

Jubilee Year 2000
Antilles Episcopal Conference
Pastoral Letter
On Capital Punishment

I. Introduction

1. The prophetic voice of the Church must be heard especially in times of moral and social crisis. The current rise of violent crime in the Caribbean has created fears and instability that threaten the freedom, rights and security of its citizens. In response to the escalating brutality and increasing frequency of violent crimes, the governments of several Caribbean nations have chosen recently to resume execution of those convicted of capital offences. In the present climate of insecurity and fear, the call for capital punishment has been received favourably by many of the citizens of these nations. The prophetic obligation of the Church, however, is to speak out against social ills and the structures of injustice that are opposed to the Kingdom of God, as revealed and proclaimed by our Lord Jesus Christ, regardless of the potential unpopularity of our Gospel message.

2. As the Roman Catholic bishops of the Caribbean, we serve the Church as official teachers of the faithful: to inform the consciences of Christians, to appeal to the justice and goodwill of all peoples, and to assist and challenge state leaders in the protection and greater development of the common good. Our moral teaching finds its source in Scripture, and it follows the sacred traditions of the Apostolic Church. From these, our teaching consistently promotes an “ethic of life”: Christians conform themselves to Christ by respecting the intrinsic dignity of every human person, and by cultivating the sacred gift of life. From the first moment of conception to the final moments of life in the process of natural death,¹ we are called as Christians to contemplate God’s love in the sacred and unique life of each person.

Likewise, we are called to condemn personal and social behaviour that act against the sanctity of life: violence, murder, abortion, euthanasia. In accordance with our ethic of life, then, and in light of the present situation in the Caribbean, we are obliged to draw the attention of our Caribbean Peoples to the growing tendency in both the Church and the civil society that capital punishment be applied in a very limited way or even that it be abolished completely.² Indeed, the cases in which the execution of the offender is an absolute necessity are very rare, if not practically non-existent³, and we urge all to heed the appeal of our Holy Father Pope John Paul II for a consensus to end the death penalty, which is both cruel and unnecessary.⁴

¹ John Paul II, Post-Synodal Apostolic Exhortation *Ecclesia in America*, 1999, n. 63.

² Encyclical Letter of John Paul II, *Evangelium Vitae*, 1995, n. 56.

³ *Catechism of the Catholic Church*, 1997, n. 2267.

⁴ Christmas Message, John Paul II, December 25, 1998; Homily, John Paul II, St. Louis, January 27, 2000.

3. As pastors intimately involved in the life of our Caribbean people, we share everyday the “joys and the hopes, the griefs and the anxieties”⁵ of the faithful. In the present crisis of violent crime and increasing public disorder, many of our people face personal and social dangers. We share the pain of the victims of the many forms of human brutality. Our Lord Jesus was deeply moved by the suffering of the poor, the sick, the powerless, and those grieved by death and personal loss. As Christ’s disciples, united to him a brothers and sisters, we also burn with compassion, and we cry out for justice. Especially in those tragic situations of extreme violence, in which persons or society as a whole are wounded by acts of gross inhumanity (perpetrated either by individuals or by hostile social and political factions), we entrust and submit our compassion for the victims and our desire for justice to the guidance of the Holy Spirit, whose wisdom and truth transcends our limited human standards. Placing our hope and trust in God in such severe situations is a difficult responsibility — one that requires courage, perseverance and a spirit of prayerful discernment.

4. Continuing the mission of our Lord, Christians are called to participate in the ministry of reconciliation: bringing physical, psychological, emotional and spiritual healing to individual persons; and developing a peace and justice in society that would be characteristic of the Kingdom of God. We have, then, like the Good Samaritan on the road to Jericho, first a special call to care for those who have been personally wounded by acts of violence — the victims themselves, as well as their relatives and friends. We offer the loving support of our Church communities through counselling and genuine friendship, as well as through faithful perseverance in private and communal prayer, asking for the mercy and saying power of our God.

