

# Pope Francis Correct about Inadmissibility of Death Penalty in “Context of the Gospel”

[New Era World News and Intelligence](#)

POPE FRANCIS IS BEING FALSELY ACCUSED once again. On [August 2, 2018](#), the pope announced a revision to the Catechism of the Catholic Church regarding the death penalty. Detractors are wrongly claiming that the pope declared the death penalty has ceased to be a valid moral option. Rather, many report, that Francis stated that the death penalty is “intrinsically evil” and anyone employing it NOW is involved in a sinful act. Life Site News, 1 Peter Five, the Lepanto Institute and other “Catholic News Agencies” continue to paint Pope Francis as a sinister or weak-minded pretender, an “Antipope” who confuses issues thereby introducing moral error and step-by-step leading the Church into apostasy. But do not worry they assure us, there is a “[Papal Posse](#)” (led by EWTN’s Raymond Arroyo, the self-appointed sheriff) out to round him up and bring him to trial before he can do any more damage.

The Church does not need supposed Catholic News Agencies to identify the pope’s theological errors because the pope is *not* guilty of any theological errors. In fact, if such news agencies continue *acting* as papal judges, they might risk bringing condemnation upon their own heads. They act as though they alone are capable of guiding the flock because they alone are able to “see.” **It would be better for them if they were blind. Then they would at least have a valid excuse, but they claim to see – therefore their guilt remains:**

*“Jesus said to them: If you were blind, you should not have*

*sin: but now you say: We see. (Therefore) Your sin remaineth”*  
*([John 9:41](#)).*

The Lord refers to such men as “blind guides” ([Matt 23:24](#)) and cautions his humble followers, those who hear His voice ([John 10:26-27](#)), to ignore false shepherds who are consciously or unconsciously doing the work of their father, the devil.

“My sheep hear my voice: and I know them, and they follow me. And I give them life everlasting; and they shall not perish” ([John 10: 27](#)).

*“Why do you not know my speech (Jesus asks)? Because you cannot hear my word. You are of your father the devil, and the desires of your father you will do. He was a murderer from the beginning, and he stood not in the truth; because truth is not in him. When he speaketh a lie, he speaketh of his own: for he is a liar, and the father thereof”* [John 8 42-47](#)).

Jesus speaks in ways that are impossible for false prophets to speak: He is an excuser ([Matt 26:28](#)), the devil is an accuser ([Rev 12:10](#)). The Pharisees followed and talked like the latter ([Mark 2: 15-16](#)). Therefore they failed to heed the Lord’s words, failed to grasp the centrality of Mercy ([Matt 9:10-13](#)) and then wrongly accused Jesus of teaching error ([John 10:33](#); [Matt 26:59-64](#)). Wise men should think twice before repeating pharisaical accusations against Christ or His Vicar, especially when they should know that Jesus taught Peter that he would be falsely accused, that his accusers would come from his own house, and that the false accusers would be condemned as blind guides. To the extent they are conscious of their malady, the more they are culpable. Nonetheless, in reality (conscious or unconscious) men who falsely cry wolf, as the pharisees did regarding Jesus ([Luke 11:16](#)) and as these men are regarding His vicar, men such as these will eventually be devoured by the wolves ([Matt 24-21](#)) along with those who have

had the great misfortune of listening to and believing them.

No, it is *not* the pope who is a wolf in sheep's clothing; it is not the pope who is introducing confusion by twisting texts, employing subtle vocabulary, introducing foreign teachings; it is not the pope who is stealthily misrepresenting the magisterium. NO, IT IS NOT THE POPE THAT EMPLOYS THESE METHODS BUT THE ANTI-PAPAL FAKE NEWS MEDIA THAT EMPLOYS THEM TO MISLEAD THEIR UNSUSPECTING "SHEEPLE." Those eager to trip the pope up either are unaware of, ignore, or overlook their own errors and then in the name of truth, zealously foist error on their readers, such as the errors introduced recently by [Life Site News](#), [One Peter Five](#), [Professor Robert de Mattei of Lepanto Institute](#) (cited by the [Remnant](#)) and [Dr. Edward Feser](#):

Life Site judges itself so completely competent that it even dares to call the pope a "heretic":

*"Pope Francis has shown himself to be openly heretical on a point of major importance, teaching a pure and simple novelty" ([Kwasniewski Aug 2, 2018](#)).*

The only question, according to sources such as these, is if Francis is a *formal* heretic (a heretic that is aware that what he is teaching is contrary to Catholic doctrine and yet remains pertinacious in his error despite rebuke) or only a *material* heretic:

*"Whether Francis is a formal heretic – and proves pertinacious in maintaining his position in spite of rebuke– is a matter to be adjudicated by the College of Cardinals" ([Kwasniewski Aug 2, 2018](#)).*

