

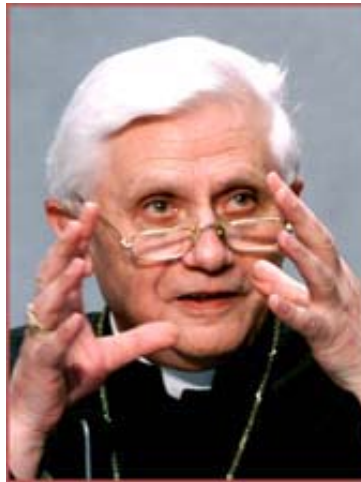


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The Kerry Affair: What Ratzinger Wanted from the American Bishops

What he wanted, but didn't get. In its entirety, the confidential note in which the prefect of the Holy Office establishes the principle of refusing communion to pro-abortion Catholic politicians

by **Sandro Magister**



ROMA - Joseph Cardinal Ratzinger, prefect of the Vatican Congregation for the Doctrine of the Faith, was clear with Theodore Cardinal McCarrick, archbishop of Washington and the head of the "domestic policy" commission of the U.S. Catholic bishops' conference. He was more than clear, he set it down in writing: no eucharistic communion for the politicians who systematically campaign for abortion.

Read: no communion for the Democratic candidate for the White House, the Catholic John F. Kerry.

Ratzinger's memorandum is presented in its entirety below. It was sent as a confidential letter, during the first half of June, to cardinal McCarrick and to the president of the bishops' conference, Wilton Gregory.

But the bishops of the United States made a different decision. After months of discussion, and after days of wrangling at their conference's general assembly, held in Denver from June 14-19, they published a note entitled "Catholics in Political Life," which leaves to each individual bishop the decision of whether or not to give communion to pro-abortion Catholic politicians.

The note was passed with 183 voted in favor and 6 against. During the previous weeks, out of 70 bishops who had expressed their opinion to the task force in charge of the matter, those against the idea of withholding communion had beaten those in favor by a margin of 3 to 1.

The question had been unleashed with Kerry's nomination as the Democratic presidential candidate. Kerry is a professed Catholic and attends mass. But he is publicly aligned in favor of abortion, and in favor of other choices that go against Church doctrine. For this reason, some bishops stated that communion should be withheld from him. Particularly incendiary anti-Kerry comments came from the

bishop of St. Louis, Raymond L. Burke, and of Colorado Springs, Michael J. Sheridan.

This provoked a highly spirited discussion, both within and outside of the Catholic Church. The bishops of the United States, who were coming to Rome in groups to meet with the pope for their periodical "ad limina" visits, came under pressure from the Vatican to be severe. But they also faced strong pressures - and justifications - from the other side.

The bishops' judgments about Kerry were and are in harmony. It is no secret that he is a pronounced "secularist" on questions such as abortion, euthanasia, cloning, homosexuality, education, and the family. Louis Bolce and Gerald De Maio, professors of political science at City University of New York, published in the May 2004 edition of "First Things" a ranking of senators according to their degree of "secularism," on a scale from 0 to 10. The Republican average is .95. The Democrat average is 8.9. Senator Kerry scored a round 10.

But what divides the bishops is what response they should give to "public unworthiness to receive Holy Communion," as Ratzinger writes. The prefect of the Congregation for the Doctrine of the Faith is wholly in favor of refusing the eucharist to Kerry and other politicians like him. Most of the American bishops are not.

Even many of the bishops and cardinals of "neoconservative" tendency are reluctant to censure publicly the Catholic politicians who are at odds with the Church.

One of these is the cardinal and theologian Avery Dulles. In June 29 interview with "Zenit", he maintained that by denying them communion the Church exposes itself to the accusation of wanting to interfere in political life.

Another of these is cardinal Francis E. George, archbishop of Chicago. In an interview with John L. Allen of the "National Catholic Reporter," he said that the limits that should be placed upon abortion within the realm of politics are "matters of prudential judgment about which there can be many discussions" even within the Church.

Cardinal McCarrick, speaking to the bishops gathered in Denver, made himself the spokesman of the concern "that the sacred nature of the Eucharist might be turned into a partisan political battleground." The real battles, he said, "should be fought not at the Communion rail, but in the public square, in hearts and minds, in our pulpits and public advocacy, in our consciences and communities."

McCarrick also told the assembly that he had had from the Holy See professions of their trust in the responsibility of the American bishops: thus they may judge whether the refusal of communion is a "pastorally wise and prudent" decision. But there is no trace of any such professions in Ratzinger's memorandum.

In reading the two notes in parallel - the note of the prefect of the Congregation for the Doctrine of the Faith and that of the bishops - the impression is one of a clear divergence.

But it must be noted that the rigorism of Ratzinger and the Holy See have for years lived side by side, in Italy and the rest of Europe, with a more flexible praxis, even at the highest levels of the Church.