II. Retribution as Personal Revenge

5. Our intimate association with victims of violence and our own practical experience of the growing brutality of criminal wrongdoing makes clear to us that the commonplace reaction to the perpetrators is the strong desire for revenge. Such revenge often seeks satisfaction in a punishment that is proportionate to the crime committed: if a person takes the life of another, for example, it is often said that the murderer should face the death penalty. From a psychological point of view, however, our practical wisdom indicates that even the execution of one who has committed the heinous crime of murder provides little satisfaction to the victim’s relatives and friends. The pain of loss remains acute, and the attempt to satisfy the desire for revenge through capital punishment involves the victims in a process of violence that can engender great personal destructiveness: residual anger, hatred, resentment and distrust of others. Genuine and lasting reconciliation demands far more than merely exacting punishment, and the true form of justice that brings peace and satisfaction is undermined by the impulsive reaction of revenge.

6. Our pastoral care of those who suffer the destructive effects of violence, therefore, must include adequate forms of restitution and reconciliation. As Christians we look to the teachings of Jesus for our inspiration and strive to imitate his actions. At the very

⁵ The Second Vatican Ecumenical Council, Pastoral Constitution on the Church in the Modern World, *Gaudium et Spes*, 1965, n. 1.

heart of the Good News is the reconciliation brought about through the self-sacrificing love of Jesus. In every word and deed of our Lord we see forgiveness and transforming love. For Christ, the way to the peace and justice of the Kingdom is through love, in which there is no place for revenge: “You have heard that it was said, ‘An eye for an eye, and a tooth for a tooth.’ But I say to you, do not resist me who is evil. But if any one strikes you on the right cheek, turn to him the other also.... You have heard that it was said, ‘You shall love your neighbour and hate your enemy.’ But I say to you, love your enemies and pray for them who persecute you...” (Mt 5:38–39, 43–44). In this way, Jesus rejected revenge as the way to true reconciliation, and abrogated the law of retribution that guided the people of Israel in Old Testament times.

7. While our Lord in this way repudiates revenge as the way to genuine reconciliation, the command of love (Mt 22:34–40)⁶ also encourages a spirit of repentance and may require punishment for those who transgress divine and civil law. The love that Jesus commands does not make us passive victims of injustice, but leads us to seek the reformation of sinners and of sinful social structures, as the path to reconciliation. The teaching of the end-times makes it clear that those who do not heed the Lord’s call for faith, repentance and conversion face the final judgement and punishment of God (Mt 10:33).⁷ Jesus is likewise strong in his reproach of the leaders of his day, whose hypocrisy and oppression of the weak, the poor, and the prophets was an injustice particularly abhorrent to God, and worthy of severe punishment.⁸

8. Thus, while we deplore the desire for revenge as futile and ultimately destructive to the victims and to society, we nevertheless see the social need for justice as a condition of reconciliation. We must be especially careful, however, that our intentions are free of all forms of malice, and that we remain aware of our limited human role in the struggle for peace and justice. Final judgement and retribution belong properly to God; and true justice, which satisfies our deepest human desires, is to be fully revealed only when Jesus comes in final glory at the end of history. For this reason, His Holiness Pope John Paul II teaches: “The primary purpose of the punishment which society inflicts is to ‘redress the disorder caused by the offence.’”⁹ Punishment is only one element of the long process of reconciliation that includes repentance, conversion, reform, restitution and forgiveness. We affirm likewise that in all cases punishment must be guided by the spirit of love, which intends both the good of the transgressor as well as the good of the community. The spirit of revenge lacks this twofold Christian intention.

III. Restitution and Deterrence: The Responsibilities of the State

9. The individual’s desire for revenge may at times find collective expression, and in such cases we encounter the disordered and dangerous phenomenon of ‘mob justice’. Feigning concern for the common good, mob justice disregards the due process of law, and thereby flagrantly violates the rights of the individual. Ultimately, the common good itself is jeopardised by this compromise of personal rights. At the same time, the common

⁶ Cf. Mk 12:28–31; Lk 10:27; Jn 13:34–35.

⁷ Cf. Mk 13:37–43; 16:27; Mk 8:38; 13:26; Lk 9:26; 12:8–10.

⁸ See especially the “woes” of Mt 23:13–39; and Lk 11:37–52.

⁹ Pope John Paul II, Encyclical letter *Evangelium Vitae*, 1995, n. 56. His Holiness quotes from the *Catechism of the Catholic Church*, ©1994, n. 2266.

good is likewise threatened by increasing levels of social disorder, and the fabric of society faces by the violence of criminal behaviour. Society requires structures and processes that can adequately restore and maintain order, and it does so usually by means of deterrence. The criminal justice system, for example, is intended primarily to deter crime. Most often the debate over capital punishment focuses upon the value of the death penalty as a deterrent. But the various social dimensions of the issue of capital punishment require that we consider at once the protection of rights, and the need for re-establishing public order. These considerations presume some understanding of the state as a public agent of social order.

