

Death Penalty: Choose Life

A Statement on Capital Punishment

Dear Brothers and Sisters in Christ,

The beginning of the Third Millennium of Christianity calls us to reflect on our culture and how we as a Church can make a significant impact on that culture based on our love for Jesus and our desire to live out the teachings of Jesus.

In 1994, in a pastoral message, *Confronting a Culture of Violence*, the Bishops of the United States wrote, "Increasingly, our society looks to violent measures to deal with some of our most difficult social problems." That document addressed the evil of violence in our society expressed in many forms. An example of accepted violence in our culture is the death penalty. Our Holy Father, Pope John Paul II, has raised this issue to a level of international attention which warrants discussion by Catholics and all people of good will. Furthermore, in our own Commonwealth, the resumption of executions and the State's growing death row population call us as Bishops of Pennsylvania to restate our opposition to the use of the death penalty and to clarify our reasons for doing so.

We invite you to read with care "The Death Penalty: Choose Life." If you are struggling with this issue, we ask that you prayerfully reflect on the rationale presented and the wisdom of the Church. It is our sincere hope that through this document, many people will come to a fuller understanding and appreciation of the Church's commitment to upholding the dignity and sanctity of every human life-even the life of a person convicted of a most heinous crime.

With every prayerful best wish, we remain,

Sincerely yours in Christ,

The Bishops of Pennsylvania

February 2001

Why are the Catholic Bishops of Pennsylvania making a statement now?

"Increasingly, our society looks to violent measures to deal with some of our most difficult social problems. ... Violence is not the solution; it is the most clear sign of our failures."

-Confronting a Culture of Violence ¹

Much has changed since we, the Catholic Bishops of Pennsylvania, addressed the issue of capital punishment in 1987. ²

More men and women have been put to death in the United States since January 1, 1996, than in the previous 20 years.³ After more than 30 years of inactivity, Pennsylvania's own death chamber has been put to use again.⁴ With the changes in federal and state laws, the number of executions in this Commonwealth-and nationwide-is poised to increase dramatically in the near future.

We, the Catholic Bishops of Pennsylvania, join the Holy Father in calling for a re-examination of the death penalty. At the dawn of a new millennium, Church teaching calls all people to grow in respect for human life and to express this respect by abolishing the death penalty as the state's most severe punishment. Our Holy Father, Pope John Paul II, has increasingly spoken out against the use of the death penalty in homilies, through personal intervention in pending executions, and particularly in his 1995 encyclical, *Evangelium Vitae (The Gospel of Life)*.⁵ In his most recent visit to our country, he said, "I renew the appeal I made most recently at Christmas [1998] for a consensus to end the death penalty, which is both cruel and unnecessary."⁶ The National Conference of Catholic Bishops reaffirmed its historic opposition to capital punishment in 1999 in its statement, *A Good Friday Appeal to End the Death Penalty*.⁷

We believe it is crucial to continue the proclamation of the teaching of the Catholic Church on the fundamental sanctity of all human life.

What does the Catholic Church teach about the death penalty?

"The sacredness of life gives rise to its inviolability, written from the beginning in man's heart, in his conscience."

-Evangelium Vitae⁸

The Catholic Church has always taught that all human life is sacred because we are created by God and in God's own image. Therefore, all people share the duty to protect and defend human life at all times and in all circumstances. Moreover, because human life is a gift from God, all people share the duty to nurture and enhance it. Accordingly, there is a moral presumption against human beings killing other human beings.⁹

The Catholic Church has also consistently taught that it is the legitimate right of government to protect society by punishing wrongdoers. The Church even went so far as to express an exception to its presumption against taking human life; it adopted Saint Thomas Aquinas' principle that in some circumstances execution of the offender was necessary to preserve the common good.¹⁰

