

## Canon Law Citations on Excommunication

*Among the media reports on the possible excommunication of Fr. Roy Bourgeois, MM, were speculations about the canon laws applying to his situation. The following excerpts are from those various reports.*

*For Canon Law, see Vatican site <http://www.vatican.va/archive/ENG1104/INDEX.HTM>  
If you are not familiar with how to search the Canon Law document, note that to the right of each index item is a reference to the canons included in that section. For example, the first link in the index is Title I: Ecclesiastical Laws (Cann. 7-22), which indicates that it covers Canons 7 through 22.*

Fr. Frederico Lombardi, SJ, noted that the excommunication would be “automatic,” in other words, a *latae sententiae* excommunication, effective when the offense is committed. (The person, in a sense, excommunicates himself or herself.)

The canon applied in this case may be Canon 1364, which includes the *latae sententiae* excommunication:

§1 Without prejudice to the prescript of Can. 194, §1, n.2, an apostate from the faith, a heretic or a schismatic incurs a *latae sententiae* excommunication; in addition, a cleric can be punished with the penalties mentioned in Can. 1336, §1, nn. 1, 2, and 3.

§2. If contumacy of long duration or the gravity of scandal demands it, other penalties can be added, including dismissal from the clerical state.

Also relevant may be Can. 1365: “A person guilty of prohibited participation in sacred rites (*communicatio in sacris*) is to be punished with a just penalty.”

However, this only indicates a “just penalty.” Excommunication, which forbids the reception of the sacraments (or, for the priest, their celebration), is the church’s ultimate penalty against its members.