

a condition for the offender to regain the exercise of his or her freedom. In this way authority also fulfills the purpose of defending public order and ensuring people's safety, while at the same time offering the offender an incentive and help to change his or her behavior and be rehabilitated.

It is clear that for these purposes to be achieved, the nature and extent of the punishment must be carefully evaluated and decided upon, and ought not go to the extreme of executing the offender except in cases of absolute necessity: In other words, when it would not be possible otherwise to defend society. Today however, as a result of steady improvements in the organization of the penal system, such cases are very rare if not practically nonexistent.

In any event, the principle set forth in the new Catechism of the Catholic Church remains valid: "If bloodless means are sufficient to defend human lives against an aggressor and to protect public order and the safety of persons, public authority must 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."

At his Sept. 13, 2000 general audience in St. Peter's Square, Pope John Paul II expressed his hope "that there no longer be recourse to capital punishment, given that states today have the means to efficaciously control crime, without definitively taking away an offender's possibility to redeem himself."

In a homily at a Jan. 27, 1999 Papal Mass in St. Louis, Mo., he termed the death penalty "both cruel and unnecessary," and went on to say:

"The new evangelization calls for followers of Christ who are unconditionally pro-life: who will acclaim, celebrate and serve the Gospel of life in every situation. A sign of hope is the increasing recognition that the dignity of human life must never be taken away, even in the case of someone who has done great evil. Modern society has the means of

protecting itself, without definitively denying criminals the chance to reform."

In a declaration to the first World Congress on the Death Penalty held June 21-23, 2001 in Strasbourg, France, the Vatican termed the death penalty "a sign of desperation," and said it pursued the abolition of capital punishment as "an integral part of the defense of human life at every stage of its development.... The universal abolition of the death penalty would be a courageous reaffirmation of the belief that humankind can be successful in dealing with criminality and of our refusal to succumb to despair before such forces, and as such it would regenerate new hope in our very humanity."

Other views

Cardinal Joseph Ratzinger, (Now Pope Benedict XVI) as prefect of the Congregation for the Doctrine of the Faith, says that in modern society it would be "practically impossible" to fulfill the Catechism's criteria for a death sentence.

In a 1992 newspaper interview, the Vatican's Cardinal Fiorenzo Angelini stated: "Among the individuals and groups against legalized abortion in the United States, there are some who support the continuation of capital punishment. This is an inconsistency and an unacceptable contradiction."

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The Vatican and the Death Penalty

Catholic Catechism passages relating to the death penalty

The definitive Latin edition of the Catechism of the Catholic Church, issued in September 1997, states that although the death penalty would be theoretically permissible in instances when it is "the only possible way of effectively defending human lives against the unjust aggressor," such instances are "practically non-existent" in today's world, given the resources available to governments for restraining criminals. The Catechism language reflects the views of Pope John Paul II, expressed in his 1995 encyclical "*The Gospel of Life*."

"New" (1997) definitive Latin edition of Catechism

2265. Legitimate defense can be not only a right but a grave duty for one who is responsible for the lives of others. The defense of the common good requires that an unjust aggressor be rendered unable to cause harm. For this reason, those who legitimately hold authority also have the right to use arms to repel aggressors against the civil community entrusted to their responsibility.

2266. The efforts of the state to curb the spread of behavior harmful to people's rights and to the basic rules of civil society correspond to the requirement of safeguarding the common good. Legitimate public authority has the right and the duty to inflict punishment proportionate to the gravity of the offense. Punishment has the primary aim of redressing the disorder introduced by the offense. When it is willingly accepted by the guilty party, it assumes the value of expiation. Punishment then, in addition to defending public order and protecting people's safety, has a medicinal purpose: As far as possible, it must contribute to the correction of the guilty party.

2267. Assuming that the guilty party's identity and responsibility have been fully determined, the traditional teaching of the Church does not exclude recourse to the death penalty, if this is the only possible way of effectively defending human lives against the unjust aggressor.

If, however, 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.

