



Catholic Social Teaching and the Death Penalty

Rooted in both Scripture and the rich tradition of our faith, Catholic Social Teaching is a guide for how to live as a people of justice and mercy. Catholic Social Teaching brings the teachings of Jesus and his call to discipleship to the larger societal conversation of social justice with 7 major themes: **Dignity of the Human Person; Call to Family, Community and Participation, Rights and Responsibilities; Preferential Option for and with People who are Poor; Dignity of Work and the Rights of Workers; Solidarity; and Care for God's Creation.**

The death penalty violates several of these core themes of Catholic Social Teaching, first and foremost being the belief in the inherent dignity of the human person. It is this core tenet of our faith that informs Church teaching on the death penalty. The Catechism of the Catholic Church makes reference to this glaring violation in its section on capital punishment.

From the Catholic Catechism:

"Recourse to the death penalty on the part of legitimate authority, following a fair trial, was long considered an appropriate response to the gravity of certain crimes and an acceptable, albeit extreme, means of safeguarding the common good.

Today, however, there is an increasing awareness that the dignity of the person is not lost even after the commission of very serious crimes. In addition, a new understanding has emerged of the significance of penal sanctions imposed by the state.

Lastly, more effective systems of detention have been developed, which ensure the due protection of citizens but, at the same time, do not definitively deprive the guilty of the possibility of redemption.

Consequently, the Church teaches, in the light of the Gospel, that **'the death penalty is inadmissible because it is an attack on the inviolability and dignity of the person,'** and she works with determination for its abolition worldwide." (CCC 2267)

Life and Dignity of the Human Person:

God is the foundation of a moral vision for society and stands at the heart of the Church's understanding of justice.

"In our times a special obligation binds us to make ourselves the neighbor of every person without exception and of actively helping him [sic] when he comes across our path [...] who disturbs our conscience by recalling the voice of the Lord, 'As long as you did it for one of these the least of my brethren, you did it for me'" (Gaudium et spes, 27).

The death penalty disregards this inherent dignity of the human person.

Catholic Social Teaching & the Death Penalty



We are called to be a people of life. As Catholics, we believe in a consistent ethic of life, from conception to natural death.

"Where life is involved, the service of charity must be profoundly consistent. It cannot tolerate bias and discrimination, for human life is sacred and inviolable at every stage and in every situation; it is an indivisible good. We need then to show care for all life and for the life of everyone" (Evangelium vitae, 87).

The death penalty violates this consistent ethic, and does not conform to our pro-life teaching.

The death penalty threatens innocent life.

Despite our best efforts, our criminal justice system is not perfect. According to a 2014 study, an estimated 4% of those sentenced to death in the United States are innocent of the crimes of which they've been convicted. The 166* people who have been exonerated due to their innocence since 1973 exemplify that fact. For every 9 people who have been executed since the death penalty was reinstated in 1976, 1 person has been exonerated after being proven innocent.

The Catholic Catechism makes it clear:

"The deliberate murder of an innocent person is gravely contrary to the dignity of the human being, to the golden rule, and to the holiness of the Creator."

Preferential Option for the Poor and Vulnerable:

Society is to be judged how we care for the most vulnerable among us.

While each human person has dignity and value, the marginalized among us demand special attention.

"Whatever you do for the least of these sisters and brothers of mine, you did for me," (Mt. 25:40).

When it comes to the death penalty, we must ask ourselves: who are we executing?

People of color: More than half of the people on death row in the United States are people of color. Black and Latino defendants are significantly more likely to be sentenced to death than their white counterparts.

Additionally, the race of a crime victim is a major predictor of the likelihood of a trial resulting in a death sentence. Nationally, almost half (47%) of all murder victims since the 1970s have been black, yet, for cases ending in a death sentence, only 17% of murder victims have been black.

Even more unsettling is the fact that at least 60% of the more than 160 people exonerated from death row have been either black or Latino.

People living in poverty: Almost all death row inmates in the United States were unable to afford their own attorneys at the time of trial. Court-appointed attorneys often lack the experience necessary for capital trials, and are overworked and underpaid. This combination of factors often results in poorly-handled cases where mitigating factors (e.g. severe mental illness, intellectual disability, and childhood trauma) and tools like DNA evidence are not mentioned.