Either way, according to Kwasniewski and the editorial staff at Life Site that approved his blog, Pope Francis is a heretic that must be opposed:

*“No doubt exists, however, that orthodox bishops of the Catholic Church must oppose this doctrinal error and refuse to use the altered edition of the Catechism or any catechetical materials based on it.”*

Like the others, Dr. Edward Feser (whom [National Review](#) cited as “one of the best contemporary writers on philosophy) does not make necessary and proper distinctions and then proceeds to make egregious mistakes followed by false accusations:

[According to Dr. Feser.](#)

*“To say, as the pope does, that the death penalty conflicts with ‘the inviolability and dignity of the person’ insinuates that the practice is **intrinsically contrary to natural law**. And to say, as the pope does, that ‘the light of the Gospel’ rules out capital punishment insinuates that it is **intrinsically contrary to Christian morality**,*

If they took time to carefully analyze the news, and to properly understand the terms employed, the detractors might get it right. As it is, they consistently get it wrong – and with condemning arrogance. As such, they might be surprised to learn that Pope Francis, like his predecessors, **never stated that capital punishment is intrinsically evil nor has he contradicted his predecessors as they falsely claim**. The detractors seem more interested in fighting with a papal straw man (that they can easily knock down in front of an audience of indiscreet admirers) than they do with ascertaining the truth. If they actually possess the intellectual tools needed to critique a pope, they should be able to clarify what the pope actually said; something they consistently seem unable to do.

Gentlemen, the pope *never* said that the death penalty is “*intrinsically evil*”; please stop misrepresenting him.

## What Exactly did the Pope Say?

According to the [Prefect for the Congregation of the Doctrine of Faith](#), “The Supreme Pontiff Francis, in the audience granted on 11 May 2018 to the undersigned Prefect.. has approved the following new draft of no. 2267 of the Catechism of the Catholic Church, arranging for it to be translated into various languages and inserted in all the editions of the aforementioned Catechism.”

Regarding the Death Penalty, para 2267 of the New Catechism should be amended to read:

*Recourse to the death penalty on the part of legitimate authority, following a fair trial, was long considered an appropriate response to the gravity of certain crimes and an acceptable, albeit extreme, means of safeguarding the common good.*

*Today, however, there is an increasing awareness that the **dignity of the person** is not lost even after the commission of very serious crimes. In addition, a new understanding has emerged of the significance of penal sanctions imposed by the state. Lastly, more effective systems of detention have been developed, which ensure the due protection of citizens but, at the same time, do not definitively deprive the guilty of the possibility of redemption.*

*Consequently, 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”, [\[1\]](#) and she works with determination for its abolition worldwide” (Papal Rescript “[Ex Audienta SS.MI](#)).*

Flexing his intellectual muscle, Professor Robert de Mattei President of Lepanto Institute stated that, "The lawfulness of the death penalty is a truth *de fide tenenda* defined by the ordinary and universal Magisterium of the Church, in a constant and unequivocal manner." Then, after striking a side-chest pose, he implies that Pope Francis is a heretic:

*"Whoever affirms that capital punishment is in itself an evil, falls into heresy ([Remnant News](#))."*

To defend his damning claim, he quotes Pope Innocent III (Innocent III, DS 795/425):

*"The teaching of the Church was clearly expressed in a letter dated December 18, 1208, in which Innocent III condemned the Waldensian position with these words, reported by Denzinger:*

*'With regard to the secular power, we affirm that it can exercise a judgment of blood without mortal sin, provided that in carrying out the punishment it proceeds, not out of hatred, but judiciously, not in a precipitous manner, but with caution.'*" (*Enchiridion symbolorum, definitionum et declaratum de rebus fidei et morum*, edited by Peter Hünermann S.J., n. 795).

It is surprising that an esteemed doctor of philosophy could make such a sophomoric mistake, surprising that he could fail to note the fundamental distinction between the Natural Law and the Divine Law and the fact that Francis was not speaking to leaders of the state but to faithful Catholics. The Pope made it very clear that he was NOT speaking within the context of the Natural Law but within the context of Divine Law, (in the context of the GOSPEL). The Gospel is the GOOD NEWS of salvation, the GOOD NEWS of MERCY *not* of judgement. In the context of Gospel Love and Mercy, sinners are forgiven.

POPE INNOCENT WAS REFERRING TO [ROMANS 13](#) REGARDING THE “BLOODY SWORD” OF JUSTICE WIELDED BY THE EMPEROR. POPE FRANCIS IS SPEAKING OF THE GOSPEL SWORD OF MERCY, THE ONE THAT JESUS TOLD PETER TO “PUT AWAY” ([MATT 26:52](#)). They are two very different swords, two very different standards of dealing with sins and crimes.

