

If Jesus is our model, and if his offer of forgiveness and reconciliation is to form the centerpiece of our lives, then, while we might certainly understand the rage and anguish that would drive some to call for the death penalty, we know that ultimately we need to stand with those who pray for both the inmates and their victims. Somehow, in our hearts and minds we know that Sister Helen Prejean and the members of Murder Victims' Families for Reconciliation have captured the heart of Catholic wisdom.



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Death Penalty



Will an eye for an eye make the whole world blind?

It is just a few minutes before midnight, and as the local TV crews and reporters set up their cameras and test their microphones, two small clusters of people are keeping vigil outside the state correctional facilities, waiting for an execution. Separated by more than the 20 yards that divides them, the men and women in the two groups mull about quietly, occasionally glancing over at their counterparts on the other side of the entrance.

The pro-death-penalty demonstrators carry placards calling for “an eye for an eye, and a tooth for a tooth,” while the opponents sing verses of “Amazing Grace” and pray for the man inside and for his victims.

Not many of us have ever kept such a vigil, or perhaps even felt the need to take a clear stand on the death penalty, and certainly fewer of us will ever prosecute or sit on a jury in a capital case.

Still, it’s hard to hear about demonstrators like this and not wonder which group is right, which position on capital punishment is really the Christian one. In a society where thousands wait on death row, more and more of us find ourselves wondering, just what is the Catholic wisdom on putting criminals to death? Is capital punishment the sort of justice Christians ought to administer?

and sick from violence, capital punishment is a tragically mistaken sentence.”

At the same time, others have pointed out that a continued reliance on the death penalty all too often blinds us to the larger social injustices that breed crime and violence and usually results in our singling out the poor and racial minorities for this cruel form of punishment.

As the Jesuit theologian Father John Langan points out, “The murders and capital crimes which occur in a society are both the work of the individuals who commit them... and an expression of the values and conflicts present in society at large.” Still, it invariably happens that by the time we get around to actually putting people to death for these crimes, “all the usual suspects” are disproportionately poor, black, emotionally disturbed, and mentally retarded.

Finally there is the matter of deterrence. In spite of what we might want to believe, there is simply no evidence that the death penalty reduces the crime rate. The violent crime rate in the U.S. has skyrocketed in the past two decades, a period in which our country has used capital punishment with increasing frequency. The Louisiana bishops argue in their 1994 statement, “The death penalty does not reduce crime. As a deterrent to crime, the death penalty is an abysmal failure.”

Returning to our two groups of demonstrators, which cluster ought we to join? Which option best captures Catholic wisdom on this topic?

Retaliation or Mercy?

Other voices of mercy are heard rising up from those ministering to and working with death-row inmates and the families of their victims. Voices like that of Sister Helen Prejean, C.S.J., whose book and film *Dead Man Walking* are both impassioned pleas for compassion and warnings about the costs of vengeance. Of voices like those of the members of Murder Victims' Families for Reconciliation, a group that opposes the death penalty even though most of its members have had a loved one murdered.

At the heart of this evolving Catholic wisdom about the death penalty is the concern that capital punishment doesn't really restore order, it only deepens the cycle of violence. As the American bishops argue in their 1980 statement, "we would regard it as barbarous and inhumane for a criminal who had tortured or maimed a victim to be tortured or maimed in return. Such a punishment might satisfy certain vindictive desires that we or a victim might feel, but the satisfaction of such desires is not and cannot be an objective of a humane and Christian approach to punishment."

The Louisiana bishops make the same point in their 1994 statement when they note, "Capital punishment plunges us farther into the culture of death. We are convinced that we must choose consistently for life. This means forgoing a right to impose the death penalty in order to reverse the culture of violence and death. We favor a deliberate and courageous decision to break the cycle of violence."

