

DEATH PENALTY:

SPIRITUALITY

AND

REALITY

A talk by Mark Harding delivered
at the Catholic Social Teaching
program of

Transfiguration Catholic Church of
Marietta, GA

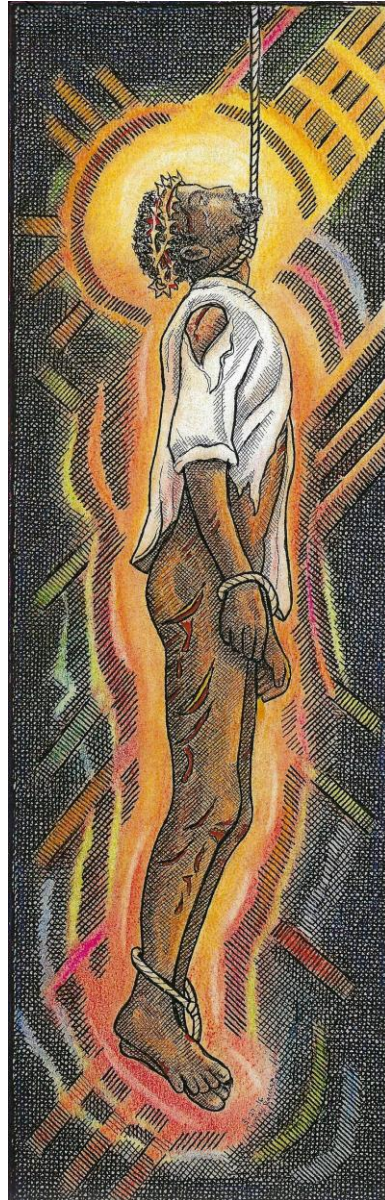
and

Saint Joseph Catholic Church of
Marietta, GA

on the evening of

Thursday, January 28, 2021

*Updated February 14, 2022



Acts 5:30 & Galatians 3:13
by Tom Reichert

Facts and Figures

- In the United States the death penalty was **reinstated in 1976**.
- Since then, **1,542** human beings have been executed - with **Georgia conducting the sixth highest number nationally (76)**.
- During this same period of time **186 death row inmates have been exonerated, 7 in Georgia**. For every 8.27 people executed, 1 has been exonerated after being convicted and sentence to death.
- It is **highly probable** that some of the previous 1,539 people who have been executed **were innocent**.
- As of January of 2022 there were **2,455** people in the U.S. on death row awaiting execution, **40** of them are awaiting execution in Georgia.
- The death penalty has proven **not to be a deterrent**.
 - ✓ Fact-1: **80% of all U.S. executions occur in the South** where the annual murder rate is **6 murders per 100K population**.
 - ✓ Fact-2: **Only 0.5% of executions occur in the North Eastern U.S.** where the annual murder rate is **only 3.4 murders per 100K population**, a **44% lower** rate than the South.
- Death penalty cases are on average **extremely expensive** compared to non-death penalty capital cases. **Dawson County Georgia actually considered raising property tax** millage rates to manage the heavy drain of death penalty prosecutions on the county's budget.
- The application of the death penalty has been rife with **racial and economic inequity**.

In his book **Just Mercy, A Story of Mercy and Redemption**, author, attorney and founder of the Equal Justice Initiative (EJI) Bryan Stevenson writes, "...the death penalty is not about whether people deserve to die for the crimes they commit. The real question of capital punishment in this country is, do we deserve to kill?" ([p. 316](#))

In 1995 Pope John Paul II amended the 1992 version of the Catechism of the Catholic Church (CCC) with paragraph 2267 which addressed capital punishment.

“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.’” ([Pope John Paul II, 1995 - Evangelium Vitae 56](#))

Twenty three years later, in 2018 the Vatican Congregation for the Doctrine of Faith updated [CCC 2267](#) as follows,

“Recourse to the death penalty on the part of legitimate authority, following a fair trial, was long considered an appropriate (emphasis added) 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*. (emphasis added) 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.” (emphasis added) ([Pope Francis, 2017](#))

Why has the Church come to this “increasing awareness” that has led to the death penalty becoming “inadmissible” and declared that “it is an attack on the inviolability and dignity of the person” and now works “with determination for its abolition worldwide”?

The death penalty challenges the very heart of the Gospel, the “Good News.” As Catholic Christians we believe the dignity of every human life is a divine gift that is inherent, unearned, innate, and inviolable. ([Compendium of the Social Doctrine of the Church \[CSDC\] 107](#))

Inherent, Unearned and Innate

We believe that the creation stories in Genesis convey the truth of every human life. They are as relevant to our lives today as they have ever been to anyone in all of history. These sacred stories of creation speak the truth of our own lives here and now.

