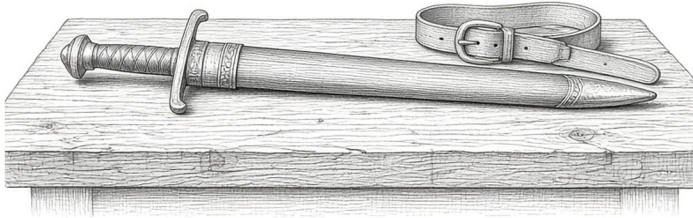




SILENT HOMILIES

Even the Guilty Remain a Person

*What the Catholic Church now says
about the death penalty*



Silent Homilies

Little Treasures



Even the Guilty Remain a Person

*What the Catholic Church now says
about the death penalty*

*A small book about a difficult teaching,
told in ordinary words.*

Before You Begin



If you have ever wondered how the Catholic Church could once allow the death penalty and now call it inadmissible, you are asking a fair question. Two short answers are often given. One says the Church has always accepted it, so nothing important can change. The other says the Church simply changed her mind and now teaches the opposite. Neither answer is the whole story.

For a very long time Catholic teachers said that a lawful government could, in the most serious cases, put a guilty person to death in order to protect the rest of the community. They were trying to answer a hard practical question. What do you do with someone who has already killed, and who may kill again, if you cannot hold him safely?

In 1995 Pope John Paul II wrote that cases of absolute necessity for execution had become “very rare, if not practically non-existent.” In 2018 the Catechism of the Catholic Church was revised. That book gathers Catholic teaching for the whole Church. Paragraph 2267 now says that the death penalty is inadmissible, and that the Church works for its abolition throughout the world.

None of this means that crime is small, or that victims should be forgotten, or that a dangerous person should be set free. It means that even a person who has done something terrible is still a person. If a government can protect its people without killing him, it no longer has a reason to take his life. If the change has left you puzzled, you are not alone. These pages try to tell the story plainly.

Chapter 1

Why the Old Teachers Allowed It at All



When Saint Augustine wrote about this question, he was answering Christians who thought a baptised official should never use force at all. When Saint Thomas Aquinas wrote about it in the thirteenth century, he asked whether public authority ever had the right to take a life. They were not writing slogans. They were trying to keep a city just when some of its members destroyed others.

Their basic distinction still matters. A private person who kills from anger or revenge commits murder. A public authority is in a different position. Its task is to protect the whole community. Catholic thought calls this the common good: the conditions in which people can live together in peace. On the older view, if someone had committed a most serious crime, and if leaving him alive put other people in real danger, the authority could take his life.

Aquinas used a comparison that sounds harsh now. He said a community is like a body, and a dangerous criminal can be like a diseased limb that a doctor cuts away so that the rest of the body may live. He did not mean that a human being is only a limb. He meant that the life of the community is a real good, and that those charged with its care may defend it. He also insisted that this right belongs to public authority, not to private revenge.

They read Scripture in the same light. Genesis 9 speaks of a reckoning for the shedding of human blood, because the human being is made in the image of God. In Romans 13 Saint Paul says that the ruler does not

carry the sword for nothing. Those verses were never a complete criminal code. For centuries they were taken as a permission for a state that had to keep the peace in a world without strong, lasting prisons.

The older teaching was mainly concerned with protecting innocent people when governments often had no reliable way of keeping a dangerous offender in custody. The permission was never an order. A ruler who could protect his people without an execution was not thought less Christian for choosing prison instead.

A Small Reflection

The diseased-limb comparison is hard to hear, and it should not be cleaned up. It shows how seriously the old teachers took the danger a violent person could pose to everyone else. It also shows the limit of the picture. A limb is not a soul. A criminal remains a human being who can repent. Later Catholic teaching pressed that second truth further. It did not pretend that the first question had gone away. The innocent still have to be kept safe.

A Short Prayer

Lord Jesus, give wisdom to those who must protect the innocent. Keep us from treating anger as if it were justice. Amen.

Chapter 2

The Innocent Person and the Guilty Person



Catholic teaching about killing has always drawn a clear line around people who have done nothing wrong. The child in the womb, the sick person who is tired of living, the hostage, the passer-by: these lives may not be taken. The Church calls such killing an attack on the innocent, and she has not softened that teaching. When we talk about the death penalty we are talking about a different case: a person whom a court has judged guilty of a most serious crime.

