

CATHOLIC TEACHING on the DEATH PENALTY

INTRODUCTION

When we think of the Catholic Church's promotion of a 'culture of life' and its opposition to the 'culture of death' we usually think of the Church's clear stand against abortion, euthanasia, and biotechnologies that do not respect the personhood of the unborn. Opposition to the death penalty may not come immediately to mind.

John Paul II promoted a wholistic view of a 'culture of life' stressing that working against the death penalty is an important part of confronting the culture of death. In its efforts to promote the fullness of life offered in Jesus, the Church's concern extends to include violence, poverty, marginalization, and everything that diminishes people and communities.

CURRENT CHURCH TEACHING

Both the Catechism of the Catholic Church, and the Compendium of the Social Doctrine of the Church provide clear statements of current Church teaching on the death penalty.

The Catechism places teaching on the death penalty firmly in the context of the fifth commandment: you shall not kill. It acknowledges that the Church has not always rejected the death penalty, but goes on to explain that cases where the death penalty might be acceptable today are 'practically non-existent':

"The traditional teaching of the Church does not exclude, presupposing full ascertainment of the identity and responsibility of the offender, recourse to the death penalty, when this is the only practicable way to defend the lives of human beings effectively against the aggressor.

If, instead, bloodless means are sufficient to defend against the aggressor and to protect the safety of persons, public authority should limit itself to such means, because they better correspond to the concrete conditions of the common good and are more in conformity to the dignity of the human person.

"Today, in fact, given the means at the State's disposal to effectively repress crime by rendering inoffensive the one who has committed it, without depriving them definitively of the possibility of redeeming themselves, cases of absolute necessity for suppression of the offender 'today ... are very rare, if not practically non-existent.' "

Catechism of the Catholic Church n 2267

The Compendium of the Social Doctrine of the Church presents the same teaching and praises opposition to the death penalty as a sign of growing moral awareness:

"The Church sees as a sign of hope "a growing public opposition to the death penalty, even when such a penalty is seen as a kind of 'legitimate defence' on the part of society ... The growing number of countries adopting provisions to abolish the death penalty or suspend its application is also proof of the fact that cases in which it is absolutely necessary to execute the offender "are very rare, if not practically non-existent". The growing aversion of public opinion towards the death penalty and the various provisions aimed at abolishing it or suspending its application constitute visible manifestations of a heightened moral awareness."

*Compendium of the Social Doctrine
of the Church, n 405*

JOHN PAUL II'S CONTRIBUTION

John Paul's major contribution to the development of teaching on the death penalty was to stress the practical observation that exceptional cases in which the death penalty might theoretically be acceptable to the church are extremely rare, if they occur at all today.

His encyclical letter, *Evangelium Vitae* (The Gospel of Life), especially n 27 and n 55 – 56, provides the basis for the teaching presented in the *Catechism* and in the *Compendium of the Social Doctrine of the Church*.

John Paul II spoke against the use of the death penalty, praised those who worked for its abolition, and made interventions pleading for the lives of many who were sentenced to death.

During the Great Jubilee of the Year 2000, John Paul II actively backed campaigns for a moratorium on the use of the death penalty with a view to its abolition:

“The Great Jubilee is an excellent opportunity to promote in the world ever more mature forms of respect for the life and dignity of every person. I therefore renew my appeal to all leaders to reach an international consensus on the abolition of the death penalty ...”

John Paul II, *Angelus*, 12 December 1999

He saw deep links between peace and respect for life:

“There can be no peace when this most basic good [human life] is not protected. It is not possible to invoke peace and despise life ... I am speaking of a tragic spiral of death which includes murder, suicide, abortion, euthanasia, as well as practices of mutilation, physical and psychological torture, forms of unjust coercion, arbitrary imprisonment, unnecessary recourse to the death penalty, deportations, slavery, prostitution, trafficking in women and children.”

John Paul II, *World Day of Peace Message* 2001, n 19

He used his international travels, messages for special occasions, and meetings with diplomats and world leaders to call attention to specific cases where action was needed. For example, in accepting the accreditation of a new Ambassador to the Holy See for the Republic of Rwanda, he took the opportunity to explain that the death penalty could have no place in national reconstruction:

“As the Church's teaching affirms and experience shows, changes in outward structures and programmes are never enough in themselves: true social renewal requires an underlying renewal of hearts and minds which can change hardened attitudes and inspire practical programmes. This is particularly true in the administration of justice, which must safeguard and promote the common good while scrupulously protecting human rights, the rule of law, fairness and equity in the infliction of punishment, especially by avoiding such drastic measures as recourse to the death penalty. In the end, there can be no peace without a firm resolve to respect and protect life as the most sacred and inviolable human reality ...”

