

The Stance of the Catholic Church on Sharing the Eucharist with Baptised non-Catholics such as Anglicans and Presbyterians

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Introduction

Parish priests are asked frequently by non-Catholics whether they can receive the Eucharist on special occasions such as the first communion of a child, funerals of relatives and friends, and at weddings when the parent of one of the Catholic spouses is not a Catholic.

People sometimes justify general sharing of the Eucharist on the basis that the Eucharist is not only a sign of Christian Unity, but also a means of bringing it about. They argue that by celebrating the Eucharist together, the cause of Christian Unity would be promoted.

As well, it is argued that the non-Catholic spouse in a mixed marriage, is part of a domestic Church,¹ and should receive communion in the Catholic Church whenever the spouse comes to mass. It is argued that common participation in communion would support and nourish the sacramental union of the couple. The domestic church should not be divided and have the married couple and their children worshipping in different churches. The old adage 'the family that prays together stays together' has a lot of truth in it.²

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1. LG 11. Cf. Ladislav Orsy, 'Interchurch Marriages and Reception of the Eucharist', *America*, October 12, 1966, 18-19. Orsy's views are discussed in Warren Brown, 'The Eucharist and Mixed Marriages: Present Status', *Studia canonica* 38(2004), 509-526.
2. Thomas Scirghi, 'One Body, two Churches: Sharing the Eucharist in an Interchurch Marriage', *The Jurist* 59/2(1999), 435, refers to articles by Michael Lawler and in *The Journal of Marriage and the Family*, to support his case.

Since many ministers in other Churches encourage Catholics to receive communion, many people find it difficult to understand why the Catholic Church is so strict about issues like sharing the Eucharist with non-Catholics.

There is a great deal of confusion about what reasons justify sharing the Eucharist with baptised non-Catholics in Catholic Churches. E.g., some believe Spiritual need is seen to justify the sharing of the Eucharist with the non-Catholic parent of a child at the child's first communion mass.³

We can come to understand the position of the Catholic Church through the Church's theology and tradition. The positions taken by the Apostolic See over the centuries expresses a Tradition that gives us a context in which to understand the Catholic Church's stance in official theology and law today.

Terminology

The Chinese have a proverb that 'the first step towards wisdom is getting things by their right names'. Ecumenical literature uses a variety of terminology such as 'intercommunion', 'sharing the Eucharist' etc. Cardinal Willebrands, the President of the Secretariat for the Promotion of Christian Unity, wrote to Cardinal Villot, Secretary of State on January 13, 1970, and clarified key terms:

'Intercommunion' happens where two or more Churches, through an agreement, decide that there is sufficient unity of faith to permit members of each Church on a normal and permanent basis to receive the Eucharist in each other's Church. Reciprocity is required in this case. 'Open Communion' happens if a Church decides to admit to its Eucharistic communion members of other Churches. 'Admission to Communion' happens when a Church permits under precise and determined conditions members of other Churches in certain cases to receive Holy Communion in the Catholic Church, as in the *Directory on Ecumenism* n.55.⁴

The 1993 *Directory on Ecumenism* uses the term 'sharing the Eucharist' for this situation.⁵

'Full communion' is described in the 1983 Code⁶ canon 205: 'Those baptised are in full communion with the catholic Church here on earth who are joined with Christ in his visible body, through the bonds of profession of faith, the sacraments and ecclesiastical governance.'

History

Throughout the history of the Church there has been an essential

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3. 'The Bonds of Communion', *Liturgy Lines*, 31 July 2005, Liturgical Commission of the Brisbane Archdiocese.
 4. Quoted in Brian D. Clough, *Sharing the Eucharist in Particular Cases: The Path to a New Legislation in Canon 844*, *Dissertatio ad Lauream in Facultate Iuris canonici Apud Pontificiam Universitatem S. Thomae in Urbe*, 1992, 133.
 5. John Paul II, *Directory on Ecumenism*, AAS 87(1995), 921-982.
 6. John Paul II, *Codex Iuris Canonici*, AAS 75/2 (1983), English translation (London: Collins).

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relationship between the celebration of the Eucharist and being in full ecclesial communion. There is clear evidence of this from the 6th century, when reception of the Eucharist was seen as indicative of ecclesial communion. John of Ephesus, the Monophysite Church historian, tells us how people, who accepted the decrees of the Council of Chalcedon in 451, forced the Eucharist into the mouths of Monophysites, in order that they would be considered in full communion with themselves.⁷

Centuries later, Albert, Bishop of Prussia, was sent to the Ukrainian King Daniel during the reign of Pope Innocent IV (1243-54), because of the Eastern schism, Pope Innocent would not allow any Eucharistic sharing until the Greeks returned to Catholicism.⁸ But in 1244 he allowed the Dominicans ministering to separated Christian Jacobites and Nestorian communities to share the Eucharist with them. This practice was tolerated because of the demanding pressures of the situation, but the Pope did determine that harm was done to the faith of the Church.⁹

Pope John XXII (1316-34) halted the practice in Achaia, of Catholics participating in the Eucharist of schismatics, and that of non-Catholics receiving the Eucharist in Catholic Churches.¹⁰ On the other hand, Clement VI (1342-52) allowed Armenian priests who had returned to full communion to give the sacraments to those not in full communion, in order to lead them back to the Church.¹¹

