THE PRACTICE of excommunication has, in recent years, been used in a minatory way in both political and ecclesial debates.

This paper examines whether this is appropriate by a review of the foundational texts of the practice and comments made by later theologians.

A close reading of such texts raises questions about the practice of excommunication which has been based on them, and whether they might not indicate the practice of self-examination and self-regulation as much as an institutional discipline.

Further, following the work of Francis Moloney SDB, the Johannine Supper Narrative suggests that Jesus' own practice, in sharing this eucharistic prototype with Judas, indicates that self-regulation is a more appropriate way of policing eucharistic reception.

Excommunication: Recent Practice

In recent years there have been a number of high-profile discussions about exclusion from the eucharist. Historically this practice known as excommunication, is one of the gravest sanctions in operation, and has served three purposes: ritual, sociological and spiritual:

It could be said to be effective in that it excluded sinners from participation in ritual, that it separated and degraded them socially, or that it spiritually re-united them with the Church and led to their salvation.

Historically, excommunication in some traditions might be temporary, with possibility of re-admission to communion after penance, or permanent. Thomas Hobbes, in his Leviathan, noted that the practice operated differently in the pre-Constantinian and Constantinian periods, becoming a means of political power in the latter: what had started as a means of spiritual control had become a means of exercising political power. This has persisted into the modern era. Ironically, it persists in a political culture which claims to have at its heart the separation of church and state. This short paper will suggest that the portrayal of Judas and Jesus in the Gospel of John suggests an alternative model of discipline from the long-held practice of exclusion from the eucharist.

Excommunication: Recent Roman Catholic Practice

Within the Roman Catholic Church in the United States, in respect of political candidates and divorced and remarried Catholics, excommunication became a subject of debate because of its use in political life:

These modern debates emerged first in regard to Eucharistic participation by the millions of Catholics who civilly divorced and remarried, followed by arguments about Catholic politicians such as Nancy Pelosi, John Kerry, Kathleen Sebelius, Andrew Cuomo, and Rudy Giuliani, and most recently Catholics participating in various forms of pro-homosexual activism.

Whilst attempts to use participation in the eucharist as a political weapon have appalled some, not least because such practice is not applied to all contentious issues, others have seen it as a justifiable action supported by the canons of the church, notably Canon 915 which places a special duty on ministers to...
refuse admittance to communion:

Those who have been excommunicated or interdicted after the imposition or declaration of the penalty and others obstinately persevering in manifest grave sin are not to be admitted to holy Communion.

Thus a distinction is introduced between reception (Canon 916) and admission (Canon 915): the first focussed primarily on the conscience of the recipient, the second on the duty of the minister. The fact of the debate over the appropriateness of barring admission such as those mentioned above, of course, indicates that there is no single, universally accepted interpretation or application of these canons. Roman Catholic Canon Law alone does not guarantee resolution of all cases. Indeed, Thomas Aquinas warned that withholding communion might be a source of a more serious mortal sin than improper reception.\(^8\) The dangers of abuse were well-known: excommunication was to be used as a curative, rather than to aggravate social problems, and there needed to be provision to correct unjust exclusions.\(^9\) It is also worth noting that contemporary Roman Catholic practice differentiates between excommunication and exclusion from worship: one who is excommunicated may still be expected to attend Mass.\(^10\)

**Excommunication: Recent Anglican Practice**

Within the Anglican tradition, there is no single set of canons like the Roman model. Issues of exclusion tended to be regulated within the regulations adopted by individual provinces. That said, a historic foundation for exclusion is found in the Sacrament Act (1547), with its general right of admission, and the Canons Ecclesiastical (1603), which allow exclusions on the grounds of notorious, unrepentant sin and/or malicious and open conflict which is not resolved.\(^11\) Subsequent practice reveals a number of common factors allowing for exclusion: living in grievous sin (often further defined as ‘open’ or ‘unrepentant’), unreconciled malice or hatred, scandalous conduct, and, occasionally, contravention of canonical regulations.\(^12\)