Helen Alvare of the bishops' Secretariat for Pro-Life Activities notes, "You should not kill people to show that killing people is wrong...In a society already saturated with

The answer we get from scripture may confuse us at first, for there too we seem to hear two voices: one crying out for an avenging justice and the other calling for mercy even for killers. In Genesis 9:6, God instructs Noah that "anyone who sheds the blood of man, by man shall his blood be shed," and in Numbers 35:16 the Lord informs Moses that "if anyone strikes his victim...and causes his death, the he is a murderer and must be put to death."

And yet, when Cain murders his brother Abel, God punishes the offense, but not with the death. Instead, "the Lord put a mark on Cain, so that anyone happening to meet him should not kill him" (Gen. 4:15). And in Ezekiel 33:11, God tells the prophet, "I have no desire for the death of the wicked, I would rather that the wicked should mend their ways and live." The voice of mercy, it would seem, tempered the cry for vengeance.

Scholars argue that even the famous "eye for an eye" passage in Exodus 21 was meant to limit a more excessive tribal justice to *only* one eye, tooth or life and that over time the Hebrews turned less and less often to execution. Under God's direction the voice of mercy grew stronger and stronger. Not surprising, then, that this voice would be so pronounced in the New Testament, with Jesus urging his disciples to abandon the law of retaliation and to love their enemies and forgive their persecutors. (Matt. 5:38-48). "You have heard that it was said, 'An eye for an eye, a tooth for a tooth.' But I say to you: Do not resist those who

Wrong you. If anyone slaps you on the right cheek, turn and offer him the other one also.”

Nonetheless, in Romans 13:4 Paul does seem to admit the state’s authority to execute dangerous criminals, warning his readers, “if you are doing wrong, then you will have cause to fear them [governments]; it is not for nothing that they hold the power of the sword, for they are God’s agents of punishment bringing retribution on the offender.”

And what does our Catholic tradition have to say about capital punishment? Here too we find that there has been some evolution and development. Although some very early Christian writers like Tertullian and Lactantius were opposed to the death penalty, seeing it as inconsistent with Jesus’ command to turn the other cheek and forgive sinners (Matt. 18:21-22), the *Catechism of the Catholic Church* notes “that the traditional teaching of the Church has acknowledged as well-founded the right and duty of legitimate public authority to punish malefactors by means of penalties commensurate with the crime, not excluding, in cases of extreme gravity, the death penalty.”

Traditionally, the church has offered two justifications for capital punishment: retribution and deterrence. The argument from retribution has been that executing violent criminals in some way redresses the wrongs they have committed and restores a just order to society. Deterrence is based on the assumption that the death penalty protects the innocent by rendering criminals harmless and discouraging any possible imitators. Thus St. Thomas Aquinas argues in his *Summa Theologiae* that criminals who are dangerous to the community may be executed, and that this example would act as a brake on future crimes.

Called to resist the culture of death

Recently, however, despite the church’s longstanding acceptance of this practice and support of some use of the death penalty by the vast majority of American Catholics, there is a growing chorus of voices crying out for a justice tempered by mercy. “We should count among the signs of hope,” Pope John Paul II writes in his 1995 encyclical *The Gospel of Life*, “the growing public opposition to the death penalty.” The modern death-penalty-abolition movement, which has effectively eliminated capital punishment in more than 80 nations and left the United States as the only Western industrialized country still relying upon this punishment, has found strong support within the ranks of Catholics and other Christians.

Recent documents of official Catholic teachings have joined these voices opposing the use of the death penalty. In 1980 the U.S. Catholic bishops issued a “Statement on Capital Punishment” in which they argued that state executions make less and less sense in a society that has other ways of protecting itself from violent criminals. “In the conditions of contemporary American society,” the bishops write, “the legitimate purposes of punishment do not justify the imposition of the death penalty.”

In the years since that statement was issued, numerous regional conferences of bishops around the country have called for the elimination of the death penalty, while in *The Gospel of Life* Pope John Paul II noted that the death penalty ought not to be used except in cases of extreme necessity, and that “today...such cases are rare if not practically nonexistent.”