Then Martin V (1417-31), by the controversial decree *Ad evitanda scandala*, allowed the practice amongst the German nation, of the sharing of the Eucharist with the excommunicated, provided the individuals had not been publicly and explicitly excommunicated by name. The decree was not speaking explicitly about heretics and schismatics, but the rest of the document makes it clear that they were to be included.¹²

From the time of the Reformation, the documents of the Apostolic See generally opposed sharing the Eucharist with non-Catholics. However, the documents never stated that liturgical services in common with non-Catholics were wrong in all circumstances. Sharing the Eucharist with non-Catholics was a particular issue in mission lands. In fact missionaries disagreed amongst themselves about non-Catholics participating in the liturgy. As a result, on July 5, 1729, the Holy See prohibited participation in any kind of liturgical services

7. Wilhelm de Vries, 'Communicatio in Sacris', translated by James McCue, *Concilium*, vol. 4 (New York: Paulist Press, 1965), 19.
8. Innocent IV, Letter to Bishop Tusculanus, July 21, 1250: *Codificazione Canonica Orientale, Fonti*, Series 3, vol. 4:1, (Vatican, 1943), n.74, 130.
9. Idem, Letter to the Dominicans in the Holy Land, March 12, 1944, *Ibid*, n.8, 11; quoted by Rita C. Brennan, *The Ecumenical Implications of Canon 844 in Historical Perspective*, Canon Law Studies, (Washington D.C.: The Catholic University of America, May 1988), 5. She also has other useful historical information. Very helpful is David Price, 'Communicatio in sacris', unpublished paper, M.Ch.A. Programme, Catholic University of America.
10. Nicholas IV, letter to Dominicans, September 3, 1288: *ibid*, 5:2, p. 142, n.79; see n.204, quoted in Rita C. Brennan, *The Ecumenical Implications of Canon 844*, 6.
11. Clement VI, rescript, August 18, 1346; *Codificazione Canonica Orientale, Fonti*, Series 3, 9:150, n.88.
12. C.J. Hefele and H. Leclercq, *Histoire des Conciles* (Paris, 1907), 7:1, p. 540; Mansi, *Collectio amplissima*, (Parisiis: Welter, 1900), 27, col. 1192.

with non-Catholics because it was seen to endanger faith, give scandal and promote religious indifference, with one faith being seen to be as good as another.¹³ The Holy Office explained this again in June 1859, stating that participation in the liturgy was a sign of being in communion with the Church, and therefore, one ought not to celebrate the liturgy with heretics and schismatics who were not in communion with the Church.¹⁴

The 1917 Code

The 1917 Code identified the Body of Christ and the Catholic Church as being one and the same. However, through schism, heresy, and apostasy, a person lost membership in the Church.

Canon 731 of the 1917 Code prohibited sharing the Eucharist:

Canon 731§2: It is forbidden to administer the sacraments of the Church to heretics or schismatics, even when they err in good faith and asking for it, unless after having renounced their errors, they have been reconciled to the Church.¹⁵

There was considerable debate amongst canonists and moral theologians about the application of this canon.

Directives and replies of the Apostolic See such as this reply from the Holy Office to the Apostolic Visitor for the Ukrainians in Germany on November 15, 1941 clarified the application of this canon:

However, it is forbidden to administer the sacraments of the Church to schismatics even if they are in good faith and ask for them, unless they have previously rejected their errors and been reconciled to the Church. (c. 731§2). Even when they are in danger of death, it is required that, at least implicitly, they reject their errors as far as this can be done (considering the circumstances and persons), and make a profession of faith.

To those who are in good faith and already deprived of consciousness, the sacraments may be administered conditionally, especially if there is reasonable ground for conjecture that they have at least implicitly rejected their errors.

Care must always be taken, however, that scandal and even the

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13. Wilhelm De Vries, *Sakramententheologie Bei Den Syrischen Monophysiten*, p. 29, quoted in Brennan, *The Ecumenical Implications of Canon 844*, 11.
 14. R. De Martinis, *Iuris Pontificii de Propaganda Fide*, Pars II (Rome, 1909) p. 642, n.1146, quoted in Brennan, *The Ecumenical Implications of Canon 844*, 12.
 15. English translation from Myriam Wijlens, *Sharing the Eucharist: A Theological Evaluation of the Post Conciliar Legislation* (New York: University Press of America, 2000), 53. Catholics were also prohibited from sharing in non-Catholic worship in canon 1258: 1. 'It is unlawful for the faithful to assist in any active manner, or take part in the services of non-Catholics. 2: 'At funerals of non-Catholics, at their marriages, and similar solemnities, provided there is no danger of perversion or scandal, passive or merely material presence on account of a civil office or for the purpose of showing respect to a person may be tolerated for a grave reason, which in doubtful cases must be approved by the bishop.'

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suspicion of interconfessionalism be avoided. And the less danger there is in delay, the more should an explicit retraction of errors and a profession of the Catholic faith be required.¹⁶

When people violated canons 1258 and 731 they could incur penalties such as excommunication through canons 2316, 2259 and 2338 and if a priest he could be suspended for the violation.

Encyclical Mystici Corporis

Pope Pius XII issued his encyclical letter, *Mystici Corporis Christi*, June 29, 1943.¹⁷ The Pope stated that the Church of Jesus Christ was the Catholic Church and identified this Church as the mystical body of Christ.¹⁸ In this encyclical the points were made that those who were: a) baptised, b) professed the faith in its fullness; and c) were in union with the hierarchy and faithful, were 'really' members of the Church. It was recognised for the first time that a baptised non-Catholic had a relationship to the Church and was an imperfect member. The encyclical spoke of the possibility of being ordered to the Church by an unconscious desire and intention.¹⁹ The consideration of membership in the Church from the point of view of the profession of the faith in its fullness, was a development on the approach of the 1917 Code.