Regulations vary from province to province on which minister makes such decisions, the evidence needed to support them, and warnings given before enforcement.\(^13\) Recent events, particularly centred on contrary opinions regarding same-sex unions, have even seen threats to excommunicate those who hold contrary opinions on same-sex unions.\(^14\) Whole provinces within the Anglican Communion have been threatened with excommunication (sometimes addressed as an issue of affiliation rather than excommunication)—a situation confused by Anglican ecclesiology: where lies the authority to pronounce such an excommunication?\(^15\) These events were live issues before the Lambeth Conference of 2008, and remain unresolved.

As in Roman Catholic practice, excommunication may allow continued membership of a congregation, but exclusion from the sacrament. I encountered this in the 1990s in Tanzania, where a senior member of a parish, though obviously repentant for his earlier indiscretions, had been effectively barred from receiving the sacrament for life. Such discipline, enforced for a breach of church sexual discipline (he had contracted a polygamous union as a Christian), suggest that the ramifications of excommunication as a discipline, extend beyond high profile and ‘hot button’ issues in today’s church.
Excommunication: Foundations and Early Practice

The practice is rooted in a number of biblical texts, notably Mt. 18.15-17 and 1 Cor. 5.1-13.19 1 Cor. 16.22 is sometimes considered a liturgical expression of the activity, and also pertinent.20 These texts have informed the development of the practice over the centuries, but what has followed has not been uniform.21 A number of patristic authorities, including Chrysostom, supported excommunication.22 Thiselton includes Ambrosiaster in this group on the grounds that those who associate with the malefactor are ‘not innocent’.23 However, Ambrosiater’s position is not so clear, for, in the same commentary, on 1 Cor. 5.3, he adds, ‘Even the Lord refused to cast out Judas, although he was a thief, because he had not been prosecuted’.24 He is not alone in mentioning Judas Iscariot in an argument which is wary of the practice of excommunication.

In Tractate 50, Augustine of Hippo, rejecting the perfectionist tendencies of Donatism, invoked Jesus’ treatment of Judas to support his more lenient stance:

With them he [Judas] came even to the table of the Lord: he was permitted to have intercourse with them, but he could not contaminate them. Of one bread did both Peter and Judas partake, and yet what communion had the believer with the infidel? Peter’s partaking was unto life, but that of Judas unto death. For that good bread was just like the sweet savor. For as the sweet savor, so also does the good bread give life to the good, and bring death to the wicked. For he that eats unworthily, eats and drinks judgment to himself:” 1 Corinthians 11:29 (sic) “judgment to himself”, not to you. If, then, it is judgment to himself, not to you, bear as one that is good with him that is evil, that you may attain unto the rewards of the good, and be not hurled into the punishment of the wicked.25

Such sharing, however, never meant that he embraced any of a universalist, libertarian or antinomian approach, but rather, viewed the church as imperfect, citing the parable of weeds and tares (Mt. 13.24-30).26

Later theologians also examined the significance of the Supper narratives. Thomas Aquinas (Summa Theologica, 81/2), in response to Hilary’s view that Judas did not receive the sacrament, argues that Judas did indeed receive, and that Jesus did not exclude him from this as (1) a matter of justice, and (2) an example that ‘such secret sinners are not to be repelled by other priests, referring to Jesus’ unique insight into the mind of Judas.27

Some liturgies have also mentioned Judas, but with a focus on the consequences of improper reception rather than the example of Jesus.28 Indeed, the exhortations in a number of Anglican liturgies make specific reference to him:

Lest, after taking of that Holy Sacrament, the devil enter into you, as he entered into Judas, and fill you full of all iniquities, and bring you to destruction both of body and soul.29

In such texts, Judas is to be considered an example of improper reception, which is to be avoided as damaging: the interpretation does not address exclusion by a minister.