10. The primary function of the state is the pursuit and development of the common good, which it accomplished by means of public policy and constitutionally enshrined laws that protect political and economic rights, both individual and collective. The government, then, “has a moral function: protecting human rights and securing basic justice... it is the Government’s role to guarantee the minimum conditions that make this rich social activity possible, namely, human rights and justice.”¹⁰ State institutions should never, for this reason, become a vehicle for the satisfaction of the desire for revenge. To do so would be to undermine their public legitimacy, for it would effectively subvert the rights and freedoms that social institutions are intended to preserve. In the face of extremely high crime rates and social instability due to excessive violence, our nation’s leaders must resist the temptation to accede to forms of retribution that compromise the integrity of their social institutions. This can only increase social disorder.

11. In the case of the call by some politicians for the resumption of execution, we have grave concerns that use is being made of the climate of fear and uninformed popular desire for revenge in order to promote personal political agendas. While democratically elected state officials are obliged on the one hand to represent the will of their constituents, they are likewise entrusted with the protection of the common good through policies and services that educate and develop the communities they serve. We severely reproach, therefore, politicians who employ populist rhetoric, at the expense of the moral order and genuine social development, in order to protect and advance their own political careers. The call for capital punishment should not become simply a means for furthering personal popularity among voters; nor should it be a means of placating rather than reforming the high emotions of public opinion about the developing indications of social disintegration. The gravity of state execution, the taking of life, makes political posturing of this kind a grievous offence against the common good.

12. We are further concerned that politicians in some cases have, through policy and populist rhetoric, promoted the death penalty in the supposed interests of national sovereignty. Rights associations and organisations of international law have been publicly criticised by some local leaders as threatening the political sovereignty of Caribbean nations, in order to sway public opinion with uncritical nationalism. To accommodate the resumption of execution, for example, some Caribbean leaders have used this rhetoric in order to justify their withdrawal as state parties from the Optional Protocol to the International Covenant on Civil and Political Rights. In effect, such political action denies

¹⁰ US Catholic Bishops, *Economic Justice for All*, n. 122.

citizens the rights to appeal to the UN Human Rights Committee for redress in cases where the violation of rights by a particular state is in question. This represents a serious lack of national transparency and accountability in the international sphere, reducing the protection of citizens against the possibility of isolated instances of state injustice, or in extreme cases even the rise of tyranny. The suggested withdrawal from the Inter-American Commission on Human Rights represents a similar threat to Caribbean nationals. We remind leaders that civil authority exists “...not to confine its people within the boundaries of their nation, but rather to protect... the common good of that particular civil society which certainly cannot be divorced from the common good of the entire human family.”¹¹

13. The issue of capital punishment has, in this way, provided the opportunity for the more generalised and dangerous erosion of human rights, and does so under the banner of a false nationalism. In an era of globalisation, the objection to the law and scrutiny of the international community on the grounds of political sovereignty disregards the history of state abuses world-wide that led originally to the creation of globally co-operative institutions. Thus what appears as the preservation of national sovereignty becomes in reality a licence for the unbalanced and unchecked power of the state. In the absence of international laws and tribunals, the ordinary limitations of enforcement agencies, judicial systems and penal processes become the occasion for a wide range of rights abuses: extra-judicial killings, police brutality; torture, corporal punishment, lack of judicial autonomy from the influence of party politics, the conviction and execution of the innocent, the lack of adequate legal representation of the poor, and unacceptable prison conditions. Even under the protection of international law and global agencies, we in the Caribbean have struggled to address these realities in our nations. Without such protection, we ignore the limitations of our human institutions, and make ourselves dangerously vulnerable to innumerable rights abuser.

14. Judicial commissions, both local and international, sociologists and criminologists largely agree that there is no empirical evidence to support the claim that the death penalty reduces the frequency of capital offences¹². On the contrary, some experts have even argued that jurisdictions that have abolished capital punishment have actually recorded decreasing homicide rates¹³. The most important deterrent to criminal activity is

¹¹ Pope John XXIII, Encyclical Letter *Pacem in terris*, 1963, n. 98.