Summary Of The Position Before Vatican II

Therefore, it could be said that prior to Vatican II that being a baptised non-Catholic in good faith was not of itself a sufficient basis to receive the Eucharist. A conscious non-Catholic could not receive the Eucharist unless they rejected their error, made a profession of faith, and expressed sorrow. No distinction was made between Eastern non-Catholic Christians and the Protestants of the West. While the prohibitions of canons 731§2 and 1258 were of ecclesiastical law, after the promulgation of the 1917 Code, the Church never stated that sharing sacraments was intrinsically evil.

Vatican II

Vatican II and subsequent documents brought a significant change in the approach of the Catholic Church to ecumenism and non-Catholics. On November 21, 1964, the Council issued the Decree on Ecumenism, *Unitatis redintegratio*, which was a notable achievement in itself. It stated that:

For men who believe in Christ and have been properly baptised are

16. Holy Office, *Reply*, November 15, 1941, in *Canon Law Digest*, (hereinafter *CLD*) (Milwaukee: The Bruce Publishing Co., 1953), vol. 3, 299-300.

17. Pius XII, Encyclical Letter, *Mystici Corporis*, June 29, 1943, in *AAS* 35(1943), 193-248.

18. *Ibid.*, p. 199: *Iamvero ad definiendam describendamque hanc veracem Christi Ecclesiam – quae sancta, catholica, apostolica, Romana Ecclesia est – nihil nobilius, nihil praestantius, nihil denique divinius invenitur sententia illa, quae eadem nuncupatur mysticum Iesu Christi Corpus;*

19. DS 3821: *'inscio quodam desiderio ac voto'*.

brought into certain, though imperfect, communion with the Catholic Church.²⁰

Baptism constituted the sacramental bond of unity among all believers. There were degrees of communion with the Catholic Church, and Church membership was no longer simply a question of either being a member, or not being one.

The Dogmatic Constitution on the Church, *Lumen Gentium*, speaks of how we are not members of the Church but rather:

Fully incorporated into the Church are those who possessing the Spirit of Christ, accept all the means of salvation given to the Church together with her entire organisation, and who – by the bonds constituted by the profession of faith, the sacraments, ecclesiastical government, and communion – are joined in the visible structure of the Church of Christ, who rules her through the Supreme Pontiff and the Bishops.²¹

Again in this text we see the theology of communion being expressed. Ecumenically, it proved to be a much more helpful and constructive way of speaking about the relationship of people to the Catholic Church. But the Council did make the point that ‘This Church constituted and organised as a society subsists in the Catholic Church’,²² i.e. in the Catholic Church, the Church of Christ finds its best and fullest expression. Cardinal Willebrands explains that ‘*subsist in* thus allows emphasising both the conviction that the one and genuine Church of God is found in the Catholic Church and the certitude that it nonetheless extends, though lacking its fullness, beyond the Catholic Church. Only the fullness of the elements of truth and sanctification manifests the power of the presence of the Spirit and guarantees that it cannot be lost.’²³

Lumen Gentium 15 and the Decree on Ecumenism in numbers 15 and 19 acknowledge the existence of Churches and ecclesial communities beyond the Catholic Church. The Decree on Ecumenism 15 states:

These Churches, although separated from us, yet possess true

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20. UR 3: ‘Hi enim qui in Christum credunt et baptismum rit receperunt, in quadam cum Ecclesia Catholica Commune, etsi non perfecta, constituuntur.’ *AAS*, 57(1965), 93. English translation in Austin Flannery, ed., *Vatican Council II: The Conciliar and Post Conciliar Documents*, vol. 1, (Collegeville: The Liturgical Press, 1975), hereinafter *Flannery*, 455
 21. LG 14: ‘Illi plene Ecclesiae societati incorporantur, qui Spiritum Christi habentes, integram eius ordinationem omniaque media salutis in ea instituta accipiunt, et in eiusdem compage visibili cum Christo, eam per Summum Pontificem atque Episcopos regente, iunguntur, vinculis nempe professionis fidei, sacramentorum et ecclesiastici regiminis ac communionis.’ English translation in *Flannery*, 366.
 22. LG 8: ‘Haec Ecclesia, in hoc mundo ut societas constituta et ordinata, subsistit in Ecclesia catholica.’ English translation in *Flannery*, 357.
 23. Johannes Willebrands, ‘Vatican II’s Ecclesiology of Communion’, *One in Christ* 23(1987), 188.

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sacraments, above all – by apostolic succession – the priesthood and the Eucharist, whereby they are still joined to us in closest intimacy. Therefore, some worship in common (*communicatio in sacris*), given suitable circumstances and the approval of Church authority, is not merely possible but is encouraged.²⁴

The Council acknowledged the fact that Churches with valid sacraments are in the closest communion to the Catholic Church, and therefore, on that basis, some sharing of sacraments such as the Eucharist was possible. The sharing is governed by the values of the Eucharist as a means of grace and a sign of unity.

