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Audience with the Delegation of the International Commission against the Death Penalty

At midday today, the Holy Father Francis will receive in audience the delegation of the International Commission against the Death Penalty. The Pope gave an impromptu address.

The following is the address the Holy Father had prepared for the occasion, and which was submitted to those present:

Address of the Holy Father

Distinguished Ladies and Gentlemen:

I greet all of you cordially and wish to express my personal gratitude for the work that the International Commission against the Death Penalty carries out in favour of the universal abolition of this cruel form of punishment. I also appreciate the commitment that each of you has dedicated to this cause in your respective countries.

I addressed a letter to your president on 19 March 2015, and I expressed the Church's commitment to the cause of abolition in my speech before the United States Congress on 24 September 2015.

I shared some ideas on this topic in my letter to the International Association of Penal Law and the Latin American Association of Criminal Law and Criminology, on 30 May 2014. I explored them further in my address to the five major world associations dedicated to the study of criminal law, criminology, victimology and prison issues, of 23 October 2014. The certainty that every life is sacred and that human dignity must be safeguarded without exception has led me, from the beginning of my ministry, to work at different levels for the universal abolition of the death penalty.

This was reflected recently in the new wording of no. 2267 of the Catechism of the Catholic Church, which now

expresses the progress of the doctrine of the most recent Pontiffs as well as the change in the conscience of the Christian people, which rejects a penalty that seriously harms human dignity (cf. *Address on the occasion of the 25th anniversary of the Catechism of the Catholic Church*, 11 October 2017). It is a penalty contrary to the Gospel as it implies suppressing a life that is always sacred in the eyes of the Creator, and of which only God is the true judge and guarantor (see *Letter to the President of the International Commission against the Death Penalty*, 20 March 2015).

In past centuries, when the instruments available to us for the protection of society were lacking and the current level of development of human rights had not yet been achieved, recourse to the death penalty was sometimes presented as a logical and just consequence. Even in the Papal State, this inhuman form of punishment was resorted to, ignoring the primacy of mercy over justice.

That is why the new wording of the Catechism also implies taking responsibility for the past and recognizing that the acceptance of this form of punishment was a consequence of a mentality of the time, more legalistic than Christian, that sacralized the value of laws lacking in humanity and mercy. The Church cannot remain in a neutral position in the face of the current demands for the reaffirmation of personal dignity.

The reform of the text of the Catechism in the point dedicated to the death penalty does not imply any contradiction with the teaching of the past, because the Church has always defended the dignity of human life. However, the harmonious development of the doctrine imposes the need to reflect in the Catechism that, notwithstanding the gravity of the crime committed, the Church teaches, in the light of the Gospel, that the death penalty is always inadmissible because it counters the inviolability and the dignity of the person.

In the same way, the Magisterium of the Church understands that the perpetual penalties, which deny the possibility of moral and existential redemption of the condemned and of the community, are a form of death penalty in disguise (cf. *Address to a Delegation of the International Association Penal Law*, October 23, 2014). God is a Father Who always awaits the return of the son who, knowing that he has made a mistake, asks for forgiveness and starts a new life. No one, then, can be deprived of his life or of his hope of redemption and reconciliation with the community.

As occurred in the heart of the Church, it is necessary that a similar commitment be assumed in the concert of nations. The sovereign right of all countries to define their legal system cannot be exercised in contradiction with their obligations under international law, nor can it represent an obstacle to the universal recognition of human dignity.

The resolutions of the United Nations on the moratorium on the use of the death penalty, which aim to suspend the application of the death penalty in member countries, are a path that must be travelled without implying rejection of the initiative of universal abolition.

On this occasion, I would like to invite all States that have not abolished the death penalty but do not apply it, to continue to comply with this international commitment and that the moratorium be applied not only to the execution of the sentence but also to the imposition of death sentences. The moratorium cannot be lived by the condemned as a mere prolongation of the wait for the execution of the sentence.

To the States that continue to apply the death penalty, I urge you to adopt a moratorium with a view to the abolition of this cruel form of punishment. I understand that to reach abolition, which is the aim of this cause, in certain contexts it may be necessary to go through complex political processes. The suspension of executions and the reduction of crimes punishable by capital punishment, as well as the prohibition of this form of punishment for minors, pregnant women or people with mental or intellectual disabilities, are minimum objectives with which leaders around the world must engage.

