with Jesus's justice, which is also love, mercy and grace. This encounter can then become a source of light and courage to make a radical moral change, to enter through the "narrow gate" of sacrificial love for neighbor.[115]

CONCLUSION

Certainly prior to receiving communion, every Catholic should follow the discipline of a rigorous examination of conscience, which includes an inquiry on "fidelity to the moral teaching of the Church in personal and public life."[116] But this is only the very first step toward the heights to which the Eucharist calls us through our "daily commitment" to build up new heavens and a new earth.[117]

In that task, Pope John Paul II's invitation to live a spirituality which makes the Church "the home and the school of communion"[118] is a precious resource which can help us to move beyond and transform the polarizing and paralyzing tensions that plague not only the Church, but much of the broader political discourse. Perhaps the greatest sign of hope that it is possible to realize this calling to communion is the Eucharist itself—Christ who "[s]tay[s] with us,"[119] "making his presence in meal and sacrifice the promise of a humanity renewed by his love."[120]

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[115] *Luke* 13:24 (New American) ("Strive to enter through the narrow gate, for many, I tell you, will attempt to enter but will not be strong enough.").

[116] Bishops' Meeting, *supra* note 16, at 99.

[117] *ECCLESIA DE EUCHARISTIA*, *supra* note 20, ¶ 20.

[118] *NOVO MILLENNIO INEUNTE*, *supra* note 25, ¶ 43 (emphasis omitted).

[119] *Luke* 24:29 (New American).

[120] *ECCLESIA DE EUCHARISTIA*, *supra* note 20, ¶ 20.