For a long time those two cases were treated separately in the Catechism. One paragraph said you may never take an innocent life. Another said a state may, as a last resort, take a guilty life if that is the only way to protect everyone else. The two cases were never meant to be the same act. That still matters. When the Church now says the death penalty is no longer to be used, she is not saying that abortion, euthanasia and execution are simply identical. She is saying that the guilty person, too, remains a person, and that in the world we now live in the state does not need to take that life in order to do its duty.

This can be hard to hear if you care, as you should, about unborn children. Some people worry that talking about the condemned will weaken the talk about the innocent. The worry is understandable. It is not a good reason to go quiet. A Catholic view of life is supposed to be wide enough to hold both. Forgetting the prisoner does not help the baby. Forgetting the baby does not help the prisoner.

Christ himself held the two together. On Calvary he was crucified between two criminals. One of them, the man the Church calls Saint Dismas, admitted that he deserved punishment. Christ did not deny his guilt. He still received his request for mercy and promised him paradise.

A Small Reflection

It is tempting to treat innocent life and guilty life as two different campaigns. The Gospel does not. Dismas was not innocent. He was still addressed as a man who could ask for mercy. The Church's present teaching about execution does not ask us to confuse those two facts. It asks us to keep both of them in view at once.

A Short Prayer

Lord Jesus, help us to defend innocent life without forgetting that a guilty person is still a person. Amen.

Chapter 3

What Changed Was the Prison, Not the Person



The Church is not saying that human dignity began to matter only recently. What changed, in her own explanation, was a mixture of three things. First, a clearer awareness that dignity is not lost after a terrible crime. Second, a new understanding of what punishment is for. Third, the fact that modern states can usually hold a dangerous person without killing him.

That last point is easy to oversimplify. It is not enough to say that we now have good prisons, and therefore execution became wrong. Some prisons are cruel, crowded and unsafe. The Catechism does not pretend otherwise. It says that more effective systems of detention have been developed which can protect citizens without taking from the guilty person the possibility of redemption. The claim is not that every prison is already just. The claim is that execution is no longer needed as the ordinary way of keeping the rest of us safe.

You can watch the official language change. The first edition of the Catechism, in 1992, still left a last-resort opening. After *Evangelium Vitae* in 1995, the wording was tightened. Cases of absolute necessity were said to be very rare, if not practically non-existent. The direction was set before 2018. When the paragraph was rewritten that year, the Congregation for the Doctrine of the Faith explained the change as a development of doctrine. That office in Rome watches over official teaching. Cardinal Luis Ladaria, who headed it at the time, said the deep idea had stayed the same: every person has a dignity that does not come from the state. What had changed were the conditions in which that

dignity is now applied to this penalty.

This is why a Catholic can honour the old teachers and still accept the new paragraph. The old teachers asked how the innocent were to be protected. Their answer fitted the world they knew. The same question, asked where a government can usually keep a prisoner securely, no longer needs the same answer.

A Small Reflection

It is worth noticing the three reasons together. If we keep only the prison argument, the teaching sounds like a change of equipment. If we keep only the word dignity, it can sound as if history did not matter. The Church holds them with a third point. Punishment is meant to protect society and to leave room for a guilty person to turn back to God. Execution closes that earthly room.

A Short Prayer

Lord, help us to see what remains the same in this teaching, and what the Church no longer accepts. Amen.

Chapter 4

What the Catechism Says Now, in Ordinary Words



The paragraph that causes the argument is number 2267. After the 2018 revision it says this. For a long time, after a fair trial, public authority was thought justified in using the death penalty as an extreme way of protecting the common good. Today 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. She works with determination for its abolition worldwide.

Inadmissible, here, means that the Church no longer accepts the death penalty as a just means for a government to use. The word is strong. It is the word the Catechism itself chose. Cardinal Ladaria wrote to the bishops to explain the change. He said it stood in continuity with earlier teaching and was also a coherent development. The letter does not ask anyone to treat Aquinas as a villain. It asks the Church to see that, given what a modern state can normally do, this penalty cannot be justified.