John Paul II, *Address to the New Ambassador of the Republic Of Rwanda to the Holy See*, 6 December 2001

And, in the context of a pastoral visit to Mexico:

“Dear brothers and sisters, the time has come to banish once and for all from the continent every attack against life. No more violence, terrorism and drug-trafficking! No more torture or other forms of abuse! There must be an end to the unnecessary recourse to the death penalty! No more exploitation of the weak, racial discrimination or ghettos of poverty! Never again! These are intolerable evils which cry out to heaven and call Christians to a different way of living, to a social commitment more in keeping with their faith.”

John Paul II, *Homily, Basilica of Our Lady of Guadalupe, Mexico City, 23 January 1999*

VATICAN DIPLOMACY

The Holy See is very active on the international stage, making interventions at the United Nations and in other international fora.

For example, the Holy See delegation to the conference for the establishment of the statute of the International Criminal Court had this to say:

“As an instrument of justice, such a Court must be conceived as a means of seeking not revenge but the restoration of that right relationship within the human family which will lead to reconciliation. Accordingly, the verdicts, and most especially the sentences which the Court will impose, must always keep in mind this higher goal of reconciliation. For that reason, the Holy See is convinced that the death penalty has no place in this statute. The destruction of life - be it as punishment or as panacea - is inconsistent with the universal norms that serve to justify an International Criminal Court.”

http://212.77.1.245/news_services/bulletin/news/3175.php?index=3175&po_date=16.06.1998%20%20&lang=it

For a more detailed look at the stance adopted by Holy See Delegations to the United Nations in relation to the death penalty, see the intervention by the Permanent Observer of the Holy See to the United Nations at the Third Committee of the 54th Session of the General Assembly on Item 116A (the abolition of the death penalty). The full text is available on the Holy See website at http://www.vatican.va/roman_curia/secretariat_state/documents/rc_seg-st_doc_02111999_death-penalty_en.html

CONTINUING PAPAL ACTION

Pope Benedict XVI has continued John Paul II's custom of appealing for clemency for those sentenced to death, for example, in November 2006 the Secretariat of State conveyed an appeal to the President of Indonesia to grant clemency in the cases of Fabianus Tibo, Dominggus da Silva and Marinus Riwu. The text is available on the Holy See website at http://212.77.1.245/news_services/bulletin/news/18677.php?index=18677&po_date=11.08.2006&lang=it.

AUSTRALIAN TEACHING & ACTION

Although every jurisdiction in Australia has abolished the death penalty, calls for its return are sometimes made, and, sadly, its use in other jurisdictions sometimes affects Australians directly. The Catholic Church in Australia makes clear its opposition to the imposition of the death penalty on anyone, anywhere.

A clear formal statement of the Australian Catholic Bishops Conference's opposition to the death penalty is found in its Pastoral Letter issued for the fiftieth anniversary of the Universal Declaration of Human Rights. The text of this letter, titled *A Milestone for the Human Family*, is available from the Australian Catholic Bishops Conference website at <http://www.acbc.catholic.org.au/documents/1998121010.pdf>

From time to time media releases are issued relating to contemporary discussion of the death penalty. For instance, Bishop Christopher Saunders, Chair of the Australian Catholic Social Justice Council, issued a media release titled "Australia's Leaders Should Renounce Death Penalty" on 19 December 2003 in which he opposed calls for the hanging of Saddam Hussein. The text can be accessed from the Australian Catholic Social Justice Council website at http://www.acsjc.org.au/content/media_releases/2003_12_19_1072095434.html

AC SJ C POSITION

The Australian Catholic Social Justice Council is the national human rights and social justice agency of the Australian Bishops. Its explanation of why it opposes the death penalty provides a good summary of reasons why we all might take this stand:

- The death penalty is an offence against the dignity and sanctity of all human life, which must be respected even in those who have done great evil. Every human being has the right to life.
- The use of the death penalty undermines a society's respect for life and contributes to a culture of vengeance and death.
- The use of the death penalty is incompatible with the message and practice of Jesus Christ who preached forgiveness rather than upholding the law of 'an eye for an eye and a tooth for a tooth'.
- The death penalty is cruel and unnecessary. All societies now have other ways of protecting themselves from violent criminals.
- The death penalty denies those who have committed crimes the chance to repent and reform.
- The death penalty does not appear to have reduced crime rates in those States where it is applied.
- It is illogical and ineffective to oppose killing by means of State killings.
- No criminal justice system is infallible and there is always the danger that the innocent may be put to death.
- In many countries the death penalty is applied in a way that discriminates against the poor, marginalized, disadvantaged and members of minority ethnic groups.

Australian Catholic Social Justice Council,
*Position Paper: Why the ACSJC Opposes
the Death Penalty*, October 2000

FOR REFLECTION

- Imagine a 'culture of life'. What would it look like? Sound like? Feel like?
- How can we prevent offenders from harming others and encourage them to change their hearts and their ways?
- Describe the process of 'restorative justice'. Can you see links to the elements of the sacrament of reconciliation?
- Can you think of any circumstances today where there is full certainty about the identity and responsibility of an offender, and in which there is no other way to protect lives against the offender, apart from taking the offender's life?