God created humankind in his image; in the Divine image we were created. ([Gen 1:27](#)) God forms our being from the earth and blows into our nostrils the breath of life, and we became living beings. ([Gen 2:7](#)) ([CSDC 108](#))

The deepest essence of our being is that of God's own being, our Creator's being, since God's gift of life to us is indeed a share in God's own life. The Church teaches that our incarnational essence is true of every human person, independent of our recognition, belief or disbelief in its reality. The unearned infinite gift of dignity and value belonging to us and to every human being is beyond our capacity to fathom, because our dignity and value flows from the divine life of our Creator, who is Love. The unearned life and breath that animates our bodies is a share in the very Life of our Creator who dwells in us, and this infinite dignity and value residing in us, resides in every person without exception. ([CSDC 105](#))

Because of this, we believe that all humanity is one; united by the shared gift of our creation in the Divine image and participation in Being itself. Though we are all distinct individual persons with our own unique experience of life, we are united in the One Life of God dwelling in us, animating us, and holding our being in existence. God in fact experiences our individual lives in us, with us and through us. So, in fact, "God truly knows us better than we know ourselves."

Inviolable

This inherent innate gift of infinite dignity and worth flows without reservation from the pure love of God. It is given to us without merit, without any prerequisite proof of worthiness. Our dignity and worth exists purely and simply because of our creation, because we exist. In this regard it is inalienable, inviolable and eternal.

Behavior that assaults and undermines the dignity of any person is by the same measure a rejection of our Creator, in whose image we are created, and in whom "we live and move and have our being" ([Acts 17:28](#)). It is also subsequently [unwittingly] a rejection of ourselves, since we are all created equally endowed with immense dignity by God. ([Pacem in Terris 89, 132](#)) John the Evangelist sums up the reality of our mutuality this way,

"We love because he first loved us. If anyone says, "I love God," but hates his brother, he is a liar; for whoever does not love a brother whom he has seen cannot love God whom he has not seen.

This is the commandment we have from him: whoever loves God must also love his brother."
[1 John 4:19-21](#)

The 1971 Synod of Bishops put it this way, "Christian love of neighbor and justice cannot be separated. For love implies an absolute demand for justice, namely a recognition of the dignity and rights of one's neighbor. Justice attains its inner fullness only in love. Because every person is truly a visible image of the invisible God and a sibling of Christ, the Christian finds in every person God himself, and God's absolute demand for justice and love." ([Justice in the World 34](#))

So it is that all law and authority finds its legitimacy in the degree to which it serves Love. Jesus, who is the ultimate revelation of our humanity ([CCC 1701](#)), teaches us, "The whole law and the prophets depend on these two commandments." Love God and neighbor. ([Matthew 22:37-40](#))

What does all this have to say about the death penalty?

Some argue that a bad actor engaging in particularly heinous crimes forfeits the dignity of their being, and even their right to life. However, the Church now understands and firmly maintains that anyone who commits grave sin, even the gravest of mortal sins, does not cease to be human, nor does their sin forfeit the dignity of their created being. ([CCC 2267](#))

To this point, the U.S. Conference of Catholic Bishops [Compendium \(9\)](#) affirms John Paul II in [Evangelium Vitae - The Gospel of Life \(9\)](#), "Life belongs to God alone; therefore, **whoever attacks human life, in some way attacks God himself**. Yet paradoxically, God is merciful even when he punishes—for not even a murderer loses his personal dignity. God protects Cain from those seeking revenge, **desiring not his death, but rather his conversion.**"

Our behavior and the behavior of others has no power to add or subtract from our inherent dignity, nor do our attributes such as our physicality, intellect, possessions or social status, etc. Whether we accept or reject the immense dignity in ourselves and others, the divine image of our creator remains inviolably intact. ([Pacem in Terris 158](#)) Our only power is to freely embrace the truth of our dignity and unity in God revealed by Christ ([CCC 225, 459](#)), or to disbelieve it by [instead] believing in "the lie of separation"; i.e., that God is separate from us, that we are separate from each other, and that our personal innate dignity and worth is either inadequate or absent altogether. ([Genesis 3:1-11](#)) Faith in "the lie of separation" is the original lie from which all sin flows. ([CSDC 116](#))

What would Jesus do?