A court can judge someone guilty. It can sentence the person. It can restrict his freedom. It does not create his human dignity and it cannot remove it. That is what the Catechism is trying to protect.

The same Catechism still speaks of lawful authority, of fair trial, of real punishment, and of the duty to protect society. Those duties have not been cancelled. Prison, a just sentence, restitution where it is possible, and the chance for a person to repent remain. Catholics are

asked to receive this teaching seriously and to form their consciences in the light of it. That does not turn every related political question into a test of faith. Anyone who wants to know what the Church says now should read the paragraph itself.

A Small Reflection

People often argue about the word “inadmissible” as if the whole question hung on a dictionary. It is better to read the Catechism’s own reasons than to rely on political summaries from either side. Dignity that survives crime, a better understanding of punishment, and detention that can protect the public: those are the reasons given. The rest is commentary.

A Short Prayer

Lord, give us the patience to read this paragraph before we argue about it.

Amen.

Chapter 5

Popes Who Asked That Someone Be Left Alive



John Paul II did not only change sentences in a book. Again and again he asked presidents and governors to commute a death sentence, which means to change it to prison instead. He had lived under two systems that killed people with official paperwork. He did not treat an execution as a small administrative matter.

In 1998 he asked the American authorities to spare Karla Faye Tucker, a woman on death row in Texas who had become a Christian in prison. The sentence was carried out. In 2001 he wrote to President George W. Bush asking that Timothy McVeigh be spared. McVeigh had murdered 168 people in Oklahoma City, including nineteen children. The Pope's request did not deny the crime. It asked that the state not take another life. McVeigh was executed.

Older popes had spoken the older language. In 1952 Pius XII still described the state's right in the classical way. Public authority could, in a just sentence, deprive a condemned person of the enjoyment of life. The movement from that language, through John Paul, to Pope Francis is a movement inside one office, not a war between two churches.

Francis used the word inadmissible in speeches before it entered the Catechism. In 2014, addressing lawyers who work in criminal law, he also said that a life sentence with no hope at all can become "a hidden death penalty." That remark was a pastoral warning, not a new paragraph of the Catechism. The Church has not simply forbidden every life sentence. A pope has warned us not to confuse secure custody

with despair.

Bishops' conferences in many countries, including some that still carry out executions, have asked their governments to stop. They say this while continuing to say that crime is real and that victims are owed the truth. Honouring a victim does not require a second official killing. Stopping a dangerous person does not require an execution.

A Small Reflection

The McVeigh appeal stays with many people because the crime was so public and so cruel. John Paul II asked that such a man be left alive. He was not pretending the dead did not matter. This example shows how demanding the Church's view of human dignity can become when the crime is truly terrible.

A Short Prayer

Lord Jesus, teach us to ask for mercy without denying harm. Amen.

Chapter 6

The Priest Who Still Walks the Last Corridor



Long before anyone rewrote paragraph 2267, Catholic priests sat with men and women who were about to be executed. They heard confessions. They brought Holy Communion into rooms the public never sees. They did not need a new sentence in the Catechism in order to know that a person on the last night of a sentence is still a person. The old permission for the penalty never cancelled the old duty to the soul.

In nineteenth-century Turin, Saint Joseph Cafasso spent hours in the prisons. He was a small, frail priest. The city called him the priest of the gallows. He heard the confessions of men who were to be hanged, offered Mass for them, and walked with them to the place of execution. Later accounts say he spoke of some of these men as saints who had died on the gallows. He did not mean that their crimes had been small. He meant that they had used their last hours to turn to God. Their crimes were not denied, but the Church still treated those last hours as a real opportunity for repentance and the sacraments.

That duty is easy to forget when we argue about law. A Church that allowed capital punishment still sent a priest to the cell. A man may lose his case in court and still make a good confession. The Church has always believed that.

Today, in countries that still use the death penalty, those same priests often work for clemency as well as for a peaceful death. A chaplain who hopes the sentence will be lifted, and who still stays if it is not, is not contradicting himself. He is trying to defend a life, and he is refusing to

abandon a guilty person. Some of the most serious prison ministry happens in the final hours before an execution.