Given these precedents it is worth revisiting the Johannine texts to see if modern biblical criticism and interpretation allows such views to persist. In so doing, attention focusses on the Anointing (Jn. 12.1-7) and the Supper Narrative (Jn. 13.1-30).

The Anointing of Jesus

The accounts of the anointing of Jesus (Mk. 14.3-9; Mt. 26.6-13; Lk. 7.36-50; Jn. 12.1-7) vary in their portrayal of the woman’s action, and the role of Judas: the relationship between the different versions is complex. Jn. 12.1-7 presents the bleakest picture: Judas is indignant about the anointing, with the editorial aside that he was a thief.30 There is no account (as in Mk. and Mt.) of a subsequent meeting between Judas and the Jerusalem authorities, but Jn. 13.2 advises that Judas has resolved to betray Jesus.
The Supper Narrative

All four gospels include accounts of a last meal held by Jesus with his followers (Mk. 14.21-31; Mt. 26.17-35; Lk 22.7-38; Jn. 13.1-30). Aware that there are many questions about historicity etc., the remarks which follow are confined to one question: could Judas be construed as sharing in the eucharist? If this is so, what are the possible implications of Jesus' actions for Eucharistic discipline?

In Jn. the Anointing is in the same time period as the last meal (the season leading up to the Passover [Jn. 12.1]), but this event is separated from the meal of Jn. 13-17 by the entry to Jerusalem and a number of dialogues (Jn. 12.20-50). The last meal is not represented as the Seder but happens before the Passover (Jn. 13:1).32

Jn. gives the most detailed picture of Jesus' interaction with Judas. He has made his plans, and Jesus knows them (Jn. 13.2-3). Jesus washes Judas' feet, inasmuch as he washes all the disciples' feet (13.12). Jesus uses the same quotation from Scripture as Mk. (Psalm 41.9 [MT 41.10; LXX 40.10]) as a prediction and subsequent proof-text for the disciples (Jn. 13.18-19). A second prophecy follows, culminating in Jesus feeding Judas and sending him on his way (13.21-29). Judas' departure (13.31) is followed by the prediction of Peter's Denial and the Farewell Discourses (Jn. 14.1-17.26). There is no Gethsemane story, and Judas next appears in the garden in the Kidron valley at the arrest (18.1-3).

Any investigation of the Johannine account must address the question which is vital in discerning its applicability to eucharistic exclusion: does the morsel (psomion) shared with Judas (Jn. 13.26-27) indicate eucharistic activity? The question arises, of course, because in Jn., the strongest eucharistic material is found in Jn. 6,33 and the meal itself, whilst assumed as a framework in Jn. 13-17, is seemingly peripheral: there is no equivalent of the eucharistic words of Jesus in the Johannine meal.34 However, this does not mean a complete silence: allusive references remain. Our focus turns to the morsel given to Judas, and the dialogue between him and Jesus (Jn. 13. 26-27)

The morsel has been subject to a number of readings. It may be seen as a device which allows Jesus to give Judas permission to leave, a prophetic fulfilment of Psalm 41.9,35 the moment when Satan enters Judas,36 indicating Judas' intimate and privileged relationship with Jesus.37

Others see a eucharistic element present. Barrett would thus describe the morsel (Jn. 13.26) as eucharistic, drawing comparisons to the Passover meal and the Matthean account.38 However, his approach risks either interpreting the Johannine meal through a Matthean lens,39 or by means of the Seder, a meal foreign to the Johannine event.40

Jo-Ann Brant sees the morsel as a 'eucharistic parody'.41 Here parody is used in a broader sense, well articulated as including 'any cultural practice which provides a relatively polemical allusive imitation of another cultural production or practice'.42

Judas' partaking becomes a mockery of what Jesus is doing. This appears unconvincing. The narrative is focussed on Jesus and his actions: Judas serves solely as Jesus' foil43. To make him the dominant player would be to run roughshod over the central Johannine focus on Jesus as in control.

