

Pope Francis takes a dim view of the death penalty, but not all Catholics are convinced

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(RNS) Pope Francis last Friday (March 20) issued his most forceful call yet to abolish the death penalty, one that seemed to go even beyond current church teaching. Francis' latest moves could signal a further development in Catholic teaching against capital punishment—and in his relationship with some U.S. Catholics.

"Today the death penalty is inadmissible, no matter how serious the crime committed," Francis wrote in a detailed argument to the president of the International Commission against the Death Penalty, based in Madrid.

The pope said capital punishment "contradicts God's plan for man and society" and "does not render justice to the victims, but rather fosters vengeance."

Francis added that executing a prisoner can no longer be justified by a society's need to defend itself, and he addressed two issues prominent in the American context: He declared that the death penalty "loses all legitimacy" because of the possibility of judicial error, and he said "there is no humane way of killing another person."

Several recent botched executions have given anti-death penalty advocates more ammunition for their arguments.

In his letter, the pontiff also repeated his view, expressed last October, that keeping inmates isolated in maximum security prisons is "a form of torture" and that life sentences are "a hidden death penalty" that should be abolished along with capital punishment.

These are unusually categorical and expansive statements, and they come on the heels of a campaign to abolish the death penalty worldwide, which gained Vatican

support at a United Nations meeting in Geneva earlier this month.

In addition, four national Catholic journals from across the ideological spectrum—the *National Catholic Reporter*; *America*; *Our Sunday Visitor*; and the *National Catholic Register*—earlier this month published an unprecedented joint editorial calling for an end to the death penalty in the U.S. in the wake of those botched executions and increasing doubts about the fairness of the justice system.

“There’s been a growing consensus among the public and especially among Catholics of the need to bring an abolition, or at least a moratorium, to the death penalty in the country,” *National Catholic Reporter* editor Dennis Coday told Catholic News Service.

Yet several Catholic commentators in the U.S. chafed at the abolition pleas. For some, a chief complaint was that the pope showed poor judgment and faulty logic.

“It is distressing that a prepared statement by the Roman pontiff—which would inevitably be interpreted, rightly or wrongly, as an expression of the teaching magisterium—would make such unconvincing arguments,” Philip Lawler, editor of *Catholic World News*, wrote Monday.

Patrick Callahan, emeritus professor of political science at DePaul University in Chicago, agreed: “The pope’s position should catalyze debate but it fails to acknowledge sufficiently the weight of the reasons for the continuation of capital punishment,” he wrote at the Real Clear Religion site.

A number of other critics focused on the fact that, as canon lawyer Edward Peters wrote in a blog post, the Catholic Church has “never crossed the line into banning” capital punishment “as a right of the state.”

In fact, following a sweeping revision of the church’s official catechism in the 1990s, St. John Paul II had the section on the death penalty amended to narrow, but not entirely close, the possibility of capital punishment, saying that the cases in which a prisoner must be executed “are very rare, if not practically nonexistent.”

Even though the catechism still held out capital punishment as an option for the state, that’s a possibility that Francis now seems to be foreclosing. That could signal a significant shift in tradition and a possible change in doctrine.

“[T]he Catholic Church’s Magisterium does not and never has advocated unqualified abolition of the death penalty,” wrote John McCloskey, a conservative commentator, in a response to the joint editorial titled “The Traditional Case for Capital Punishment.”

What will this pushback mean for the Catholic Church in the U.S., and for Francis’ popularity? Probably not much.

Critics of abolishing the death penalty or tightening church teaching to include a total ban tend to come from the Catholic right. But Catholic conservatives—bolstered by no small number of like-minded bishops—are also among the most vocal opponents of capital punishment, which they see as consistent with the church’s teaching against abortion and other “life” issues.

Instead, Francis’ remarks, and initiatives like the joint editorial are likely to become just another irritant, and perhaps an occasional flashpoint, for those already feeling disoriented under this papacy.

It could also be troublesome for Catholic politicians who stray from church teaching on the death penalty. For example, when Jeb Bush was governor of Florida, the state executed 21 prisoners, the most since the death penalty was reinstated in Florida in 1976.

It’s also not clear that the pope’s words will have an impact on the wider discourse about capital punishment in the U.S., a country he will visit for the first time in September.

In his remarks last week, Francis said the public has shown “a greater moral sensibility in relation to the value of human life,” which has led to “an increasing aversion to the death penalty and support in public opinion for various provisions that lead to its abolition.”

That may be true in some places, but in the U.S. support for the death penalty has remained fairly constant, despite the objections and problems in executions; the Gallup Poll shows that more than six in 10 Americans consistently back capital punishment—a rate that is about the same for Catholics.

One intriguing wrinkle revealed by the polls is that while white Catholics tend to be even more supportive of capital punishment than the general public—about 68

percent say they favor the death penalty, according to a Pew Research Center survey—just 43 percent of Latino Catholics feel that way, while 45 percent oppose the death penalty.

They may be the one audience most receptive to the new hard line against executions taken by this Argentine pope, the first pontiff from Latin America.