The teaching of the Catholic Church on the use of capital punishment is constantly being refined, becoming ever more explicit as the Church grows in experience and wisdom. In 1997, the *Catechism of the Catholic Church* was revised to express a more precise understanding of the propriety of the death penalty. First articulated by Pope John Paul II in *Evangelium Vitae*, this principle declares that modern society has the means of protecting itself and preserving the common good without the necessity of capital punishment. The Holy Father's words are more a development in the use of the state's right rather than a change in the teaching of the Church on the state's right. The *Catechism* states:

If ... non-lethal means are sufficient to defend and protect people's safety from the aggressor, authority will limit itself to such means, as these are more in keeping with the concrete conditions of the common good and more in conformity with the dignity of the human person.¹¹

Does capital punishment protect society?

"Violence is a lie for it goes against the truth of our faith, the truth of our humanity."

-Pope John Paul II¹²

Law enforcement officials concede that the death penalty has no effect in dissuading others from committing murder.¹³ This conclusion is supported by numerous studies comparing murder rates in states with and without the death penalty. We believe that moral education, effective police work, and genuine efforts to address the causes of crime are the most effective remedies for violent crime.

Not only does the death penalty fail to protect us; it inflicts great harm on individuals and society.

It has been well-documented that innocent people are wrongly convicted and sentenced to death. In one state, the governor suspended all executions because more people had been exonerated and released from death row than had been executed.¹⁴ Evidence discovered after conviction, such as DNA test results, evidence of perjury by witnesses, confessions by others, errors or misconduct by police, prosecutors, judges, or defense counsel, among other things, have freed more than 85 people from death row since 1973, including two in Pennsylvania. They did not commit the crime for which they were convicted and awaiting execution.¹⁵ Moreover, the danger of more mistaken convictions-and possible executions-rises dramatically with the changes in the law that accelerate the execution timetable by restricting review by the courts or intervention by the governor.¹⁶

Reliance on the use of the death penalty creates a greater harm to society by reinforcing the idea that violence is a solution to society's problems. The death penalty will not overcome violent crime any more than abortion will end the problem of unwanted pregnancy or euthanasia will solve the problems of aging and illness. As was stated in the pastoral letter of the American bishops, *Confronting a Culture of Violence*:

"A society which destroys its children, abandons its old and relies on vengeance fails fundamental moral tests. ... We are losing our respect for human life. How do we teach the young to curb their violence when we embrace it as the solution to social problems?"¹⁷

There is a widely held belief that only public executions can demonstrate that society will not tolerate such offenses against the sanctity of life. This is a contradiction. This is an attempt to teach that killing is wrong by killing. Rather than increasing reverence for life, society's acceptance of the death penalty erodes it; rather than creating a sense of security, reliance on the death penalty nurtures hatred and violence. The state's preference for the use of the death penalty permits elected officials to ignore the real causes of crime-such as poverty, lack of opportunity for education and employment, broken homes, substance abuse, and the availability of weapons. Rather than reducing the level of crime and violence in our society, the death penalty as a tool for societal problem-solving only makes matters worse.

What about those who have been touched by crime?

"You have heard that it was said, 'An eye for an eye and a tooth for a tooth.' But I say to you, offer no resistance to one who is evil ... love your enemies, and pray for those who persecute you."

-Matthew 5:38-39, 44

Our opposition to the use of the death penalty should not be construed as a lack of compassion for those who have been touched by violent crime. In testimony before the Pennsylvania Senate

Judiciary Committee, Anthony Cardinal Bevilacqua, speaking on behalf of the Catholic Bishops of Pennsylvania, said,

"Those who suffer unimaginable grief as a result of the senseless murder of one dear to them deserve the love and support of everyone, of their families, friends and churches, as well as the compassion and care of the communities in which they live. They have a right to expect that justice will be done and that the perpetrator of a crime will be punished swiftly and effectively."¹⁸

Speaking as pastors, we must point out that the survivors' well-being cannot justify demands for vengeance. True emotional, spiritual, and even physical healing is found in the compassionate embrace of Jesus, who practiced forgiveness and teaches us to do the same.

