



# The Holy See

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## **LETTER OF HIS HOLINESS POPE FRANCIS TO THE PRESIDENT OF THE INTERNATIONAL COMMISSION AGAINST THE DEATH PENALTY**

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### **[Multimedia]**

*Distinguished Mr Federico Mayor*

*President of the International Commission against the Death Penalty*

*Mr President,*

With these words, I would like to convey my greeting to all the members of the International Commission against the Death Penalty, to the group of countries that support it and to those who cooperate with the organization over which you preside. Furthermore, I would like to express my personal gratitude, and also that of men of good will, for your commitment to bring about a world free from the death penalty and for your contribution toward the establishment of a universal moratorium on executions throughout the world, in order to abolish capital punishment.

I shared several ideas on this subject in my letter of 30 May 2014 to the International Association of Criminal Law and to the Latin American Association of Criminal Law and Criminology. In my address to the five large world associations dedicated to the study of criminal law, criminology, victimology and issues of imprisonment on 23 October 2014, I took the opportunity to go deeper into these issues. On this occasion, I would like to offer you some suggestions by which the Church may contribute to the Commission's humane effort.

The Magisterium of the Church, beginning from Sacred Scripture and from the experience of the People of God for millennia, defends life from conception to natural death, and supports full human dignity as in the image of God (cf. Gen 1:26). Human life is sacred because from its beginning, from the first moment of conception, it is the fruit of the creative action of God (cf. *Catechism of the Catholic Church*, n. 2258), and from that moment, man, *the only creature ... that God wanted for his own sake, is the recipient of God's personal love* (cf. *Gaudium et Spes*, n. 24).

States can kill by their action when they apply the death penalty, when they lead their people to war or when they perform extrajudicial or summary executions. They can also kill by omission, when they do not guarantee their people access to the basic necessities of life. “Just as the commandment ‘Thou shalt not kill’ sets a clear limit in order to safeguard the value of human life, today we also have to say ‘thou shalt not’ to an economy of exclusion and inequality” (*Evangelii Gaudium*, n. 53).

Life, human life above all, belongs to God alone. Not even a murderer loses his personal dignity, and God himself pledges to guarantee this. As St Ambrose taught, God did not want to punish Cain with homicide, for He wants the sinner to repent more than to die (cf. *Evangelium Vitae*, n. 9).

In certain circumstances, when hostilities are underway, a measured reaction is necessary in order to prevent the aggressor from causing harm, and the need to neutralize the aggressor may result in his elimination; it is a case of legitimate defence (cf. *Evangelium Vitae*, n. 55).

Nevertheless, the prerequisites of legitimate personal defence are not applicable in the social sphere without the risk of distortion. In fact, when the death penalty is applied, people are killed not for current acts of aggression, but for offences committed in the past. Moreover, it is applied to people whose capacity to cause harm is not current, but has already been neutralized, and who are deprived of their freedom.

Today capital punishment is unacceptable, however serious the condemned’s crime may have been. It is an offence to the inviolability of life and to the dignity of the human person which contradicts God’s plan for man and for society and his merciful justice, and it fails to conform to any just purpose of punishment. It does not render justice to the victims, but rather foments revenge.

For a constitutional state the death penalty represents a failure, because it obliges the State to kill in the name of justice. Dostoyevsky wrote: “To kill a murderer is a punishment incomparably worse than the crime itself. Murder by legal sentence is immeasurably more terrible than murder by a criminal”. Justice is never reached by killing a human being.

The death penalty loses all legitimacy due to the defective selectivity of the criminal justice system and in the face of the possibility of judicial error. Human justice is imperfect, and the failure to recognize its fallibility can transform it into a source of injustice. With the application of capital punishment, the person sentenced is denied the possibility to make amends or to repent of the harm done; the possibility of confession, with which man expresses his inner conversion; and of contrition, the means of repentance and atonement, in order to reach the encounter with the merciful and healing love of God.

Furthermore, capital punishment is a frequent practice to which totalitarian regimes and fanatical groups resort, for the extermination of political dissidents, minorities, and every individual labelled

as “dangerous” or who might be perceived as a threat to their power or to the attainment of their objectives. As in the first centuries and also in the current one, the Church suffers from the application of this penalty to her new martyrs.

The death penalty is contrary to the meaning of *humanitas* and to divine mercy, which must be models for human justice. It entails cruel, inhumane and degrading treatment, as is the anguish before the moment of execution and the terrible suspense between the issuing of the sentence and the execution of the penalty, a form of “torture” which, in the name of correct procedure, tends to last many years, and which oftentimes leads to illness and insanity on death row.

In some spheres there is debate over the method of execution, as if it were about finding “the best” way. In the course of history, various lethal mechanisms have been defended because they reduced the suffering and agony of the condemned. But there is no humane form of killing another person.

Today, not only are there means of effectively addressing the crime without definitively depriving criminals of the chance to reform (cf. *Evangelium Vitae*, n. 27), but there is also a heightened moral sensitivity regarding the value of human life, arousing public opinion in support of the various provisions aimed at its abolition or at suspending its application and a growing aversion to the death penalty (cf. *Compendium of the Social Doctrine of the Church*, n. 405).

On the other hand, life imprisonment, as well as those sentences which, due to their duration, render it impossible for the condemned to plan a future in freedom, may be considered hidden death sentences, because with them the guilty party is not only deprived of his/her freedom, but insidiously deprived of hope. But, even though the criminal justice system may appropriate the guilty parties’ time, it must never take away their hope.

As I said in my address last 23 October, the death penalty directly concerns the denial of the love for enemies preached by the Gospel. “All Christians and men of good will are thus called today to fight not only for the abolition of the death penalty, whether legal or illegal, and in all its forms, but also in order to improve prison conditions, with respect for the human dignity of the people deprived of their freedom”.

Dear friends, I encourage you to continue with the work you are doing, because the world needs witnesses of the mercy and the tenderness of God.

I take my leave while entrusting you to the Lord Jesus who, in the days of his earthly life, did not want his persecutors to be harmed in his defence: “Put your sword back into its place” (Mt 26:52), was captured and unjustly condemned to death, and who identified with *all prisoners*, whether guilty or not: “I was in prison and you came to me” (Mt 25:36). May He, who before the adulterous woman did not question her guilt, but invited the accusers to examine their own consciences

before throwing a stone at her (cf. Jn 8:1-11), grant you the gift of wisdom, in order that the action you undertake in favour of the abolition of this cruel punishment, may be appropriate and fruitful.

I ask you to pray for me.

Cordially,

**FRANCIS**

*From the Vatican, 20 March 2015*