A Small Reflection

Cafasso did not wait for a better law before he treated a condemned man as a soul. The Church's long practice of caring for condemned prisoners shows that guilt has never erased a person's need for mercy and the sacraments. A person can be guilty and still be someone Christ has not finished with.

A Short Prayer

Lord Jesus, stay with every priest who sits with the condemned. Give the dying the grace of repentance, and do not let us forget them. Amen.

Chapter 7

The People Who Were Hurt First



A book that speaks only for the prisoner can become unkind in another direction. Families who have lost someone to murder are not a difficulty for a theory. They are the reason the old teachers reached for execution in the first place. They have a right to the word justice. They have a right to want the truth told, and to want the person who did the harm stopped so that no one else is next.

What the Church now asks is not that those families pretend the crime was small. What she asks is that the state not add a second killing as the official proof that the first death mattered. Punishment can be serious, long, and public in its meaning without being another execution.

Grief after murder is complicated. Anger is complicated. Some families of victims have asked that the offender not be executed. After the Oklahoma City bombing, Bud Welch, whose daughter Julie was killed in the blast, came to oppose the execution of Timothy McVeigh. Other families in the same case wanted the sentence carried out. Their grief is not a sin, on either side. The Church's present judgement is about what the government may do. It is not a verdict on every feeling in a bereaved house.

Mercy toward the guilty is not an insult to the dead. Justice still names the crime. It still isolates the offender. It still asks for the truth. A parish can support a grieving family and also oppose the execution of the offender. Those two forms of care are not contradictory.

A Small Reflection

The Church can teach what the state should do without pretending that a bereaved family must immediately feel calm, forgiving or ready to agree. People who have been torn open by violence should not have their sorrow used as an argument, either for execution or against it. They should be accompanied. The argument about law can wait until someone has first sat down beside them.

A Short Prayer

Lord, comfort those who have lost someone through violence. Give them strength, justice and peace. Amen.

Chapter 8

Mistakes This Teaching Is Not Making



It is easy to hear a change in the Catechism and then attach extra meanings that are not there. The first extra meaning is that serious crime is somehow a misunderstanding. The Church has not said that. She still wants criminals stopped. She still wants a fair trial and a real sentence. Ending the death penalty is not ending punishment.

The second extra meaning is that every Catholic in the past who accepted execution was a barbarian. That is an unkind way to treat our own dead. A teaching can develop without requiring us to despise the people who taught the earlier form of it. They asked how to protect the innocent with the tools they had. The Catechism does not ask us to treat earlier Catholic teaching as morally worthless.

The third extra meaning is that this one paragraph is the whole of Catholic life. A person who cares about the death penalty and cares about nothing else — not the poor, not the unborn, not the stranger — has borrowed the Church's voice for a single campaign. Reverence for life is supposed to be wider than one question.

The fourth extra meaning is that we may now be naïve about dangerous people. We may not. If a state cannot actually keep a murderer from the street, it has not become more Christian by dropping this penalty. It has only become careless. Secure custody is still a duty. Abolition without a working prison is not mercy. It is a different kind of failure.

A Small Reflection

Most arguments about this teaching are arguments about what it is secretly saying. The Catechism is not saying that crime is small, or that earlier Catholic teachers were worthless, or that public safety no longer matters. If we add meanings that the Catechism itself does not contain, we are no longer explaining the teaching fairly.

A Short Prayer

Lord, keep this teaching whole. Do not let us use it to excuse crime, or to forget the people who first suffered the crime. Amen.

Chapter 9

How a Teaching Can Grow Without Becoming Its Opposite



The word development makes some Catholics nervous, because they think doctrine is a stone that must never change shape. Saint John Henry Newman used the word for something more living. Development does not mean replacing one faith with another. It means understanding more clearly what an existing truth requires.

In this case the deep truth is the dignity of the human person. That dignity does not come from a court and cannot be removed by a court. It comes from God. The application of that truth to one particular civil penalty is what has unfolded. Cardinal Ladaria's letter said the 2018 revision was an authentic development, not a contradiction of earlier teaching. That is the Church's own description of what she has done. It should be taken seriously, even by people who still find the change difficult.