However, the Decree on the Catholic Eastern Churches, *Orientalium Ecclesiarum*, November 21, 1964, n.26, warns that sharing the Eucharist can be contrary to divine law:

A mutual sharing in sacred things (*communicatio in sacris*) which runs counter to the unity of the Church, or which involves formal adhesion to error or the danger of aberration in the faith, of scandal and of indifferentism is forbidden by the law of God.²⁵ This is because through the Eucharist there is brought about the unity of the faithful who make up the Body of Christ.²⁶

Thus the Council acknowledged that baptised people are fully or partially incorporated into the Church. Consequently, there is imperfect communion between the Churches, and that in some circumstances, depending on the degree of communion that exists, sharing in the Eucharist may be desirable. Such sharing of the Eucharist is of its nature a sharing of the *communio* that exists. If the *communio* is not really there, then the basis for sharing the Eucharist does not really exist. One cannot ignore the fact that there are major differences amongst the Christian Churches on the doctrine of priesthood, the Church, and the sacraments. Such differences are very serious matters. Christ redeems us and calls us to live in communion with the Father. The degree of communion that we as human beings have with God is going to determine the nature of communion amongst us as human beings.

The Ecumenical Directory

The Secretariat for Promoting Christian Unity, issued the *Directory for Implementing the Decrees Promulgated by the Second Vatican Council on*

24. UR 15: 'Cum autem illae Ecclesiae, quamvis seiunctae, vera sacramenta habent, paraecipue vero, vi successione apostolicae, Sacerdotium et Eucharistiam, quibus arctissima necessitudine adhuc nobiscum coniunguntur, quaedam *communicatio in sacris*, datis opportunis circumstantiis et approbante auctoritate ecclesiastica, non solum possibilis est sed etiam suadetur.' English translation in *Flannery*, 465.

25. *OE*. 26: 'Communicatio in sacris, quae unitatem Ecclesiae offendit aut formalem errori adhaesionem vel periculationis in fide, scandali et indifferentismi includit, lege divina prohibetur.' English translation in *Flannery*, 450.

26. 1 Cor 10:17 and LG 3.

Ecumenism, May 14, 1967.²⁷ Like the Decree on Ecumenism of Vatican II, the Directory makes a clear distinction between the separated Eastern Churches and the Churches and Ecclesial Communities of the West. This is because the separated Eastern Churches possess apostolic succession and true sacraments. Furthermore, there is a close communion between the Catholic Church and separated Eastern Churches on matters of faith.

The Directory defines *communicatio in sacris*:

There is *communicatio in sacris* when anyone takes part in the liturgical worship or in the sacraments of another church or ecclesial community. By 'liturgical worship' is meant worship carried out according to the books, prescriptions or customs of a church or community, celebrated by a minister of such church or community, in his capacity as minister of that community.²⁸

The point is made very clearly in the Decree on Ecumenism what sharing of sacraments is not to be:

Yet sharing in liturgical worship (*communicatio in sacris*) is not to be considered as a means to be used indiscriminately for the restoration of unity amongst Christians. There are two main principles upon which the practice of such common worship depends: first, that of the unity of the Church which ought to be expressed; and second, that of the sharing of the means of grace.²⁹

However, the Directory, in numbers 44 and 50, allowed for the sharing of the Eucharist between Catholic and separated Eastern Christians when a 'just cause' existed in the two circumstances of material and moral impossibility of receiving the Eucharist. In other words, if it is difficult over a long period of time to receive the Eucharist in one's own Church, Catholics and separated Eastern Christians may communicate in each other's Churches.

As far as separated Western Churches and Ecclesial communities are

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27. Secretariat for Promoting Christian Unity, *Directory for Implementing the Decrees Promulgated by the Second Vatican Council on Ecumenism, Ad Totam Ecclesiam*, AAS, 59(1967), 574-592; English translation in *Canon Law Digest*, vol. 6, 716-734, hereafter referred to as the *Directory*.
28. *Directory*, 1: 30, 31: 'Communicatio in sacris habetur cum quis quemlibet cultum liturgicum vel etiam sacramenta alicuius Ecclesiae vel Communitatis ecclesialis participat.'... 'Voce "cultus liturgici" intellegitur cultus ordinatus secundum libros, praescriptiones vel consuetudines alicuius Ecclesiae vel Communitatis, celebratus a ministro vel delegato eiusmodi Ecclesiae vel Communitatis, prout hic eiusmodi munere fungitur.' AAS 59(1967), 584; English translation in *Flannery*, 493.
29. UR 8: Attamen communicationem in sacris considerare non licet velut medium indiscretim adhibendum ad Christianorum unitatem restaurandam. Quae communicatio a duobus principiis praecipue pendet: ab unitate Ecclesiae significanda, et a participatione in mediis gratiae. Significatio unitatis plerumque vetat communicationem. Gratia procuranda quandoque illam commendat. De modo concreto agendi, atentis omnibus circumstantiis temporum, locorum et personarum, prudenter decernat auctoritas episcopalis localis, nisi aliud a conferentia episcopali, ad normam propriorum statutorum, vel a Sancta Sede statuatur. AAS 57(1965), 98. English translation in *Flannery*, 461.