¹² This is the consistent opinion of many experts. In the US for example, “A survey of experts from the American Society of Criminology, the Academy of Criminal Justice Sciences and the Law and Society Association showed that, over 80% believe the existing research fails to support a deterrence justification for the death penalty” — M. Radlet and M. Akers, *Deterrence and the Death Penalty? The Views of Experts*, 1995. This is supported by Roger Hood in his research for the UN in *The Death Penalty: A World-wide Perspective* (Oxford, 1996), p. 238, para. 328. Research in the Caribbean has yielded the same conclusions. In Jamaica, the Barnett Commission (1974) questioned the use of hanging as a deterrent to murder and violent crime (para. 250); likewise, in Trinidad and Tobago, the Abdulah Report (1980) concluded that “... there is no clear statistical evidence that the death penalty does inhibit persons from committing murder (n. 7.46); the lack of scientific evidence in favour of capital punishment as a deterrent led Jamaica’s Frazer Commission (1979) to recommend “... that death as a penalty for murder should be abolished” (n. 18).

¹³ Homicide Studies, Vol. I, No. 2 (May 1997), indicates that executions may actually increase the number of murders, rather than deter murders. See also Roger Hood, *Op. Cit.*, p. 187, para. 253.

not the threat of execution, but rather the risk of apprehension and conviction for the crime committed¹⁴. Enforcement agencies and judicial processes that are most effective in exercising their authority provide the greatest deterrent to crime, even when the nature of the penalty is less severe. To call for the resumption of executions is to deflect attention away from true deterrents, and to ignore the reforms necessary for the instruments of civil justice to act as effective agencies for the prevention of social disorder.

15. There is more and more evidence, especially with the advent of DNA testing, that innocent persons have been convicted of capital crimes and have unjustly lost their lives by state execution. To take the life of one convicted of a capital crime is a final judgement which categorically denies the possibility of judicial error. By contrast, to acknowledge the fallibility of our human institutions is to allow for the possible innocence of the one convicted of a crime, and thus to avoid a penalty for which there can be no appeal, reversal or compensation.

16. We must also candidly admit that legal processes require financial and human resources that are not equally available to all in society. The poor and the marginalised often have limited access to good legal counsel and representation, which weakens a full and fair judicial process, and intensifies the danger of convicting and executing the innocent. It is a great concern for us that those condemned to die are disproportionately poor, and without the benefit of adequate legal defense¹⁵. Political and economic rights are intrinsically related: the common good as well as the integrity of the individual is threatened by economic deprivation. The state, therefore, “must do everything in its power to promote the production of a sufficient supply of material goods, the use of which is necessary for the practice of virtue.”¹⁶ In the face of widespread Caribbean poverty, politicians calling for capital punishment not only risk gross injustice, they also undermine their own legitimacy as responsible leaders. As Pope John XXIII taught: “considerations of justice and equity... demand that those involved in civil government give more attention to the less fortunate members of the community, since they are less able to defend their rights and to assert their legitimate claims.”¹⁷

III. Human Dignity: Social Development and Social Reform

17. We do not accept capital punishment as an efficacious deterrent to violent crime, on the sociological grounds that it is ultimately ineffective and fails to acknowledge the

¹⁴ The late Dr. Carl Stone, prominent Jamaican social scientist, concluded that “... the suggestion that hanging deters murder has no basis in fact” and pointed to the low probability of apprehension as the most significant obstacle to effective deterrence, *The Daily Gleaner*, October 4, 1982.

¹⁵ “The death penalty is discriminatory and is often used disproportionately against the poor, minorities and members of social, ethnic and religious communities,” Amnesty International, *The Death Penalty: Questions and Answers* (April 2000). The data provided by the Bureau of Justice statistics of the U.S. Department of Justice indicates disproportionality according to race and ethnicity in death sentencing. See the revised report (January 1999) at <http://www.ojp.usdoj.gov/bjs/pubalp2.htm> *Capital Punishment in Jamaica, the Report of the Research Team of the Frazer Commission* (1979) observed: “In every country in the world, history shows that the death penalty has been unjustly imposed. It bears unevenly and irrevocably on the poor, on minorities, and on oppressed groups within the population. The above conclusion would certainly be true if the men presently on death row [in Jamaica] were executed” p. 57.

¹⁶ Pope John XXIII, Encyclical Letter *Mater et Magistra*, 1961, n. 20.