The strongest recent advocate of the morsel as eucharist comes from Francis J. Moloney, whose interpretation is not driven by imported extraneous elements, whether contextual (e.g., the Seder) or intertextual (e.g., Mt.).44 Thus the vocabulary used in the Johannine meal has close affinities to Jn. 6, and implies a eucharistic reading, but not a parody. Thus, in Jn 13.18, the Psalm 40.10b's esthion (LXX) has become trogon (Jn. 13.18), which is only recorded otherwise in the gospel in Jn. 6.54, 56. Both verses are important in the development of eucharistic symbolism in that chapter, introducing wine into a narrative which is otherwise concerned
solely with the eating of bread in the repeated phrase, *ho trogon mou ten sarka kai pinon mou to haima* (the one who munches my flesh and drinks my blood—Jn. 6.54,56). The three instances of *trogo* (Jn. 6. 54, 56; 13.18) placed on Jesus' lips suggest a continuity between the two scenes, one which is eucharistic in nature.

The presence of *didosin* in Jn. 13.26 also suggests a eucharistic reference, as a related term is found also in the Feeding Miracle (Jn. 6.11—*diedoken*). Jn. 6.11 also includes the verb ‘take’ (*elaben*). This combination, implying a further indication of eucharistic intent, is found in some of the manuscript traditions of Jn. 13.26, and preserved in two of the modern critical Greek texts, albeit in a bracketed form. These record Jesus taking (*lambanei*) the morsel as well as giving (*didosin*) it to Judas. Even if the presence of *lambanei* is disputed, the eucharistic meaning implied by *didosin* would still hold good. If *lambanei* is retained, the echoes are even stronger. These shared actions point to a common eucharistic theme within the narrative flow of the gospel.

It is possible to develop this theme even further. While the last chapter of the gospel (Jn. 21) may be taken as an appendix or an epilogue, it remains within the final form of the gospel, whatever its prehistory. The meal by the Sea of Tiberias repeats these themes of taking and giving. The pattern of *lambanei/didosin* is also found in Jn. 21.13: a common thread of vocabulary sustains the claim that Jn. 6, 13 and 21 all refer to the eucharist. There are shared details of location, language and action. God's love and gift of his salvation to his people is revealed in (eucharistic) meal imagery.

The inclusion of Judas within this narrative strongly suggests that, even though his intentions were known to Jesus, he was not excluded from participation in the eucharistic meal.

*Implications of this Reading*

Christian Scriptures and theologians have held various views on the practice of excommunication: different degrees of caution have been exercised in its use as a discipline. Jn. does little, if anything to support the practice, especially if interpreted in the way which has been described. Jesus does not expel Judas, even though aware of his intentions. In that gospel, judgment and condemnation are not primarily pronounced by God or Jesus, but by the individual who has come under judgment through encountering Jesus, and the Father through him. Judas goes into the night of his own volition, away from the light: he has condemned himself. This, after Jesus's sharing of the morsel with him, smacks of improper reception and its consequences rather than excommunication. This is ultimately neither a universalist nor escapist option, but one in which communicants bear responsibility for the consequences of their actions, not the ministers of the sacrament, or the institution.

Previous explorations of Judas in relation to excommunication have tended to focus on the consequences of his reception. Detailed reflection on the precedent set by Jesus regarding eucharistic hospitality has rarely appeared, but is not completely absent.

Yet, such readings of the Last Supper prompt reflections on the example of Jesus and their implications for contemporary practice. They provide a picture radically different from that found in the texts used as a foundation for the practice of excommunication. Indeed, Jn. indicates that even one accursed is still being admitted to communion: this would be in marked opposition to texts like 1 Cor. 5. 1-13. Still, advocates of both approaches need to understand that they can be justified on the basis of Scriptural precedent, not just their preference.