What is the alternative to capital punishment?

"Choose life, then, that you and your descendants may live."

-Deuteronomy 30:19

As our Holy Father has stated, modern societies can imprison and isolate offenders for long periods of time to promote the safety of their citizens. Thus, society can appropriately protect and punish without having to rely on execution. Pennsylvania long ago accepted this principle; state law provides life imprisonment as the only alternative sentence available in a death penalty case.¹⁹ Life imprisonment in Pennsylvania means confinement without the possibility of parole.²⁰

A sentence for life may be a life-giving sentence. A sentence for life can release these victims to begin their healing. A sentence for life also provides the time for the offender to repent for his crime, to attempt to become a productive member of his community, and, we pray, to reconcile with the family and friends of his victim. It gives the community the opportunity to see the possible healing of victims and offenders. A sentence for life can end the confusion and stress of personnel of the Department of Corrections who, striving to help all offenders change their behavior, are called on to support or participate in a process that often denies the condemned offender sufficient time to reform.

What are we called to do?

"Every Catholic is a missionary of the Good News of human dignity redeemed through the cross."

-Living the Gospel of Life²¹

Let us be clear: We believe the use of the death penalty should be abolished. We envision no circumstances in modern American society that could justify its continued use.

We wholeheartedly support legislation for a moratorium as well as a study of the theory and practice of capital punishment in Pennsylvania. It is incumbent upon the state, in the interest of promoting the good of all, to examine the manner in which this or any penalty is being applied. We believe such a comprehensive examination, conducted in a fair and balanced manner, will benefit both opponents and supporters of the death penalty by providing a better understanding of the issues involved.²²

We sincerely hope and pray that such an examination will naturally lead Catholics and all people of good will to become consistent witnesses to the sanctity of life and the dignity of every human being.

Through ministry to family and friends of victims and offenders, as well as corrections personnel and the community, we can touch the hearts of those who are affected by violent crime, as Jesus taught us to do. While there are many in our Church who still support the use of the death penalty, through discussion and teaching we can build popular support for change of attitude and policy. Through advocacy efforts aimed at legislators and local district attorneys, we can establish a public policy that is rooted in a consistent ethic of life—the abolition of the death penalty and the implementation of a penal system that serves the dignity of all through rehabilitation. Finally, we are called to work to remedy the causes of crime.

Conclusion

Abolition of the death penalty is not a solely religious issue, but an issue that affects the common good. As human beings, we are committed to defend the gift of life that God has given all people, including those who inflict great harm upon us. Therefore,

We oppose capital punishment not just for what it does to those guilty of horrible crimes but for what it does to all of us as a society. Increasing reliance on the death penalty diminishes all of us and is a sign of growing disrespect for human life. We cannot overcome crime by simply executing criminals, nor can we restore the lives of the innocent by ending the lives of those convicted of their murders. The death penalty offers the tragic illusion that we can defend life by taking life.²³

"The Lord God says, 'I take no pleasure in the death of the wicked man, but rather in the wicked man's conversion, that he may live.'"

-Ezekiel 33:11

Footnotes

1. *Confronting a Culture of Violence* (Washington, DC: National Conference of Catholic Bishops, 1994), 5, 6.
2. *Does Taking One Life Justify the Taking of Another? Pennsylvania's Catholic Bishops Speak Out Against Capital Punishment* (Harrisburg, PA: Pennsylvania Catholic Conference, 1987). On-line at: <http://www.pacatholic.org/bishops/death.htm>
3. "Number of Executions by State Since 1976" (Washington, DC: Death Penalty Information Center, 2000). On-line at: <http://www.deathpenaltyinfo.org/dpicexec.html>
4. "History of the Death Penalty in Pennsylvania" (Harrisburg, PA: Pennsylvania Department of Corrections, 2000). On-line at: <http://www.cor.state.pa.us/deathbck.htm>

