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**Testimony of Thomas C. Kelly, O.P.,
Archbishop of the Roman Catholic Diocese of Louisville**
Before the Interim Joint Health and Welfare Committee
of the Kentucky General Assembly

October 20, 1999

Good Afternoon, Mr. Chairman and members of the committee, I am Thomas C. Kelly, and I am the Archbishop of the Roman Catholic diocese of Louisville, Kentucky.

I am grateful to have this opportunity to present the Kentucky Catholic bishops' concerns about the continued use of capital punishment in our Commonwealth. The Interim Joint Health and Welfare Committee and its leadership is to be commended for its willingness to explore the facts beyond the myths and sound bytes concerning this critical public policy issue. Although this testimony, indeed this hearing, focuses on the use of the death penalty itself, I want to state unequivocally that we are also deeply concerned for the victims of crime. As pastors, we feel and share the suffering of families torn apart by crime.

My testimony today has three objectives: first, explain why the Church speaks-out on issues of public policy; secondly, share with you recent developments in the official position of the Catholic Church on capital punishment; and finally, appeal to your sense of leadership as elected representatives to end this senseless form of retribution.

For Roman Catholics, active participation in developing public policy is a Gospel mandate and part of our faith's tradition of pursuing the common good. The Catholic bishops in Kentucky speak-out on public policy issues in response to this Gospel mandate as well as fulfilling our pastoral obligation as Church leaders. As a responsible citizen of the Commonwealth, it is my personal duty to speak-out when a policy is contrary to justice and fails to promote respect for the most basic of all human rights—the right to life.

For more than twenty-five years, the Catholic bishops of the United States have called for an end to the use of capital punishment. Attached to my testimony is a copy of the United States Catholic Conference's *Good Friday Appeal to End the Death Penalty* released in April of 1999. The statement calls on Catholics as well as all people of goodwill to recognize the death penalty's failure to address the problems of crime, restore peace and wholeness to crime victims' families and uphold respect for human life—in all its conditions.

In September of 1997 the Catechism of the Catholic Church was revised to more clearly reflect a consistent ethic of respect for human life and current Papal teaching. The Vatican issued its new and definitive Latin edition of the Catechism of the Catholic Church which states that the death penalty is theoretically permissible in instances when it is "the only possible way of effectively defending human lives against the unjust aggressor," but says that such circumstances are "practically nonexistent" in today's world, in view of the resources available to governments to restrain convicted criminals from committing violent acts (cf., *Catechism of the Catholic Church* nn. 2266-2268, John Paul II, *Evangelium Vitae*, n. 56).

Pope John Paul II reminds us that we must respect every life, even that of criminals and unjust aggressors. It is increasingly clear in modern society that capital punishment is unnecessary to protect people's safety and the public order, so that cases where it may be justified are, in the Holy Father's words "**very rare, if not practically non-existent.**" No matter how serious the crime, punishment that does not take life is "more in conformity with the dignity of the human person" (*Evangelium Vitae*, n. 56-7).

As Catholics, and as a Commonwealth, our witness for the value of human life shines most brightly when we demand respect for each and every human life, including the lives of those who fail to show that respect for others (*Living the Gospel of Life*, n.22).

The Church's opposition to the death penalty does not arise from misplaced sympathy for convicted murderers. On the contrary, murder demonstrates a lack of respect for human life. For this very reason, murder is abhorrent, and any policy of state-authorized killings is immoral. The passage of Kentucky's life in prison without possibility of parole law in the 1998 General Assembly makes the continued use of executions in Kentucky morally intolerable.

Elimination of the death penalty is one step toward abolishing the dark desire for revenge in the human heart and moves Kentucky forward to a more just and less violent society. The Catholic Church in Kentucky strives to be a prophetic voice, speaking out to protest injustices and indignities against the human person. Catholics and all persons who seek justice must continue to pursue abolition of the death penalty with resolve and courage.

Bringing a respect for human dignity to practical politics can be a daunting task. Good people frequently disagree on which problems to address, which policies to adopt and how best to apply them. But for citizens of Kentucky and elected officials alike, the basic principle is simple: ***We must begin with a commitment never to intentionally kill, or collude in the killing, ... no matter how broken, unformed, disabled or desperate that life may seem.***

A bill calling for abolition of the death penalty is being prepared for the 2000 Kentucky General Assembly. Once again, the General Assembly will have the opportunity to promote justice and demonstrate a needed leadership for all Southern states that so routinely execute persons on death row. Citizens in our state are disserved by a system that kills people to teach that killing is wrong. I ask you to support the abolition of the death penalty in the 2000 General Assembly and give closure to this dark and violent chapter in our state's history.

Thank you for your attention.

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