There is a real difficulty here, and it should not be talked away. For centuries the ordinary Catholic was taught that the state could, in extreme cases, use this penalty. Now the ordinary Catholic is taught that the penalty is inadmissible. Those two sentences do not sound the same. The Church's explanation is that the older teaching belonged to a world in which penal sanctions were understood differently, and in which it was much harder to stop a criminal from striking again. The same duty to protect the innocent now leads, she says, to a different conclusion about this tool.

Both supporters and critics of the revision need to describe the history honestly. The present teaching is not simply identical to what Saint Thomas wrote in the thirteenth century. The Church also does not describe it as a complete rejection of her earlier principles.

A Small Reflection

We do not need a full study of Newman to understand the basic point. A living Church can understand an old truth more fully without becoming a different religion. The later sentence still has to serve the same Gospel. In this case that Gospel is the dignity of a person for whom Christ died, including a person who has done great harm.

A Short Prayer

Lord, give us a memory long enough to be humble, and a faith steady enough to receive what the Church now teaches. Amen.

Chapter 10

If You Live Where the Penalty Is Still Law



Some people who pick up this book live in a country that has already stopped executing people. For them the question is mostly about memory and about how they speak. Other people live where the penalty is still written into the law. Some Catholics still live in countries where executions are regularly scheduled and carried out. Their week is harder. They may vote, write letters, pray, and still watch the state do what the Catechism now calls inadmissible.

The Church does not ask them to despise neighbours who disagree. She asks them not to treat an execution as if it were still a work she is willing to name as hers. A parish in such a place can keep watch when a sentence is carried out. That watch is prayer for the one who dies, for the one who was killed first, and for the officials who have been told to do a job the Church no longer accepts as just. Even a quiet Mass on that morning is a way of telling the truth.

Catholic judges, jurors and prison staff carry a particular weight. They have sworn to a civil law. They have also received a teaching. These situations can create serious questions of conscience that need careful pastoral guidance. A small book cannot settle every case. A priest who hears that collision should be slow to sound certain and quick to be kind.

None of this requires a Catholic to love a country less. Love of a country includes asking it not to do what it no longer needs to do. Prayer, care for victims, care for prisoners, and a refusal to treat

execution as a Catholic good: that is already a great deal. The rest belongs to prudence, and prudence is local.

A Small Reflection

It is easier to discuss this teaching in a country that has already abolished the penalty. The harder parish is the one that will hear of an execution date before the next Sunday. The Church's word to that parish is not a political script. It is a request to stay human: to pray, to remember the victim, and not to call the coming death a work of Christian mercy.

A Short Prayer

Lord, bless those who live where this penalty is still law. Make their speech careful, because a human life is at stake. Amen.

Chapter 11

After the Scaffold: What Still Has to Be Done



If the Church asks a government not to kill, she also has to care about what happens instead. Taking away execution is not the whole of justice. It is only the first half of a duty. That means humane imprisonment, useful work, contact with others, pastoral care, and a real possibility of repentance.

The works of mercy have always included visiting the imprisoned. The sentence is older than the revised Catechism. Christ says, “I was in prison and you visited me.” Many Catholics can recite the list. Fewer stop to notice that the list includes this. Opposing execution does not mean forgetting prisoners once they are out of public sight.

Catholics who argue against execution and then forget the people inside the walls have only done half of what they meant to do. The person we refused to execute is still there. He is still someone’s child. He is still capable of repentance or of further harm. He is still owed a kind of custody that does not pretend he has already died. Public safety remains. So does the possibility that a guilty person may yet tell the truth about what he has done.

A quiet vocation hides in this chapter. Some of the best Catholic work of the next fifty years may be done by people who never hold a banner and never write an article. They will only go into a visiting room with an hour and a willingness to treat a prisoner as a man. That hour is also what paragraph 2267 was trying to protect.

A Small Reflection

“I was in prison and you visited me” is easy to leave on the list of corporal works, next to feeding the hungry. Jesus speaks as though the visit made to the prisoner were made to Him. He does not say the person is innocent. He says the visit was paid to him. That is enough to change how a Catholic thinks about a locked door.

A Short Prayer

Jesus, remember those in prison. Give them the grace of repentance, and do not let us forget them. Amen.