On January 6, 2001, at the concluding mass of the Jubilee, John Paul II personally gave communion to Francesco Rutelli, a practicing Catholic and a premier center-left candidate for this year's planned elections in Italy.

Rutelli had been, as a member of the Radical Party, one of the most active supporters of Italy's abortion law, which is among the most permissive in the world. And he continued, as a Catholic, to maintain publicly "pro-choice" positions.

In Italy during the 1970's, other left-wing politicians even more closely connected than Rutelli with the Catholic sector, such as Piero Pratesi and Raniero La Valle, had given strong support to the

introduction of the abortion law. But they were never denied communion. It was never even discussed.

Europe is full of analogous cases. On the Old Continent during the last few decades, the Catholic Church has never faced, much less created, an affair like that of Kerry, which is typically American. What made the news in Europe, on account of its singular nonconformity, was a contrary case: the gesture of the strongly Catholic King Baldwin of Belgium, who temporarily abdicated as king to avoid signing the abortion law. His gesture was completely spontaneous: no one in the Church's hierarchy had asked him to do it.

Here, then, is Ratzinger's previously unpublished memorandum, which he wrote in English expressly for the bishops' conference of the United States.

Worthiness to Receive Holy Communion. General Principles

by Joseph Ratzinger

1. Presenting oneself to receive Holy Communion should be a conscious decision, based on a reasoned judgement regarding one's worthiness to do so, according to the Church's objective criteria, asking such questions as: "Am I in full communion with the Catholic Church? Am I guilty of grave sin? Have I incurred a penalty (e.g. excommunication, interdict) that forbids me to receive Holy Communion? Have I prepared myself by fasting for at least an hour?" The practice of indiscriminately presenting oneself to receive Holy Communion, merely as a consequence of being present at Mass, is an abuse that must be corrected (cf. Instruction "Redemptionis Sacramentum," nos. 81, 83).

2. The Church teaches that abortion or euthanasia is a grave sin. The Encyclical Letter *Evangelium vitae*, with reference to judicial decisions or civil laws that authorise or promote abortion or euthanasia, states that 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'" (no. 73). Christians have a "grave obligation of conscience not to cooperate formally in practices which, even if permitted by civil legislation, are contrary to God's law. Indeed, from the moral standpoint, it is never licit to cooperate formally in evil. [...] This cooperation can never be justified either by invoking respect for the freedom of others or by appealing to the fact that civil law permits it or requires it" (no. 74).

3. 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.

4. Apart from an individual's judgement 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. can. 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, instructing 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 in which 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" [2000], nos. 3-4). This decision, properly speaking, is not a sanction or a penalty. Nor is the minister of Holy Communion passing judgement 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.

[N.B. 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 favour 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.]

The note approved by the U.S. bishops' conference at their general assembly in Denver:

> Catholics in Political Life, June 18, 2004

The dossier of documents and commentaries made available to the bishops, at the same assembly:

> Interim Reflections of the Task Force on Catholic Bishops and Catholic Politicians

Avery Cardinal Dulles' interview with "Zenit" on June 29, 2004:

> Cardinal Dulles on Communion and Pro-Abortion Politicians

The interview of Cardinal George conducted by John L. Allen of the "National Catholic Reporter":

> European and American approaches to pro-choice politicians

The survey by Louis Bolce and Gerald De Maio in "First Things," no. 143, May 2004:

> The Politics of Partisan Neutrality

The doctrinal note on Catholics and politics from the Congregation for the Doctrine of the Faith, dated January 16, 2003:È

> The Participation of Catholics in Political Life

Meanwhile, in the Case of Marriage...

Unlike the Kerry case, there is agreement among the Vatican, the U.S. bishops' conference, and the Bush administration on a constitutional amendment defining marriage as an exclusive bond between

one man and one woman.

According to John L. Allen of the "National Catholic Reporter," during a meeting in the Vatican with secretary of state Angelo Sodano, George W. Bush complained that "not all the American bishops are with me" on questions such as the defense of marriage, and he asked the Holy See to encourage the episcopacy to be more decisive.

No sooner said than done. The president of the bishops' conference of the United States, Wilton Gregory, asked the bishops by letter on June 24 to put pressure on their respective senators to vote in favor of the constitutional amendment decisively sought by Bush to defend the institution of marriage and block the legitimization of gay unions.

The amendment will be put to vote in the Senate in mid-July, and reads:

"Marriage in the United States shall consist only of the union of a man and a woman. Neither this constitution, nor the constitution of any state, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman."

For greater detail on Wilton Gregory's letter, see the news agency "Zenit:"

> Bishop Gregory Urges Support for Marriage Amendment

And on Bush's conversation as related by John L. Allen:

> The Vatican and America

English translation by Matthew Sherry: > traduttore@hotmail.com

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