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concerned, in n.55 of the Directory,³⁰ when unity in sacramental faith is deficient, then participation in the Eucharist is forbidden. However, since the Eucharist is also a source of grace the Directory allowed a separated Western Christian to receive the Eucharist from a Catholic minister when:

- a) There is danger of death or in urgent need, such as imprisonment or during a persecution.
- b) The separated Christian, having no access to a minister of his/her communion, spontaneously asks a Catholic priest for the Eucharist, and declares a faith in the sacrament in harmony with that of the Church, and is rightly disposed. There was no mention of 'over a long period of time' as a criterion for reception of the Eucharist, as there was with separated Eastern Christians.
- c) The diocesan bishop or the episcopal conference is to judge other cases of urgent need apart from imprisonment or persecution.

There were widely varying interpretations of both the Directory and the Decree on Ecumenism.³¹ Cardinal Bea was critical of interpretations of the Directory and said permission for sharing the Eucharist with non-Catholics can only be given 'in cases of urgent necessity similar to those quoted as an example [in the *Directory*] and under the same condition'.³² Pope Paul VI also spoke of inopportune initiatives and said the official clarification by Cardinal Bea was the official position of the Church.³³ In the six years following the promulgation of the Directory the Apostolic See felt it necessary to issue four documents affirming and clarifying previously stated norms in the Directory on Ecumenism.³⁴ These documents did not address the situation of sacramental sharing with Eastern Church Christians, but addressed the specific situation of sacramental sharing with individual members of Western ecclesial communities. The documents reiterated the principle that sharing the Eucharist

30. *Directory*, n.55, *CLD*, vol. 6, 732.

31. Les Evêques des Pays-Bas: 'Lettre des évêques hollandais sur les mariages mixtes, *La Documentation Catholique* 65(1968), 1247*-1248*: 'Si le mariage est célébré au cours d'une messe et que le conjoint non catholique exprime le désir de communier, nous sommes disposés à l'y autoriser, à condition que ...' Protestant observers September 5, 1968 at the Grand Assembly of Latin American Bishops at Medellin were given permission to receive the Eucharist after they petitioned for the privilege and professed their faith: 'Nous confessons que l'Eucharistie "est le signe efficace et l'assurance de la présence du Christ en personne, ... le sacrement du corps et du sang du Christ, le sacrement de sa personne réelle".'

32. Cardinal Bea, *L'Osservatore Romano*, October 6, 1968, quote and translation in T. Strasky and John Sheerin, *Doing the Truth in Charity* (New York: Paulist, 1982), 116.

33. Pope Paul VI, *L'Osservatore Romano*, November 14, 1968, 1.

34. Secretariat for the Promotion of Christian Unity, 'Notes on the Application of the Directory', October 6, 1968, *CLD* 7(1974), 794-796; Declaration, 'Position of the Catholic Church Concerning a Common Eucharist Between Christians of Different Confessions', January 7, 1970, in *AAS* 62(1970), 184-188, and *CLD.*, vol 7, 796-801; Instruction, *In quibus rerum circumstantiis*, 'Special Cases of Admitting Other Christians to Eucharistic Communion in the Catholic Church', June 1, 1972, in *AAS* 64(1972), 518-525; English translation in *Flannery*, 554-559, hereinafter *Instruction*; Interpretation, 'A Note On Some Interpretations of the Instruction Regarding Special Cases of Admitting Other Christians to Eucharistic Communion in the Catholic Church', October 17, 1973, in *AAS* 65(1973), 616-619, and *CLD*, vol. 8, 468-472.

could not be used as a means to reach full communion.

The Secretariat for the Promotion of Christian Unity issued an Instruction on 1 June, 1972 stating that baptised non-Catholics could receive the Eucharist when 'they have a faith in the sacrament in conformity with that of the Church, and who experience a serious spiritual need for the eucharistic sustenance, and who for a prolonged period are unable to have recourse to a minister of their own Community, and who ask for the sacrament of their own accord; all this provided that they have proper dispositions and lead lives worthy of a Christian'.³⁵ These requirements of 'a prolonged period' and 'lives worthy of a Christian' were an expansion of the requirements of the 1967 Directory.

The Instruction expanded the understanding of 'urgent need in n.55 of the 1967 Directory. Another example of urgent need was identified as 'a serious spiritual need' that is to be understood as 'a need for an increase in spiritual life and a need for a deeper involvement in the mystery of the Church and of its unity'.³⁶ One example of 'grave spiritual necessity' was given in the instruction: 'in our time, which is one of large-scale movements of population, it can happen much more often than before that non-Catholic Christians are scattered in Catholic regions. They are often deprived of the help of their own communion and unable to get in touch with it except at great trouble and expense. If the conditions set out in the Directory are verified, they can be admitted to Eucharistic communion, but it will be for the bishop to consider each case'.³⁷

The 1972 Instruction was more precise about the faith and belief in the sacrament that the Western non-Catholic Christian was required to have 'in the Eucharist as Christ instituted it and as the Catholic Church hands it on'.³⁸

The Instruction explained the necessary connection between ecclesial communion and Eucharistic communion since the 'celebration of the Eucharist signifies fullness of profession of faith and the fullness of ecclesial communion'.³⁹

Then on October 17, 1973, because of misinterpretations of the Instruction, such as that made by Bishop Hammes of Superior, Wisconsin,⁴⁰ the Secretariat for the Promotion of Christian Unity issued the Communication 'Note Interpreting the "Instruction on Admitting Other Christians to Eucharistic Communion in the Catholic Church under Certain Circumstances"'.⁴¹ The Explanatory Note again explained that there is an indissoluble link between ecclesial and Eucharistic communion. It was pointed out that the Instruction did not change the Directory or the Decree on Ecumenism.

