

Canon 915

A PRIMER



During the debate over reception of Holy Communion by those who persistently promote abortion, much attention has focused on Canon 915:

Those who have been excommunicated or interdicted after the imposition or the declaration of a penalty as well as *others who obstinately persist in manifest grave sin* are not to be admitted to communion.

There is considerable misunderstanding about this Church law in particular, and the Catholic Church's Code of Canon Law in general. A bit of background information may help to explain the role of canon law in governing the Church, and the purpose of Canon 915 in this collection of rules.

As the New Testament shows, St. Paul was an outspoken proponent of Church discipline. The Code of Canon Law is the evolving product of the process the apostles and the Church fathers began building the groundwork for during the earliest days of the Church. What canon law accomplishes, according to St. Thomas Aquinas, is to provide order and thus a "tranquility of peace."

The law of the Church

Simply stated, canon law is the body of laws and regulations the Catholic Church has adopted to govern the Church and its members. The term "canon" is derived from the Greek *kanon*, meaning a rule or practical direction. Over the centuries the Code of Canon Law has evolved according to the

times. The most recent version of the code was adopted in 1983, after sixteen years of work.

The Code of Canon Law is divided into seven books, and each has its place in the context of laws that address the various functions for which the Church is responsible.

Each canon's place in the overall Code of Canon Law is noteworthy. Canon 915 is part of Book IV, *The Office of Sanctifying in the Church*. The section of Book IV in which Canon 915 appears is entitled, "Participation in the Most Holy Eucharist." This section deals with how the sacrament is celebrated, who the minister of the Eucharist is, who may participate in the Most Holy Eucharist, and so forth.

The Holy Eucharist is, after all, the real presence of Jesus Christ. It is for this reason that the Church must take steps to safeguard this most precious of gifts.

Not a punishment

Some have wrongly described the denial of Holy Communion outlined in Canon 915 as a punitive measure, or a sanction used against a public figure. Neither of those descriptions is correct. There are indeed penalties and sanctions the Church may enforce against those involved in abortion, so perhaps the confusion is understandable. But denying the Eucharist is a matter of protecting the sacrament from sacrilege, not punishing an unrepentant sinner. Different sections of the Code of Canon Law deal with those particular instances.

One of those measures, Canon 1398, deals with automatic excommunication for Catholic mothers who abort their babies. This law is located in Book VI, *Sanctions in the Church*, in a section titled, "Offenses Against Human Life and Freedom." Canon 1398 states:

A person who actually procures an abortion incurs a *latae sententiae* excommunication.

Canon 1329, part 2 is a second penalty often cited as potentially applicable to elected officials who vote to provide legal protection for abortion. This canon is also located in Book VI, *Sanctions in the Church*, under the heading of "Those Subject to Penal Sanctions." This canon states, in part:

Accomplices who are not named in a law or in a precept incur an automatic penalty (*latae sententiae*) attached to an offense if it would not have been committed without their efforts and the penalty is of such a nature that it can punish them.

However, in cases of outward conduct which is seriously, clearly and steadfastly contrary to the moral norm, the Church, in her pastoral concern for the good order of the community and out of respect for the sacrament, cannot fail to feel directly involved. The Code of Canon Law [915] refers to this situation of a manifest lack of proper moral disposition when it states that those who "obstinately persist in manifest grave sin" are not to be admitted to Eucharistic Communion.

Some may question the need for such a lengthy set of rules and regulations, as the New Testament combined with the guidance of the Holy Spirit offers all the structure the Church would ever require. But Pope John Paul II said the Code of Canon Law is "extremely necessary for the Church." He said the Church, as an organization, must have structure in order to carry out the functions God has established, "especially that of sacred power and of the administration of the sacraments." In the Apostolic Constitution *Sacrae Disciplinae Leges*, the pontiff adds that canon law serves to ensure "that the mutual relations of the faithful may be regulated according to justice based upon charity, with the rights of individuals guaranteed and well defined."

The Church has a legitimate pastoral concern to save each soul from an eternity of suffering. Canon 915 is a law that protects Christ in the Eucharist and instructs the individual Catholic whose conduct is *seriously, clearly and steadfastly contrary to the moral norm* to recognize this error and seek forgiveness through the sacrament of Penance. Otherwise, the Church has no option but to deny this person the opportunity to receive Christ in the Most Holy Sacrament.

Protecting the Eucharist

Canon 915, on the other hand, is neither a sanction nor a penalty, as defined by the Church. It is part of that portion of Canon Law designed to provide uniformity to the manner in which the Sacrament of the Most Holy Eucharist is administered.

As Pope John Paul II writes in the encyclical *Ecclesia de Eucharistia* (section 37):

The judgment of one's state of grace obviously belongs only to the person involved, since it is a question of examining one's conscience.



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