¹⁷ Pope John XXIII, Encyclical Letter *Pacem in terris*, 1963, n. 56.

weaknesses of our human institutions of civil justice. This does not mean that we neglect the importance of deterrence. A principal function of the criminal justice system is the deterrence of social disorder by means of apprehension, fair trial, and penalty in the case of conviction. Our Christian perspective, however, places conditions and limitations upon the processes by which criminal activity is deterred. The command of love by which we prescind from the spirit of revenge, and by which we see punishment as only a single element of the process of true reconciliation, also guides us in the careful balance of individual rights and the common good. This love allows us to humbly acknowledge the fallibility of our human institutions, to accept the possibility of error and discrimination, and to seek social reforms that reduce the risk of rights abuse in the search for an adequate deterrent to crime.

18. Our Christian viewpoint, moreover, does not place the responsibility for the restoration of order and the protection of society solely on the deterrent strategies of the criminal justice system. Social disorder is not only prevented by the threat of punishment, but guaranteed by proper moral socialisation, sufficient material well-being (which is fostered by the equitable distribution of goods and services) and harmonious social development. Violent criminal activity may be the expression of individual psychological dysfunction, but the wilful transgression of law and the violation of the social order may also be the consequence of negative elements in a person's socialisation or environment. Certainly the state assumes some responsibility for the reduction of the poverty, illiteracy, and unemployment that place undue stress upon society's marginalised persons. But every citizen must participate to some extent in the development of society. Christians especially must foster the values of the Gospel that lead to genuine social development: promoting the love of Christ through the care of those in need, helping to educate, bringing peace to situations of social and domestic violence, proclaiming the freedom that comes through faith, and providing example for imitation.

19. We believe strongly that the need for strategies and promises of crime deterrence becomes less necessary as communities become centres of love and concern, struggling to eradicate the social injustices of poverty, ignorance, and selfish desire. This belief is grounded in our similar experience of the freedom from the divine Law of Israel that we receive as adopted sons and daughters of God through Christ in the Spirit. St. Paul teaches us that the Law was a temporary and imperfect "tutor to lead us to Christ" (Gal. 3:24); "but now we have been released from the Law, having died to that by which we were bound, so that we serve in newness of the Spirit and not in oldness of the letter" (Rom. 7:6). In the same way, the deterrent function of civil law is not an end in itself, but an imperfect means for the development of a society in which justice is promoted through a spirit of love, rather than in the fear of punishment.

20. We oppose the imposition of the death penalty, then, not only on the grounds that it is an ineffective deterrent to criminal injustice, but also that its supposed deterrent function does not ultimately intend the reform of the offender that would be integral to significant social development. Our hope for society is that the mechanisms of our institutions would continually evolve, so as to promote the justice and peace that is signified by a developing fullness of reconciliation: restitution for the victims, as well as reform of the transgressors. The imposition of the death penalty represents, in this way,

an impediment to ongoing development, for it neglects the reform of the offender integral to genuine reconciliation, and imbues deterrence with the status of an end in itself.

21. Our pastoral obligation as Christians, in this way, concerns the development of social policies and processes that attend both to the needs of victims as well as to the conversion and reform of those who threaten public order. Often enough, the Christian ministry to transgressors is criticised in two ways: either as a naive hope in the possibilities of criminal reform, or as a misplaced compassion. Our hope and compassion, however, are grounded in the very practical conviction that society develops significantly only when the dignity of every person is respected and protected.¹⁸ For this reason, the Church teaches: “Any human society, if it is to be well-ordered and productive, must lay down as a foundation this principle, namely, that every human being is a person, that is, his nature is endowed with intelligence and free will.”¹⁹ Moreover “..... there can be neither justice nor peace in the world, so long as men fail to realise how great is their dignity for they have been created by God and are His children.”²⁰

22. Capital punishment symbolises a form of despair for the effective reform of persons. Our Christian hope for the conversion and reform of criminals, by contrast, signifies our uncompromising faith in the redeeming grace of God that acts upon humanity’s natural dignity to restore order both to the person and to society. This hope is based on our witness to the mercy and forgiveness of Jesus, who, when confronted with the guilt of the woman caught in adultery, transcended the death penalty of Israel’s law by exposing the universal need for repentance and conversion: “He who is without sin among you, let him be the first to throw a stone at her” (John 8:7). Our experience of salvation in Christ is first an awareness of our need for forgiveness, and then an overwhelming sense of God’s grace that returns to us our dignity as persons made in the image of our Creator²¹. We, in turn, are given a share in Christ’s own mission of forgiveness; (John 20:23), which restores true dignity by allowing the grace of God to bring about conversion in the sinner. Capital punishment deprives us of our mission to forgive, and the transgressor of an opportunity to reform.