See also: "Information on the Execution Process" (Harrisburg, PA: Pennsylvania Department of Corrections, 2000). On-line at: <http://www.cor.state.pa.us/Execution%20Q%20&%20A.pdf>

5. Pope John Paul II, *Evangelium Vitae* (Vatican City, 1995). On-line at: <http://listserv.american.edu/catholic/church/papal/jp.ii/jp2evanv.html>
 6. Pope John Paul II, Papal Mass, St. Louis, MO, 27 Jan. 1999. On-line at: <http://www.nccbuscc.org/sdwp/national/criminal/stlouissmt.htm>
 7. A Good Friday Appeal to End the Death Penalty (Washington, DC: National Conference of Catholic Bishops, 1999). On-line at: <http://www.nccbuscc.org/sdwp/national/criminal/appeal.htm>
 8. *Evangelium Vitae*, #40.
 9. Catechism of the Catholic Church (Washington, DC: United States Catholic Conference, 1997), #1700, 2258, 2270, 2274.
 10. *Summa Theologica*, II-IIae, q. 64, a.2.
 11. Catechism of the Catholic Church, #2267.
- See also: "New Language in the Catechism of the Catholic Church on the Subject of the Death Penalty" (Arlington, VA: Catholics Against Capital Punishment). On-line at: <http://www.igc.org/cacp/catechism.html>
12. Pope John Paul II, "Address in Killineer, Ireland," Sept. 1979.
 13. "Reno Finds No Evidence That Death Penalty Deters Crime," Reuters, Jan. 20, 2000. On-line at: <http://www.aclu.org/news/2000/w012400a.html>
- See also: CACP News Notes (Arlington, VA: Catholics Against Capital Punishment) 14 Mar. 1994, 4.
14. "A Slow Death for the Death Penalty in Illinois?" Time 14 Feb. 2000. On-line at: <http://www.time.com/time/nation/article/0,8599,38488,00.html>
 15. Richard C. Dieter, *Innocence and the Death Penalty* (Washington, DC: Death Penalty Information Center, 1997), 1, 2, 13, 30. On-line at: <http://www.deathpenaltyinfo.org/inn.html>
- See also: "Recent Cases of Innocence and Possible Innocence" (Washington, DC: Death Penalty Information Center, 2000). On-line at: <http://www.deathpenaltyinfo.org/dpicrecinnoc.html>
16. *Innocence and the Death Penalty*, 3-6.
- See also: Hugo A. Bedau, *The Case Against the Death Penalty* (Washington, DC: American Civil Liberties Union, 1997), 5. On-line at: http://www.aclu.org/library/case_against_death.html
17. *Confronting a Culture of Violence*, 6.
 18. Anthony Cardinal Bevilacqua, testimony before the Pennsylvania Senate Judiciary Committee, Harrisburg, PA, 22 Feb. 2000. On-line at: <http://www.pacatholic.org/legis/dpenalty.htm>
 19. 18 Pa. CSA s1102, 42 Pa. CSA s9711(c)(1)(v).

20. 61P.S. s331.21(a).

21. Living the Gospel of Life: A Challenge to American Catholics (Washington, DC: National Conference of Catholic Bishops, 1998). On-line at: <http://www.nccbuscc.org/prolife/gospel.htm>

22. "Persons Sentenced to Execution in Pennsylvania as of March 29, 1999" (Harrisburg, PA: Pennsylvania Department of Corrections, 1999).

See also: "Persons Sentenced to Execution in Pennsylvania as of January 31, 2000" (Harrisburg, PA: Pennsylvania Department of Corrections, 2000). On-line at: <http://www.cor.state.pa.us/execution%20list.pdf>

See also: "Race of Defendants Executed Since 1976" (Washington, DC: Death Penalty Information Center, 2000). On-line at: <http://www.deathpenaltyinfo.org/dpicrace.html>

See also: The Case Against the Death Penalty, 7-10.

23. A Good Friday Appeal to End the Death Penalty.

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