*Updated as of August 21, 2019



Those with intellectual disabilities and/or severe mental illness: Not only do individuals suffering from mental illness and intellectual disabilities overcome societal barriers to daily living, they are also much more likely to become victims of crime and at special risk for wrongful conviction.

In 2002, the death penalty for persons with intellectual disability was determined unconstitutional, yet these individuals are still regularly sentenced to death. The law still permits those with severe mental illness to be executed in the United States.

In 2017 alone at least 20 of the 23 people executed (87%) showed evidence of mental illness, intellectual disability, brain damage, or severe trauma.

Call to Family, Community, and Participation

We encounter God in our encounters with one another. How we organize our society — in economics and politics, in law and policy — directly affects human dignity and the capacity of individuals to grow in community. All people have a right and a duty to participate in society, and we are all responsible for working together as one for the common good and well-being of all, especially the poor and vulnerable.

The death penalty sacrifices the good of the community to serve the needs of vengeance and retribution. It is our responsibility to create a society of justice and peace.

The death penalty does not make society safer. Over 85% of the nation's top criminologists believe the death penalty is not a deterrent to crime. In fact, in many states where the death penalty has been abolished the murder rate has fallen significantly. Many law enforcement officials argue that the death penalty does not serve as a deterrent, and only redirects vital resources away from addressing the real root causes of crime.

The death penalty costs an exorbitant amount more than non-capital cases. More than a dozen states have found that death penalty cases are up to 10 times more expensive than comparable non-death penalty cases. These taxpayer dollars would be much better spent attending to the needs of victims of crime and addressing the systemic problems that lead people commit crimes in the first place.

The death penalty is arbitrarily isolated to only a small geographic area. Roughly two percent of U.S. counties have produced both a majority of all executions imposed since 1976 (52 percent) and of prisoners awaiting execution on death row (56 percent).

In 2017, four states (Texas (7), Arkansas (4), Florida (3), and Alabama (3) carried out 74% of the 23 executions held that year. The determination of a death sentence can be as arbitrary as the county in which you commit a crime. The death penalty has been equated to a geographical lottery, and does not conform to the demands of a just and peaceful society.

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The death penalty is something we, as community members, must work to end. The principle of subsidiarity reminds us that functions of government should be performed at the lowest level possible, as long as they can be performed adequately.

Catholic social teaching calls us all to take active and responsible participation in the way our communities function. The laws, systems, and processes of government should reflect our call to live justly and uphold the dignity of all people.

It is our responsibility to speak out for the inherent value of all life to our elected officials and demand an end to the death penalty.

"The State and other agencies of public law must not extend their ownership beyond what is clearly required by considerations of the common good properly understood, and even then there must be safeguards," (Mater et magistra, 117).

Solidarity

We are all one human family — whatever our national, racial, ethnic, economic, and ideological differences — and are called to be our sisters' and brothers' keepers. This means that no matter what wrongs a person may commit or what experiences their lives bring, we are called to live in a pursuit of justice and peace.

"To love someone is to desire that person's good and to take effective steps to secure it," (Caritas in veritate, 7).

The death penalty denies our call to solidarity by ignoring the pain and harm caused by violence.

The death penalty does not bring healing to victims' families. The necessarily long, complex death penalty trial process often force families of murder victims to re-live their trauma and pain, over and over again. This costly process diverts money and resources from needed services for victims' families.

For many victims' families the loss of another life is not the answer:

"Pursuing the death penalty would not be the way we would want to honor our daughter's life, nor would that decision have helped us deal with the painful reminders of her unfulfilled hopes and dreams." (Vicki Schieber, mother of a murder victim)

As Catholics, we are called to care for these victims families, to bear witness to their experiences, and allow them to heal from the harm they have experienced.

The death penalty denies our call to care for the least of these. The death penalty unjustly targets people of color, those with intellectual disability and mental illness, and those living in poverty. It also risks ending an innocent life.

Our call to solidarity is our call to live out a preferential option for the poor and vulnerable. The death penalty stands in direct contradiction to this call to solidarity:

"Whatever you do for the least of these sisters and brothers of mine, you did for me," (Mt. 25: 40).