As I have done on previous occasions, I would like to call attention to extrajudicial, summary or arbitrary executions, which are a regrettably recurrent phenomenon in countries with or without legal death penalty. These are deliberate homicides committed by state agents, which are often passed as a result of confrontations

with alleged criminals or presented as unintended consequences of the reasonable, necessary and proportional use of force to protect citizens.

Self-love is a fundamental principle of morality. It is therefore legitimate to enforce the right to life itself, even when it is necessary to inflict a mortal blow on the aggressor (*CEC*, No. 2264).

Legitimate defence is not a right but a duty for the one who is responsible for the life of another (*ibid.*, N.2226). The defence of the common good requires placing the aggressor in the situation of not being able to cause harm. For this reason, those who have legitimate authority must reject any aggression, even with the use of weapons, whenever this is necessary for the preservation of one's own life or that of the persons in their care. As a consequence, any use of lethal force that is not strictly necessary for this purpose can only be considered an illegal execution, a state crime.

Any defensive action, to be legitimate, must be necessary and measured. As Saint Thomas Aquinas taught, "such an act, in regard to the preservation of one's own life, is not illicit, since it is natural for all beings to preserve their existence as far as possible. However, an act that comes from good intention can become illicit if it is not proportionate to the end. Therefore, if one, to defend his own life, uses more violence than is called for, this act will be unlawful. But if he counters aggression moderately, the defence will be lawful, since, according to law, it is lawful to repel force with force, moderating the defence according to the needs of threatened security" (*Summa theologiae*, 2-2, q. , a.7).

Finally, I want to share with you a reflection that is linked to the work you do, to your struggle for a truly human justice. Reflections in the legal field and philosophy of law have traditionally dealt with those who injure or interfere in the rights of others. Less attention has been paid to the omission to help others when we can. It is a reflection that can no longer be postponed.

The traditional principles of justice, characterized by the idea of respect for individual rights and their protection from all interference by others, must be complemented by an ethic of care. In the field of criminal justice, this implies a greater understanding of the causes of behaviour, its social context, the situation of vulnerability of offenders to the law and the suffering of victims. This method of reasoning, inspired by divine mercy, should lead us to contemplate each individual case in its specificity, and not to deal with abstract numbers of victims and victimizers. In this way, it is possible to address the ethical and moral problems that arise from conflict and social injustice, to understand the suffering of the specific people involved and to reach other types of solutions that do not deepen those sufferings.

We can express it with this image: we need a justice that besides being a father is also a mother. The gestures of mutual care, characteristic of love that is also civil and political, are manifested in all actions that are intended to build a better world (Cf. Encyclical Letter *Laudato si'*, 231). Love of society and the commitment to the common good are an excellent form of charity, which affects not only the relations between individuals, but also "macro-relationships (social, economic and political ones)" (Benedict XVI, Encyclical Letter, *Caritas in veritate*, 29 June 2009, 2: AAS 101 [2009], 642).

Social love is the key to an authentic development: "In order to make society more human, more worthy of the human person, love in social life – political, economic and cultural – must be given renewed value, becoming the constant and highest norm for all activity" (*Compendium of the Social Doctrine of the Church*, 582). In this framework, social love moves us to think about great strategies that encourage a culture of care in the different areas of life in common. The work that you do is part of that effort to which we are called.

Dear friends, I thank you again for this meeting, and I assure you that I will continue working together with you for the abolition of the death penalty. The Church is committed to this and I hope that the Holy See will collaborate with the International Commission against the Death Penalty in the construction of the necessary consensus for the eradication of capital punishment and all forms of cruel punishment.

It is a cause to which all men and women of good will are called and a duty for those of us who share the

Christian vocation of Baptism. All people, in any case, need the help of God, Who is the source of all reason and justice.

I invoke, therefore, for each of you, with the intercession of the Virgin Mother, the light and strength of the Holy Spirit. I bless you with my heart and, please, I ask you to pray for me.