23. Our Christian compassion is the expression of our hope in the reform of those who have violated the moral order. It is the means by which we cooperate with God’s grace to bring about personal conversion and social development. We follow Christ, who chooses to be with sinners and social outcasts, because “it is not those who are healthy that need a physician, but the sick” (Mark 2:17). Our compassion is not misdirected, but rather all-inclusive, and it intends specifically in the present context the protection of human dignity and the conversion of transgressors. Jesus suffered the reproach of the religious and political leaders of the times for his association with and care for sinners, even those who would be guilty in the law of the day of capital crimes. We imitate our Lord, the Good Shepherd, who is willing to leave the ninety nine-sheep in order to seek the one lost, for “...there will be more joy in heaven over one sinner who repents, than over ninety-nine righteous persons who need no repentance” (Luke 15:7).

¹⁸ John Paul II, Encyclical Letter *Evangelium Vitae*, 1995, n. 101.

¹⁹ Pope John XXIII, Encyclical Letter *Pacem in terris*, 1963, n. 9.

²⁰ Pope John XXIII, Encyclical Letter *Mater et Magistra*, 1961, n. 215.

²¹ John Paul II, Encyclical Letter *Centesimus Annus*, 1991, n. 11.

V. Abolition: The Call of the Christian Beatitudes

24. “The sacredness and inviolability of human life”²² is at the very heart of the teaching of the entire Christian Scriptures, from the story of the creation of the world by God to the consummation of creation in the end-time writings of the Apocalypse. The God of Israel, the Father of our Saviour Jesus, is the ‘Lord of life’. Our God places before us life and death, and exhorts us to choose life (Deut. 30:19). At the present time in the Caribbean we face a situation of increasing violence and death. Our streets and even our homes have often become places of fear and insecurity. The media attempt to fascinate us and fill our minds with images of sin, killing and violent abuse of every kind that are intended for our entertainment. Our political leaders often enough react to criminal injustice with the threat of excessive state violence and retributive brutality. To choose life, to revere life as sacred, to protect life and to develop life, in the escalating “culture of death,”²³ is to speak prophetically out of our faith in God as the Lord of life.

25. As we contemplate this crisis of Caribbean society and the enormous complexity of the problems that burden the lives and hearts of our people, our prophetic message must be voiced ever more radically to express our hope in God and in the establishment of Christ’s Kingdom. The prophetic voice of the Church, however, is not a voice of mere words, but of living witness. The sacredness of life is expressed by the promotion, of the dignity of each person, as well as through the struggle for social justice. Against the forces of violence, hatred and death, our radical Christian response is to become a people of the Beatitudes (Matt. 5:1–12).

26. What does it mean to be a people of the Beatitudes? It means first that we become a people “poor in spirit”: recognising our personal and social need of God’s saving presence in our lives and in our human institutions — for conversion, repentance, reform and forgiveness. In humility, and aware of every person’s unworthiness before God, we seek ongoing personal reform and social transformation. Out of our poverty of spirit, we humbly imitate the compassion and mercy of our Lord Jesus Christ: we mourn the brokenness brought about by sin and death; with meekness and gentleness we care for victims and transgressors alike; with purity of heart we pursue our mission of reconciliation without the distraction of revenge, despair or apathy — trusting always in the power of our God.

27. The command to love ones neighbour is not merely a call to care for individuals, but also requires a broader social commitment. As people of the Beatitudes, we are peacemakers who thirst for righteousness and justice, The Fathers of the Second Vatican Council taught. “The best way to fulfil one’s obligations of justice and love is to contribute to the common good according to one’s means and the needs of others, and also to promote and help public and private organisations devoted to bettering the conditions of life”²⁴. There are many forms of public witness and diverse social

²² John Paul II, Encyclical Letter *Evangelium Vitae*, 1995, n. 57.

²³ John Paul II, Post-Synodal Apostolic Exhortation *Ecclesia in America*, 1999, n. 63.

