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Tom Venzor: Church guidance on death penalty

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Among the chief issues for Nebraska voters this November is whether to retain the repeal of the death penalty.

Unsurprisingly and justifiably, the death penalty elicits convicted arguments and strong emotions. Unfortunately, these convictions and emotions can sometimes result in unjustified attacks during heated debates on the death penalty.

But these types of attacks — often rooted in identity politics — undermine robust civil discourse and public conversation. As a remedy, Nebraska's Catholics can offer the balanced wisdom of our church's teaching as a guideline for all people considering the fate of the death penalty.

Catholic voters have a strong tradition of social teaching — extending throughout the biblical and church's historical tradition — that recognizes the justice of the death penalty as exercised by state authority under certain strict conditions.

It is true that the gravity of certain criminal offenses raises the possibility of capital punishment. Greater crimes call for greater punishment. This is commonly referred to as the "retributive" aim of justice.

At the same time, more recent developments within the church's rich moral tradition clarify serious limitations on the state's just use of the death penalty. Pope St. John Paul II was clear that other aims of justice — in addition to retribution — must be considered.

Pope John Paul II asserted that the state “ought not go to the extreme of executing the offender except in cases of absolute necessity: in other words, when it would not be possible otherwise to defend society.”

Looking at the issue globally, he adds: “(A)s a result of steady improvements in the organization of the penal system, such cases are very rare, if not practically non-existent.”

The “Catechism of the Catholic Church” proposes: “If bloodless means are sufficient to defend human lives against an aggressor and to protect public order and the safety of the persons, public authority must limit itself to such means, because they better correspond to the concrete conditions of the common good and are more in conformity to the dignity of the human person.”

In short, while retributive justice may justify the death penalty, it must also be determined whether the death penalty would protect public safety. Further, it should be determined whether the death penalty is rehabilitative for the criminal and deters crime.

This teaching has been clearly echoed by Pope Benedict XVI and Pope Francis.

The late Avery Cardinal Dulles, a lion of American Catholic intellectual life, summarized the issue well: “(T)he real issue for Catholics is to determine the circumstances under which (the death) penalty ought to be applied.” This is the essential question that applies not only to all Catholic voters, but also to all reasonable people of good will.

In our particular situation in Nebraska, our three bishops — Archbishop George J. Lucas of Omaha; Bishop James D. Conley of Lincoln; and Bishop Joseph G. Hanefeldt of Grand Island — have reasoned that far too often, the death penalty is reduced to a means for bloodthirsty vengeance. The deterrent effect of the death penalty is not sufficiently demonstrated by sociological evidence.

The death penalty, while it may motivate a criminal to repentance and reconciliation with God, does not reintegrate the criminal into society.

Finally, modern improvements in our penal system indicate that the public safety can be maintained without recourse to the death penalty.

In short, the bishops firmly conclude that the clear and specific conditions for the just use of the death penalty do not exist in Nebraska at this time.

While it may be claimed that the death penalty is necessary for Nebraska, there is an extremely heavy burden of proof and a high bar to overcome: It must be absolutely necessary to defend society.

The bishops of Nebraska do not believe this heavy burden can be met and believe that supporting the death penalty is unwarranted and morally unjustifiable.

For these reasons, the bishops of Nebraska urge Catholics and all people of good will to vote to retain the repeal of the death penalty this November.