In the eucharistic reading of Jn. 13, Jesus, despite knowing what Judas is about to do, still includes him. This is particularly clear as part of the wider understanding of Jesus as knowing the minds and intentions of those
around him (Jn. 2.25) and being the key player who shapes the action of the gospel: Jn.'s Jesus is never a victim—he is always the master of his own destiny.60

Jesus, despite knowing Judas' intentions, allows him to share in the eucharist. Judas' errors are not downplayed (Jn. 12.6; 13.2, 27), yet, he shares in the eucharistic prototype. In spite of himself, he still partakes. Moloney interprets this scandal beautifully:

The reader/listener and all subsequent Christian readers of the Gospel have been horrified by this suggestion. But Jesus' never-failing love for such disciples, a love that reaches out even to the archetype of the evil disciple, reveals the unique God and Father of Jesus Christ who loves the world unconditionally (see 3:16-17; 13:18-20).61

Klaus Nürnberger provides a reminder of why this is so difficult for modern people to grasp, and yet why it is imperative to do so:

Modernity has to be confronted with the concept of unconditional acceptance of the unacceptable. Untamed ambition and unbridled competition robs every participant in the race of his/her dignity....Everybody is made unhappy because his/her acceptability depends on his/her outperformance of others, while there will always be those higher up. Better, smarter, more successful than him/herself.

Only if transformation, performance and excellence become consequences rather than prerequisites of acceptance will people be able to do their best in a liberated, relaxed and joyful atmosphere, using their talents to serve and enrich the community, the society and nature, especially those who are less privileged, less gifted and less successful than others.62

Eucharistic discipline which ‘accepts Judas’ seems more in line with such proposals than excommunication.

A focus on self-regulation as opposed to excommunication yields two further significant results. First, it avoids the hubris of assuming that we can somehow, through a disciplinary regime, protect God. This, of course, begs the question: what kind of God really needs our protection? Personally, a God who needed my protection would seem somewhat inadequate. The second is to challenge an infantilism which would see believers' decisions to receive or not taken from them and placed in the hands of others. This too is contrary to the Johannine dynamic in which believers are considered the agents of their own judgment, not the passive recipients of verdicts delivered by others.

Even if the eucharistic activity is considered a parody, and difficulties with such a reading have been pointed out, this may still be significant. Judas may have thought he was subverting the eucharist by participating. However, as Dentith notes, ‘Parody can act to protect the very forms that it attacks.’63 Any subversion of the eucharist, whether intentional or unintentional, only serves to indicate central truths: the unconditional nature of Jesus' love, that God's love overcomes the world, and the loss incurred by those who opt to abuse or reject that offer of love.

NOTES

8. Peters, ‘Fencing the Altar’.
23. Thiselton, *The First Epistle*, p.480. For the


26. Mk. 3.19; Mt. 10.4; Lk. 6.16.


31. The Entry precedes the Anointing in both Mk. (11.1-11; 14:3-9) and Mt. (21.1-11; 26:6-13).


34. Schnackenburg, The Gospel, pp. 42-47 summarises the debate over John’s silence about the institution of the last meal.


40. The suggestion made by Witherington and others that Jesus celebrated an irregular Seder before the official Passover is unsupported by any details in the text. Similarly, there is no evidence to support Jesus’ use of an alternative sectarian calendar, which would, in any case, then beg the question of his presence in Jerusalem at the Temple for the Passover, see King, More Than A Passover, pp. 202-06.


47. Moloney, Love, p.112.

In Roman Catholic canon law, excommunication is a censure and thus a ‘medicinal penalty’ intended to invite the person to change behavior or attitude that incurred the penalty, repent, and return to full communion.[3] Excommunication does not expel a Catholic from membership in the church; excommunicated Catholics are still considered to be members of the church, and thus considered bound by their obligations of membership such as attending Mass or fasting seasonally. Excommunicated Catholics, however, are barred from receiving the Eucharist or from taking an active part in the liturgy (reading, bringing the offerings, etc.) while under censure.

—Wikipedia.