²⁴ The Second Vatican Ecumenical Council, The Pastoral Constitution on the Church in the Modern World, *Gaudium et Spes*, 1965, n. 30. Cf. also John Paul II, Encyclical Letter *Sollicitudo Rei Socialis* (1987): “The obligation to commit oneself to the development of peoples is not just an individual duty, and still less an individualistic one, as if it were possible to achieve this development through the isolated efforts of each

responsibilities. On the issue of capital punishment particularly, there is much Christians can do to provide the conditions for the diminishment of crime and violence. We look to political, enforcement, judicial and penal reforms to provide alternatives to capital punishment that will effectively deter crime. But we seek also broader social development strategies that intend to reduce crime and prevent social disintegration, through poverty alleviation and improved education, providing the necessary conditions for true and lasting reconciliation and peace. We appeal to the assistance of the global community for the further protection of human rights and state security.

28. To become a people of the Beatitudes, Jesus teaches us to become vulnerable to the criticism and persecution of those who feel threatened by changes to social structures, and even by those who feel victimised by contemporary social disintegration. The struggle for the justice of the Kingdom in the name of our Lord at times carries with it the burden of exclusion, ridicule, and other more serious forms of persecution and suffering. Those who have spoken out boldly to reject the death penalty in the face of popular opposition are keenly aware of the sacrifice and suffering that comes from living the Beatitudes. As disciples of Christ who share his prophetic ministry, we walk as companions of our Lord and face the personal costs associated with the proclamation of the Gospel. We must not be discouraged by the marginalization that comes with the rejection of social injustice. We must not doubt our faith in Jesus as “the Way, the Truth and the Life” (John 14:6).

VI. Pastoral Exhortation: Towards Integral Human Development

29. We encourage all Christians in the Caribbean to teach by both word and example the moral and social dangers of capital punishment. There is no teaching more effective than that of example, and so the members of the Church are exhorted to be “a shining example by their sense of responsibility and their dedication to the common good.”²⁵ Concretely this means that we must avoid all forms of lawlessness and selfishness that threaten the very fabric of ordered society. We observe a climate of lawlessness in our countries. Many persons, while appealing for state execution, contribute to this climate by tolerating or co-operating in structures of various forms of political and business corruption, and illegality. It is by our righteousness that we “act as a leaven in the world,”²⁶ providing solid foundations for the development of society. We give credible witness to our teaching against the injustice of the death penalty only if we avoid participating in the many agents of social destruction, and if we contribute to the protection and enhancement of human dignity.

30. It is important that we support each other as Christians to proclaim this message of reconciliation, mercy and love. In the past, official Church teaching allowed the possibility that legitimate public authority could impose the death penalty in “cases of extreme gravity”²⁷. But all of the considerations we have made above — Scriptural,

individual. It is an imperative which obliges each and every man and woman, as well as societies and nations” (n. 32).

²⁵ The Second Vatican Ecumenical Council, The Pastoral Constitution on the Church in the Modern World, *Gaudium et Spes*, 1965, n. 75.

²⁶ World Synod of Catholic Bishops, *Justice in the World*, 1971, n. 38.

²⁷ *Catechism of the Catholic Church*, 1994, n. 2266.

theological, sociological and existential — lead us now to evaluate the exercise of capital punishment with an attitude of strong denunciation. And although our reflections are grounded in the Caribbean context, we share the judgement of our own universal Church leaders along with many social and religious leaders world-wide: “A sign of hope is the increasing recognition that the dignity of life must never be taken away, even in the case of someone who has done great evil. Modern society has the means of protecting itself, without definitively denying criminals the chance to reform.”²⁸ The death penalty is both cruel and unnecessary.”²⁹

31. We repeat, however, our concern for the victim of violence. To reject capital punishment is not to make light of the loss of loved ones and the violation of human dignity and rights experienced by victims of crime. The pastoral care of the Church is directed first towards the comfort and assistance of these victims. But part of this assistance involves letting the experience of the Cross, which is one of innocent suffering, lead to reconciliation. Capital punishment does not assist the criminal to reform, or society to deter. Neither does it assist the victim to restore his or her violated dignity. Only genuine reconciliation can achieve personal satisfaction and restore social order. The process of reconciliation involves conversion, reform, restitution, and forgiveness.