Chapter 12

A Simpler Way to Live With This Teaching



After all the history, the daily practice is not complicated. We do not ask the government to kill. We do not talk about an execution as if it were a homily the Church is still preaching. We pray for victims and we pray for offenders, and we try not to use one prayer as a way of cancelling the other.

A person can do something terrible. We can name it as terrible. The person can be punished. Society can be protected from them. The victim must not be forgotten. And yet the guilty person's human dignity has not disappeared. Christ has not stopped being interested in that soul. On Calvary a guilty man was told he would be with Christ in paradise. The Church is still trying to live with that fact.

You may keep Saint Thomas on the shelf. You should. Read him fairly, including the comparison that startles us. Then read the present paragraph of the Catechism. Reading Saint Thomas alongside the present Catechism helps us see both the continuity and the development. The old page asked how to protect the innocent. The new page says we can now protect them without taking a guilty life.

Even the guilty remain a person. That does not make the crime smaller. It does not make the victim vanish. It only refuses to let guilt turn a human being into something the state may throw away.

A Small Reflection

If the title has done its work, it should sound less like a slogan now and more like a fact. A guilty person can be restrained, judged, and made to face what he has done. He remains someone for whom the sacraments exist. The Church's present teaching is an attempt to keep that fact visible at the point where a government is most tempted to forget it.

A Short Prayer

Lord Jesus, who spoke to the thief beside you, teach us to protect the innocent without forgetting the dignity of the guilty. Amen.

A Last Word



The Catholic Church once taught that a government could, in the gravest cases, use a public death sentence when nothing else would keep people safe. She now teaches that the death penalty is inadmissible. This does not remove punishment or public safety. It does not forget victims. It means the state should protect society without executing the guilty person.

You do not need to throw away your grandparents' catechism. You do need to read the one the Church hands you now. May every victim be honoured with the truth. May every dangerous person be stopped without being erased.

Our Lady of Mercy, pray for us.

Saint Dismas, who died beside the Lord, remember us.

Saint Joseph Cafasso, priest of the prisons, pray for us.

Lord, remember all priests and chaplains who minister to prisoners and those facing execution.

Sources and Further Reading



Catechism of the Catholic Church, especially paragraphs 2265–2267. The present wording of 2267 was approved by Pope Francis on 11 May 2018 and published on 1 August 2018.

Congregation for the Doctrine of the Faith, Letter to the Bishops regarding the new revision of number 2267, 1 August 2018, signed by Cardinal Luis F. Ladaria.

John Paul II, encyclical *Evangelium Vitae* (25 March 1995), especially no. 56, on cases of absolute necessity being “very rare, if not practically non-existent.”

Pius XII, address of 14 September 1952 to the First International Congress on the Histopathology of the Nervous System, on public authority and a condemned person’s life.

Francis, address of 23 October 2014 to the International Association of Penal Law, including the remark that life imprisonment can be “a hidden death penalty.” See also *Fratelli Tutti*, nos. 263–270.

Saint Thomas Aquinas, *Summa Theologiae* II-II, question 64, articles 2–3, and *Summa Contra Gentiles* III, chapter 146. Saint Augustine’s discussions of a Christian ruler and the use of force. Saint John Henry Newman, *An Essay on the Development of Christian Doctrine*, used here only for the basic idea of development.

Genesis 9:5–6; Romans 13:1–4; Luke 23:39–43; Matthew 25:31–46.

For prison ministry: the life of Saint Joseph Cafasso (1811–1860) and the accounts left by Saint John Bosco. Later writers attribute to

Cafasso the phrase “hanged saints”; the certain facts are his confessions, Masses and accompaniment of condemned men. For papal clemency appeals in particular cases: the Vatican requests concerning Karla Faye Tucker (1998) and Timothy McVeigh (2001).



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A word of thanks

If this little book has made a difficult teaching easier to follow, you are welcome to leave a gift on the Silent Homilies website. Please do so only if you wish and if you can. There is no charge for reading.

Printing tip

This booklet is designed in A5 format. For best results print double-sided on A5 paper, flipped on the short edge. Recommended paper: 80–100 gsm.

Written to be read in one or two sittings.