Myriam Wijlens considers 'In comparison with the other documents

35. Secretariat for Promoting Christian Unity, *Flannery*, 557.

36. SPUC, *Instruction*, 4, English translation in *Flannery*, 557.

37. SPCU, *Instruction*, 6, AAS 64(1972), 525 English translation in *Flannery*, 559.

38. SPCU, *Instruction*, AAS 64(1972), 524; English translation in *Flannery*, 558.

39. SPUC, *Instruction*. English translation in *Flannery*, 557.

40. Bishop Hammes, 'Admission of Non-Catholic Christians to Holy Communion', *CLD* 8(1973), 465-468.

41. SPCU, 'Dopo la pubblicazione', AAS, 65(1973), 616-619; English translation in *Flannery*, 560-563. Hereinafter referred to as the Explanatory Note.

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published after the Directory, the newness of the Communication consists in stating that sharing the Eucharist is only allowed in particular cases. General rules set up for specific groups are not allowed.⁴² Brian Clough illustrates this by pointing out that the bishop 'was to examine and decide each case individually; he could not simply say, *a priori*, that, for example, all baptised Protestants in a nursing home who were unable to see their own ministers every month were permitted to receive the Eucharist from a Catholic priest. The decision had to be for this determined person in the particular set of circumstances which, in his judgment, fulfilled all the requirements of the law.'⁴³

The 1973 Communication from the Secretariat for the Promotion of Christian Unity maintained that there is an intimate link between the Eucharist and the Church. When we share the Eucharist, it signifies that we are in full communion with one another in the one faith. In the celebration of the Eucharist, the Church celebrates the mystery of herself, and manifests her unity. The non-Catholic receiving the Eucharist was required to have a faith in the doctrine of the Eucharist as taught by the Catholic Church.

1983 Code

Canon 844 addresses the issue of sharing the Eucharist with non-Catholics and reflects the relevant conciliar and post-conciliar documents. Canon 844 §1 states the general principle that Eucharistic communion requires normally full ecclesial communion. Catholic ministers normally give the Eucharist to Catholics.

Canon 844 §4 stated: 'If there is a danger of death or if, in the judgement of the diocesan Bishop or of the Bishops' Conference, there is some other grave and pressing need, catholic ministers may lawfully administer these same sacraments to other Christians not in full communion with the Catholic Church, who cannot approach a minister of their own community and who spontaneously ask for them, provided that they demonstrate the Catholic faith in respect of these sacraments and are properly disposed.'

The American Canon Law Society translation of 'some other grave and pressing need' is as 'some other grave necessity urges it'. John Huels maintains that the American translation is less restrictive and a more accurate expression of the meaning of the Latin original.⁴⁴ Canon 844 §4 has the 'diocesan Bishop' rather than the local ordinary making the judgment about grave and pressing need. This follows the wording of the 1972 *Instruction* rather than the 1967 *Directory*. The distinction is made between the Eastern Christians and other Christians because of the closer relationship of the Catholic Church with the Eastern Churches and the recognition that they have

42. Myriam Wijlens, *Sharing the Eucharist: A Theological Evaluation of the Post Conciliar Legislation* (New York: University Press of America, 2000), 269.

43. Brian Clough, *Sharing the Eucharist in Particular Cases: The Path to a New legislation in Canon 844*, Romae, Dissertatio ad Lauream In Facultate Iuris Canonici Apud Pontificiam Universitatem S. Thomae in Urbe, 1992, 169.

44. John Huels, 'A Policy on Canon 844§4 For Canadian Dioceses', *Studia canonica* 34(2000), 96.

true sacraments of Eucharist and Holy Orders.

The 1967 Directory mentioned persecution and imprisonment as examples of urgent need. Myriam Wijlens points out that 'any grave necessity clearly concerns the individual only and not, for example, a couple in a mixed marriage'.⁴⁵ The argument that a non-Catholic spouse is part of a domestic Church does not of itself fit the criteria of urgent need or grave necessity.

Conferences of Bishops have decided 'grave and pressing need' is constituted by: a) 'urgency of conscience or serious difficulty with the ministers of their Church' (Santo Domingo Bishops' Conference); b) 'the sick, refugees, prisoners or persecuted', and 'to those who express a vehement and legitimate desire to receive them, when their ministers do not appear to provide the service within three months' (Mexican Bishops Conference); c) 'accident or catastrophe, jailing or persecution, grave spiritual need due to migration or dispersal, and other cases of grave need determined by the diocesan bishop' (Argentinean Episcopal Conference). The Argentinean Bishops Conference explicitly requires as well that 'before administering the sacraments mentioned, an explicit declaration of the Catholic faith with respect to these sacraments shall be requested, if possible'.⁴⁶

In summary the 1983 Code requires that the individual non-Catholics must be unable to approach ministers of their own Community. The impossibility may be moral or physical and the requirement of a long period of time is not in the final text of canon 844. The non-Catholic must request the sacrament freely on their own initiative to avoid any sense of proselytism. While the Directory, the Declaration and Instruction required that a non-Catholic express faith in the Eucharist in harmony with the Catholic Church, the 1983 Code asks that they 'manifest Catholic Faith in these sacraments'. The Oriental Code requires a manifestation of a 'faith consonant with that of the Catholic Church concerning these sacraments'.⁴⁷ The non-Catholic should be properly disposed, as any Catholic should be.