32. Jesus explicitly commanded his followers to forgive “from your heart” (Matt. 21:35). How are we to understand this command in the context of widespread crime and murder? He does not mean to release a murderer unpunished to prey upon other victims. Jesus teaches forgiveness not as an end in itself, but as an essential element in the process of reconciliation, as reflected in Jesus’ own practice of forgiveness. There are two parties involved in reconciliation: the wrongdoer and the victim. A process of reconciliation involves obligations of both parties. For the wrongdoer, thus must be recognition and confession of his/her sin, accompanied by real contrition. The sincerity of contrition means that the wrongdoer must be willing to make restitution, like Zacchaeus, who, when he repented, promised to pay back four times as much to everyone he defrauded (Luke 19:8). In the case of murder, restitution involves taking on obligations to the victim’s family and community. Finally, the wrongdoer must reform his/her life. “Go,” Jesus said to the sinful woman, “and sin no more” (Mt. 8: 11). On the part of the victim’s family and the community, the process of reconciliation demands an attitude and a willingness to forgive, and to restore a relationship with the contrite and reformed wrongdoer. As shown in Jesus’ practice of the reconciliation of sinners, forgiveness can also be a powerful form to help the sinner towards conversion: “Her sins, which were many, have been forgiven; hence she has shown great love” (Lk. 7:47).

33. What we have just described is an ideal situation of reconciliation, which is reflected in the sacramental process of the Catholic Church. In civil society, penal laws and institutions are, necessary because the conditions of reconciliation we not often fully met. But the goal of reconciliation, the restoration of moral order to society, is the purpose of those institutions, and it is the purpose of the Christian practice of forgiveness. In virtue of our prophetic call as Christians, then, we exhort all peoples to the promotion of the intrinsic dignity and inviolability of all human life, as a condition for full human

²⁸ Pope John Paul II, *Evangelium Vitae*, 1995, n. 27.

²⁹ Homily, Pope John Paul II, January 27, 1999, St. Louis, Missouri, U.S.A.

development, In this way, we follow our Lord Jesus Christ, who came that we might “have life, and have it abundantly” (Jn. 10: 10). To take away a person’s basic right to immunity from fatal harm is to compromise his/her sacred dignity. We therefore reiterate our view that the cases in which the execution of the offender is an absolute necessity are very rare, if not practically non-existent³⁰, and we appeal for the development of a consensus among the people of the world to abolish capital punishment.

SIGNED

Most Reverend Edgerton R Clarke, *Archbishop of Kingston-in-Jamaica*

Most Reverend Lawrence Burke, *Archbishop of Nassau*

Most Reverend Kelvin E. Felix, *Archbishop of Castries*

Monseigneur Maurice Marie-Sainte, *Archbishop of St. Pierre & Fort-de-France*

Most Reverend Theodore McCarrick, *Archbishop of Newark*

Most Reverend Samuel E. Carter, S.J., *Archbishop Emeritus of Kingston*

Most Reverend Paul Boyle, *Bishop of Mandeville*

Monseigneur Ernest Cabo, *Bishop of Basseterre*

Most Reverend Sydney Charles, *Bishop of St. George’s-in-Grenada*

Most Reverend Charles Dufour, *Bishop of Montego Bay*

Most Reverend Willem Ellis, *Bishop of Willemstad*

Most Reverend Malcolm Galt, *Bishop of Bridgetown*

Most Reverend Edward J. Gilbert, C.Ss.R., *Bishop of Roseau*

Most Reverend Robert Kurtz, *Bishop of Hamilton-in-Bermuda*

Most Reverend Osmond P Martin, *Bishop of Belize & Belmopan*

Most Reverend Donald J. Reece, *Bishop of St. John’s-Basseterre*

Most reverend Robert Rivas, *Bishop of Kingstown in St. Vincent*

Monseigneur Louis Sankalé, *Bishop of Cayenne*

Most Reverend Benedict Singh, *Bishop of Georgetown*

Most Reverend Aloysius Zichem, *Bishop of Paramaribo*

Most Reverend Anthony Dickson, *Bishop Emeritus of Bridgetown*

Most Reverend John Mendes, *Auxiliary Bishop of Port of Spain*

Reverend Christian Pereira, *Archdiocesan Administrator, Port of Spain*

22 November 2000

³⁰ *Catechism of the Catholic Church*, 1997, n. 2267.