

# The Death Penalty

## The Catholic Review

In this space last week I called on the Catholic faithful of this Archdiocese to continue to claim our legitimate role in the public square, despite the end of the national election, by urging our elected officials to uphold values we believe are fundamental to the common good. Chief among these is the sanctity of all human life.

Specifically, I used last week's column to share my concerns about the imminent and serious threat to the unborn in our country posed by legislation currently before Congress—the deceptively titled Freedom of Choice Act—a bill that, if passed, will eliminate even the most modest regulations on abortion. It would also strip our medical professionals and institutions of their rights of conscience in refusing to perform what the Second Vatican Council called the heinous crime of abortion.

The Culture of Death that surrounds us was not created solely by those who promote and carry out the objectively evil act of abortion. Sadly, our state continues to execute its citizens, even though it has other ways to protect society at its disposal—ways that respect the dignity of the human life God created.

Gratefully, Maryland took an important step forward on the road toward ending this draconian practice. This past week, members of the Maryland Commission on Capital Punishment—voted 13-7 to abolish capital punishment in Maryland. Though it was only a straw vote (the Commission has yet to issue its full recommendation to the Governor) it is a clear indication of the results of their thorough analysis of an issue too critical to be decided by mere human emotion. Critics will be quick to undermine their measured conclusion; some already have, suggesting the panel's make-up was “stacked.” One member of the Commission, our own Auxiliary Bishop Denis J. Madden, disagrees with that cynical assertion, noting a balance of opinions including a number of those undecided.

I am grateful to Bishop Madden, who oversees the Catholic parishes and schools in

Baltimore City, as well as Baltimore and Harford Counties, and who was among the majority who indicated they would recommend that legislators put an end to “death row” during the upcoming General Assembly session. In issuing its potentially-landmark recommendation, the panel also cited the “real possibility” that we are executing innocent people and that the application of capital punishment may indeed be racially biased.

In August, I had the privilege to join other faith leaders in addressing the Commission. I asked members to receive the arguments presented before them that day with an open mind and an open heart, much the same way I received the words that led to my own conversion experience some years earlier.

Until recently, I told them, my view on capital punishment was the view of most Americans: I thought it served a purpose. If it did nothing else, I thought, it was a deterrent. But that was then.

In 1995, the year of the Holy Father’s visit to Baltimore, Pope John Paul II published an encyclical letter he titled, *Evangelium Vitae*, the “Gospel of Life.” In it, he called upon Roman Catholics, other people of faith, and all people of good will to respect life, God’s great gift, and to defend it at all of its stages, from conception until natural death. Woven into the fabric of that exhortation was an appeal to end capital punishment—to stand against the killing of even those who have committed murder and, in doing so, have affronted God’s dominion and denied their own and their victim’s God-given humanity. If other bloodless means of punishment are available to protect society from murderous violence, the Pope said, then these should be employed as being more in keeping with the common good. In contemporary society, he said, such means are at our disposal.

The Holy Father made a further appeal to end capital punishment during his 1999 visit to St. Louis. “The dignity of human life must never be taken away, even in the case of someone who has done great evil,” the Pope said. “Modern society has the means of protecting itself, without definitely denying criminals the chance to reform.” This was a real moment of conversion for me.

In the years since *Evangelium Vitae*, Catholic opposition to the death penalty and support for a “bloodless” alternative to executions each has grown significantly. In

2005, our Maryland Catholic Conference sought to measure statewide sentiment in the matter of capital punishment, asking first whether the death penalty is supported or opposed, and then whether the sentence of life without parole is an acceptable substitute for executions. At the time, statewide support for the death penalty was 56 percent with Catholic support at 53 percent. But among the same respondents statewide preference for life without parole as an acceptable substitute for the death penalty was at 63 percent, with 71 percent of Catholics favoring this alternative to a death sentence.

There are other factors, such as racial disparities and cost—which I touched on in a column this past March—and the possibility of error, all of which are contributing to a dramatically changed popular regard for capital punishment. All of these factors have prompted citizens of good will in states throughout our country to re-examine capital punishment. In fact, just last year New Jersey banned state executions—thanks in large part, I am told, to the strong voice of its Catholic community—joining 12 other states and the District of Columbia to ban the death penalty.

This is likely to be a difficult and emotional debate here in Maryland and we, as Catholics, need to ensure that our voices are heard. Too many of our faithful, I fear, harbor desire for retribution when instead they could be guided by the words of our United States Catholic Bishops: “We cannot overcome crime by simply executing criminals, nor can we restore the lives of the innocent by ending the lives of those convicted of their murders. The death penalty offers the tragic illusion that we can defend life by taking life.”

Finally, no discussion about this issue can occur without acknowledging, as I did before the Commission, the pain that untimely death causes. I witnessed it far too often as a military chaplain and, though those women and men in uniform lost their lives through sacrifice, the pain of their death was no less shocking, no less gut-wrenching to their loved ones. It is often inconsolable and, though it diminishes with time, it endures. Such families and loved ones of murder victims have a special claim on our prayers, a special need for the caress of our helping hands, a special need for our encouragement to seek solace, understanding and ultimate judgment in a loving God.

*To learn more about the Church's teaching on capital punishment or for more information about making your Catholic voice heard via the Legislative Action Center, log onto [www.mdcathcon.org](http://www.mdcathcon.org).*