Today, in fact, as a consequence of the possibilities which the state has for effectively preventing crime, by rendering one who has committed an offense incapable of doing harm -- without definitively taking away from him the possibility of redeeming himself - - the cases in which the execution of the offender is an absolute necessity "are very rare, if not practically non-existent." (John Paul II, *Evangelium Vitae*, 56)

Statements by Pope John Paul II on the Death Penalty

The Church's involvement in the issue of the death penalty has taken on a high profile with Pope John Paul II's visit to St. Louis in January 1999.

Following are several quotes from the Pope. We hope you find these helpful as you continue your study on the death penalty.

A. Post-Synodal Apostolic Exhortation *Ecclesia in America of the Holy Father John Paul II - January 1999*

"The culture of death and a society dominated by the powerful"

63. Nowadays, in America as elsewhere in the world, a model of society appears to be emerging in which the powerful predominate, setting aside and even eliminating the powerless: I am thinking here of unborn children, helpless victims of abortion; the

elderly and incurably ill, subjected at times to euthanasia; and the many other people relegated to the margins of society by consumerism and materialism. Nor can I fail to mention the unnecessary recourse to the death penalty when other "bloodless means are sufficient to defend human lives against an aggressor and to protect public order and the safety of persons. Today, given the means at the State's disposal to deal with crime and control those who commit it, without abandoning all hope of their redemption, the cases where it is absolutely necessary to do away with an offender 'are now very rare, even non-existent practically'". This model of society bears the stamp of the culture of death, and is therefore in opposition to the Gospel message. Faced with this distressing reality, the Church community intends to commit itself all the more to the defense of the culture of life.

In this regard, the Synod Fathers, echoing recent documents of the Church's Magisterium, forcefully restated their unconditional respect for and total dedication to human life from the moment of conception to that of natural death, and their condemnation of evils like abortion and euthanasia. If the teachings of the divine and natural law are to be upheld, it is essential to promote knowledge of the Church's social doctrine and to work so that the values of life and family are recognized and defended in social customs and in State ordinances.

B. Papal Mass, St. Louis, Missouri, January 27, 1999

The new evangelization calls for followers of Christ who are unconditionally pro-life: who will proclaim, celebrate and serve the Gospel of life in every situation. A sign of hope is the increasing recognition that the dignity of human life must never be taken away, even in the case of someone who has done great evil. Modern society has the means of protecting itself, without definitively denying criminals the chance to reform (cf. *Evangelium Vitae*, 27). I renew the appeal I made most recently at Christmas for a consensus to end the death penalty, which is both cruel and unnecessary.

C. Christmas Day Message, 1998

May the proclamation of Christmas be a source of encouragement to all those who work to bring relief to the tormented situation in the Middle East by respecting international commitments. May Christmas help to strengthen and renew, throughout the world, the consensus concerning the need for urgent and adequate measures to halt the production and sale of arms, to defend human life, to end the death penalty, to free children and adolescents from all forms of exploitation, to restrain the bloodied hand of those responsible for genocide and crimes of war, to give environmental issues, especially after the recent natural catastrophes, the indispensable attention which they deserve for the protection of creation and of human dignity!

D. Passages on the Death Penalty from *Evangelium Vitae (The Gospel of Life)*, 1995

55. ... Moreover, "legitimate defense can be not only a right but a grave duty for someone responsible for another's life, the common good of the family or of the state" (CCC 2265. Referring to 2266 prior to the modifications of September, 1997). Unfortunately, it happens that the need to render the aggressor incapable of causing harm sometimes involves taking his life. In this case, the fatal outcome is attributable to the aggressor whose action brought it about, even though he may not be morally responsible because of a lack of the use of reason.

56. This is the context in which to place the problem of the death penalty. On this matter there is a growing tendency, both in the church and in civil society, to demand that it be applied in a very limited way or even that it be abolished completely. The problem must be viewed in the context of a system of penal justice ever more in line with human dignity and thus, in the end, with God's plan for man and society. The primary purpose of the punishment which society inflicts is "to redress the disorder caused by the offense."⁴⁶ Public authority must redress the violation of personal and social rights by imposing on the offender an adequate punishment for the crime, as