1993 Directory

The Pontifical Council for the Promotion of Christian Unity issued a new Directory on Ecumenism March 25, 1993.⁴⁸ The 1993 Directory was a more theological document than its predecessor, and explains the principles that allow for sharing the sacraments with Western non-Catholic Christians in some circumstances in n.129:

A sacrament is an act of Christ and of the Church through the Spirit...

45. Wijlens, *Sharing the Eucharist*, 328.

46. Quoted by J. T. Martin de Agar, 'The Sacraments', in *Exegetical Commentary on the Code of Canon Law*, vol. 3 (Montreal: Wilson & Lafleur, 2004), 414-415.

47. John Paul II, *Codex Canonum Ecclesiarum Orientalium*, AAS, 82(1990), 1045-1363; English translation: *Code of Canons of the Eastern Churches: Latin-English Edition* (Washington, DC: CLSA, 1990), canon 671.

48. Pontifical Council for the Promotion of Christian Unity, *Directory for the Application of Principles and Norms on Ecumenism* (Vatican City: Libreria Editrice Vaticana, 1993). Hereinafter *1993 Directory*.

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As well as being signs, sacraments – most especially the Eucharist – are sources of the unity of the Christian community and of the spiritual life, and are means to building them up. Thus Eucharistic communion is inseparably linked to full ecclesial communion and its visible expression... The Eucharist, is for the baptised, a spiritual food which enables them to overcome sin and to live the very life of Christ, to be incorporated more profoundly in him and share more intensely in the whole economy of the mystery of Christ. It is in the light of these two basic principles, which must always be taken into account together, that in general the Catholic Church permits access to its Eucharistic communion and to the sacraments of penance and anointing of the sick only those who share its oneness in faith, worship and ecclesial life. For the same reasons it also recognises that in certain circumstances, by way of exception and under certain conditions, access to these sacraments may be permitted or even commended for Christians of other churches and ecclesial communities.

It is to be noted that ‘access to these sacraments’ is now ‘commended’ under certain conditions.

The 1993 Directory in n.130 states:

In case of danger of death, Catholic ministers may administer these sacraments when the conditions given below (n.131) are present. In other cases, it is strongly recommended that the diocesan bishop, taking into account any norms which may have been established for this matter by the episcopal conference or by the Synods of Eastern Catholic Churches, establish general norms for judging situation of grave and pressing need and for verifying the conditions mentioned below (n.131).

Commenting on the 1993 Directory, Cardinal Edward Cassidy, the President of the Pontifical Council explained the difference in approach to Western ecclesial communities in contrast with Eastern Churches because: ‘there is not a unity in faith sufficient to allow sacramental sharing, except in very special circumstances’.⁴⁹

The 1993 Directory in n.160 addresses the situation of a mixed marriage:

Although the spouses in a mixed marriage share the sacraments of baptism and marriage, eucharistic sharing can only be exceptional and in each case the norms stated above concerning the admission of non-Catholic Christian to Eucharistic communion, as well as those concerning the participation of a Catholic in Eucharistic communion in another church, must be observed.

49. Edward Cardinal Cassidy, ‘The Revised Ecumenical Directory of the Catholic Church: A Renewed Commitment to the Search for Christian Unity’, *Ecumenism* 117(1995), 18.

Some commentators such as John Huels believe that the 1993 Directory shows a new openness to sharing of the Eucharist with baptised non-Catholics.⁵⁰ He argues that serious spiritual need does not arise from the inability of the non-Catholic partners to approach their own minister, but rather it arises from the gravity of the spiritual need experienced when non-Catholic partners attend Mass with their Catholic spouses and their children.⁵¹ Gerard Kelly argues that the need of Eucharistic sharing of inter-Church couples differs from that of other non-Catholic Christians because of their unique situation and the sacramental bond of marriage that is involved. The unity of the inter-Church couple in marriage transcends their denominational division as members of different churches.⁵² Albert Anasthas argues that inter-Church partners are in spiritual need to share the Eucharist each time they accompany the family to a Catholic Eucharistic celebration.⁵³ However, other commentators like Myriam Wijlens are unconvinced by these arguments.⁵⁴ Walter Kasper made a significant theological point when, he stated the Church 'means the organic and structured whole of the church, the people gathered around their bishop, and attached to their shepherd, as Cyprian put it'.⁵⁵ This puts the domestic church in perspective.

The Catholic Bishops Conferences of England and Wales, Ireland and Scotland, issued the document *One Bread, One Body: a Teaching Document on the Eucharist in the Life of the Church, and the establishment of General Norms on Sacramental Sharing* in 1998.⁵⁶ While they acknowledged that in a mixed marriage a new form of communion was brought about by the sacrament of marriage, they pointed out that of itself this did not justify Eucharistic sharing. They taught that the Eucharist should not be celebrated in a way that suggested a degree of unity that did not in fact exist.

Encyclical Ecclesia De Eucharistia

Pope John Paul II issued the encyclical *Ecclesia de Eucharistia* on April 17, 2003.⁵⁷ In chapter IV, 'The Eucharist and Ecclesial Communion' he pointed out that sharing communion 'presupposes that communion already exists...which entails communion in the teaching of the apostles, in the sacraments and in the church's hierarchical order'.⁵⁸ The Pope's principle is clear: 'the Eucharist builds the church and the church makes the Eucharist'.⁵⁹

50. John Huels, 'A Policy on Canon 844§4 For Canadian Dioceses', 91-118.

51. *Ibid.*, 101.