Did you know that Jesus could have rightfully been killed in Mary's womb under Mosaic Law? When Mary conceived Jesus by the Holy Spirit, under Mosaic Law, Joseph could have had her stoned to death in front of her father's house, because while she was betrothed to Joseph, she became pregnant with a child that was not his; a capital offense under the law. ([Deuteronomy 22:20-21](#)) ([Matthew 1:18-19](#))

Later, as an adult, when teachers of the Mosaic Law directly challenged Jesus with the woman caught in the act of adultery, they hoped to trap him as a heretic opposing the Law's command for her execution. Jesus simply asks them to recognize themselves in her, to have compassion, and spare her life, "Let the one among you who is without sin be the first to throw a stone at her." After everyone walked away,

leaving her alone with Jesus, he does not condemn her either. “Neither do I condemn you. Go, [and] from now on do not sin anymore.” ([John 8:1-11](#))

Even after being a victim of utterly false charges, a corrupt trial, brutal torture, and suffering an agonizing death nailed to a cross, Jesus sought the forgiveness of his persecutors, “...for they know not what they do.” His persecutors, like us when we believe the lie of separation, transmitted their inner wounds of ignorance and blindness outwardly toward others. Jesus’ faith in union with his Father, and faith in his own dignity being united [one] with his sick and blind brothers and sisters absorbed their transgressions. Transmitting the lie of separation no further, he brought it to terminus in himself. In so doing, his faith in their (and our) inherent, innate and inviolable dignity became the light of the world. On the third day, his resurrection revealed that our gravest sin cannot separate us from the Love that gives us Life. Jesus returns to us and calls us to see ourselves as we truly are in him, and beacons, “Follow me.”

This is why the Church now recognizes and professes, 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](#))

As Catholics, we are commissioned to proclaim the “Good New” of who we all are ([CCC 225](#)) [without exception] to the world by becoming Christ through the waters and anointing of our baptism. We are called to be Christ’s living presence in the world by being reborn with a new heart and mind that dispels the lie of separation by embracing our union with God and **all his children**. Following in the selfless footsteps of Christ, we are called to consciously participate in his divine life and revelation to the world of the One who created us in Love, sustains us in Love, dwells within our every breath with Love, and redeems us by his Love. ([CCC 460](#)) May the scourge of the death penalty serve as an opportunity for our witness to **life** in our families, our personal relationships, our communities and our legislatures. The death penalty, like abortion, exists only because our world does not truly know the “Good News” of our infinite dignity in God. May the loving witness of our lives attract others to our joy in the “Good News”, creating an overwhelming consensus of desire to abolish the death penalty.

THE END

Discussion Questions

1. How does the state's execution of a murderer facilitate the murderer's genuine accountability? Does genuine accountability necessitate the possibility of making amends to facilitate healing for the victim's family and loved ones, to facilitate a healing for the murderer, their family and loved ones?

2. Jesus, who never defended himself with violence, was himself a victim of capital punishment. How would you support your current view of the death penalty with the Gospel teachings and life of Jesus?
3. Society is to be judged by how we care for the most vulnerable among us. While each human person has dignity and value, the marginalized among us demand special attention. For “whatever you do for the least of these sisters and brothers of mine, you did for me,” (Mt. 25:40) How do you feel about the Church's teaching that someone guilty of murder awaiting execution has the same inherent and innate human dignity as their innocent victim(s) and an innocent unborn child in the womb?
4. On September 14, 2019 Pope Francis told Italian prison guards, prison chaplains and officials from the Ministry of Justice, "While remedying the mistakes of the past, we cannot erase hope in the future. Life imprisonment is not the solution to problems, but a problem to be solved. Because if hope is locked up, there is no future for society. Never deprive anyone of the right to start over!"* How do you feel about life sentences without the possibility of future freedom?

[*Final paragraph of the “ADDRESS OF HIS HOLINESS POPE FRANCIS TO PENITENTIARY POLICE AND TO STAFF OF THE PENITENTIARY AND JUSTICE ADMINISTRATION FOR MINORS AND THE COMMUNITY”](#)

ADDITIONAL RESOURCES

[Death Penalty Resources for Educators](#)

[Death Penalty Information Center \(DPIC\)](#)

[Death Penalty Information Center – Fact Sheet](#)

[Georgians For Alternatives to the Death Penalty \(GFADP\)](#)

[Georgia Catholics Against the Death Penalty \(GCADP\)](#)

[Catholic Mobilizing Network](#)

[NAACP Criminal Justice Fact Sheet](#)

[The Equal Justice Initiative \(EJI\)](#)

[THE DEATH PENALTY IS A BARBAROUS STAIN ON OUR HUMANITY](#)

A video interview of [Sister Helen Prejean](#) by “Rattling the Bars” host [Eddie Conway](#) with [The Real New Network](#) - November 29, 2021

[Recalling the Meaning of Advent, U.S. Bishop Chairmen Call for End to Executions](#) – December, 2020

[We’ve been bishops in 3 death penalty states. It’s time to stop federal executions for good.](#)

Archbishop Paul S. Coakley | Archbishop Wilton D. Gregory | Bishop Frank J. Dewane
America Magazine – December 06, 2019

[A Culture of Life and a Penalty of Death](#) – A Statement of the United States Conference of Catholic Bishops (USCCB)
Calling for an End to the Use of the Death – November 2005

[Catechism of the Catholic Church](#)

[COMPENDIUM OF THE SOCIAL DOCTRINE OF THE CHURCH](#)