52. Gerard Kelly, 'Intercommunion – Critical for the Future of the Ecumenical Movement and Church Unity', *One in Christ* 34(1998), 307-319.

53. Albert Anasthas, 'Theological Reflections on the Eucharistic Sharing in Inter-church Marriages', *Questions Liturgiques: Studies in Liturgy* 86(2005), 1: 55-56.

54. Wijlens, *Sharing the Eucharist*, 349-353.

55. Walter Kasper, *Theology and Church* (London: SCM Press, 1989), 162.

56. Catholic Bishops' Conferences of England and Wales, Ireland and Scotland, *One Bread, One Body: A Teaching Document on the Eucharist in the Life of the Church, and the Establishment of General Norms on Sacramental Sharing* (London: Catholic Truth Society, 1998).

57. John Paul II, Encyclical, *Ecclesia de Eucharistia*, April 17, 2003, in *Origins*, 32(2003): 754-768.

58. *Ecclesia de Eucharistia*, 35.

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After quoting *Lumen gentium* 44, Pope John Paul II explains:

In a special way, since the Eucharist is ‘as it were the summit of the spiritual life and the goal of all the sacraments’ it requires that the bonds of communion in the sacraments, particularly in baptism and priestly orders, be real. It is not possible to give communion to a person who is not baptised or to one who rejects the full truth of the faith regarding the Eucharistic mystery. Christ is the truth, and he bears witness to the truth (cf. Jn 14:6; 18:37); the sacrament of his body and blood does not permit duplicity.⁶⁰

Pope John Paul II states in n.45:

While it is never legitimate to concelebrate in the absence of full communion, the same is not true with respect to the administration of the Eucharist under special circumstances to individual persons belonging to churches or ecclesial communities not in full communion with the Catholic Church. In this case, in fact, the intention is to meet the grave spiritual need for the eternal salvation of an individual believer, not to bring about an intercommunion that remains impossible until the visible bonds of ecclesial communion are fully re-established.⁶¹

In fact Pope John Paul II expresses the view that concelebrating the Eucharist with a minister without the bonds of profession of faith, these sacraments and ecclesiastical governance ‘might well prove instead to be an obstacle to the attainment of full communion by weakening the sense of how far we remain from this goal and by introducing or exacerbating ambiguities with regard to one or another truth of the faith’.⁶²

Apostolic Exhortation Sacramentum Caritatis

Pope Benedict XVI issued the apostolic exhortation *Sacramentum Caritatis* on February 22, 2007.⁶³ Building on the encyclical of his predecessor,⁶⁴ Pope Benedict pointed out ‘the intrinsic link between the Eucharist and the church’s unity’.⁶⁵ He reiterated that the Eucharist cannot be used indiscriminately as a mere means to attain church unity. He stated: ‘We

59. Ibid., 26.

60. Ibid., 38.

61. Ibid., 45.

62. Ibid., 44. The pope expressed his support for these norms in his encyclical *Ut Unum Sint*, AAS, 87(1995), 921-982. The tougher stance of the Catholic Church is reflected in *Sacramentorum sanctitatis tutela*, AAS 93(2001), 785-788, making concelebrating with a non-Catholic minister a crime reserved to the Congregation for the Doctrine of the Faith.

63. Pope Benedict XVI, apostolic exhortation, *Sacramentum Caritatis*, 22 February 2007, in *Origins*, 36(2007), 629-658.

64. *Sacramentum Caritatis*, 15.

65. Ibid., 56.

hold that Eucharistic Communion and ecclesial communion are so linked as to make it generally impossible for non-Catholic Christians to receive the former without enjoying the latter'.⁶⁶

While Pope Benedict XVI acknowledged the ability of individual non-Catholic Christians to receive sacraments under specified conditions for the sake of their eternal salvation,⁶⁷ he also gave detailed guidance about when members of other Christian Confessions or divorced and remarried people without annulments may be present. He pointed out the need to find a brief and clear way to remind those present of the meaning of sacramental Communion and the conditions required for its reception. He also stated: 'Wherever circumstances make it impossible to ensure that the meaning of the Eucharist is duly appreciated, the appropriateness of replacing the celebration of the Mass with a celebration of the word of God should be considered'.⁶⁸ Pope Benedict not only has reiterated the traditional stance of the Catholic Church on sharing the Eucharist, but has made it more specific and reinforced it with his detailed pastoral guidance.

Conclusion

There are many painful and difficult situations in parishes when there are celebrations of first communions, weddings, and funerals. Non-Catholic parents and relatives are often surprised that they are not given permission to receive the Eucharist. Strong theological arguments are made supporting the sharing of the Eucharist with non-Catholic spouses in mixed marriages since the family constitutes the domestic Church. However, the domestic Church is not a Church in the way an ecclesial community can be a Church. There have been consistent statements in principle that there is an essential link between ecclesial and Eucharistic communion. The Catholic Church only allows sharing the Eucharist with individual, baptised non-Catholics to meet 'a grave and pressing need' for the sake of their eternal salvation, and not to bring about intercommunion. While the sharing of the Eucharist is a difficult pastoral problem that many people make up their own minds about, the issuing of many norms does not solve all the problems. Delicate pastoral responses and more education about the reasons for the norms are necessary.

66. Ibid.

67. Ibid.

68. Ibid., 50.