Pope Innocent was clearly speaking about the authority of the state as derived from the Natural Law as is clear from the use of the words “judgement” and “blood”. Those however who fall under the Divine Law of Love are not judged, instead they plead for mercy and avoid judgment, avoid the bloody sword of justice and death:

*“For God so loved the world, as to give his only begotten Son; that whosoever believeth in him, may not perish, but may have life everlasting. **For God sent NOT his Son into the world, to judge the world, but that the world may be saved by him. He that believeth in him is NOT judged.** But he that doth not believe, is already judged: because he believeth not in the name of the only begotten Son of God([John 3: 16-18](#))*

Natural Law follows the dictates of natural reason culminating in human wisdom and acts of natural justice; Divine Law exceeds the dictates of human reason and is guided by the dictates of supernatural reason culminating in Divine Wisdom perfected by acts of Divine Love. The former is bequeathed by the gift of FAITH in Jesus the WORD of God and in His GOSPEL; the latter in the gift of the Holy Spirit conferred in Baptism and Confirmation. Wisdom (human or Divine) is an intellectual virtue that is *not* perfected until it reaches its end (unity of lover and beloved) in ACTS of Love.

*“For my thoughts (INTELLECT) are not your thoughts: nor your ways (ACTS) my ways, saith the Lord” ([Isaiah 55:8](#)).*

Dr. Feser, quoted above, makes a similar mistake. He stated

that Pope Francis “insinuates that the practice (the death penalty) is **intrinsically contrary to natural law.**” Obviously, the death penalty is NOT contrary to Natural Law (it is not even contrary to the Divine Old Law) but it is contrary to the Gospel of Mercy as Pope Francis correctly teaches. Feser is simply fighting a “straw man” of his own making!

Next, he fails to recognize that **the Gospel does in deed rule out the death penalty:**

*“To say, as the pope does, that ‘the light of the Gospel’ rules out capital punishment insinuates that it is intrinsically contrary to Christian morality,”*

Mr. Feser, Christian morality is rooted in the GOSPEL. Natural morality though it leads to Christian morality is *not* the same thing. It is the morality discovered by unaided natural reason known even to the PAGANS (Aristotle) – it is not specifically Christian. It might be proto-Christian, but it is NOT Christian per-se, in itself, that is substantially. It is merely a human standard, not the Divine standard rooted in Love ([1 John 4: 7-8](#)).

At least Mr. Feser is a reputable philosopher, Life Site consists mainly of untrained laymen most of whom are not even competent to be in the discussion. Thus, [Life Site reported](#) that this amendment of the Catechism is “bold” and “reckless” move and that Francis’ pontificate is “out of control.”

*“In the boldest and most reckless move to date in a pontificate that was already out of control and sowing confusion on a massive scale, the Vatican has announced Pope Francis’s substitution, in the Catechism of the Catholic Church, of a new doctrine on capital punishment.”*

It should be clear who is “reckless” and “out of control.” Francis has not altered the fact that under the Natural Law,



the state retains the intrinsic power and authority to impose the death penalty. As Vicar of Christ, however, he is pointing them to the Gospel and asking, that *in its context*, heads of state show mercy by not admitting the death penalty into their tribunals. If they fail to do so, judges and heads of state can still impose the death penalty without incurring moral guilt, if they do so correctly; that is, within the confines of natural justice as was always the case. However, by continuing the practice of imposing the death penalty, heads of state are reducing their judgements to the lower moral standard of natural justice. The pope is appealing for them to raise their hearts and eyes to the realities of the higher GOSPEL STANDARD of Divine Mercy, which is at the heart of his pontificate.

In short, the pope is *not* a schoolboy to be spanked by a group of neophyte philosophers. Francis is a well seasoned priest, a man who both knows the principles and has the experience necessary to apply them correctly in widely varying circumstances and in an environment such as the present one, an especial time of supernatural grace in which the King of Kings has pronounced His desire for an Hour of Mercy, an Hour of Mercy before the dread hour of vindictive justice from which no man can escape. [Just about everything that Francis speaks of must be interpreted within the context of Mercy.](#)

***“Today I am sending you with My mercy to the people of the whole world. I do not want to punish aching mankind, but I desire to heal it, pressing it to My merciful Heart. I use punishment when they themselves force me to do so; My hand is reluctant to take hold of the sword of justice. Before the Day of Justice, I am sending the Day of Mercy. ... I am prolonging the time of mercy for the sake of [sinners].”*** (Jesus’ message to Saint Faustina; Diary, 1588 and 1160).

Because he is presenting the death penalty in the context of

mercy, he is easily misunderstood by those who fail to recognize the context. Thus, **Pope Francis never stated that the death penalty is “intrinsically evil”** nor did he ever say that it is morally ILLICIT. What Pope Francis did say is that the death penalty is “INADMISSIBLE.” **When something is inadmissible it implies that it can also at times be admissible.** Inadmissible is a *procedural* not a *substantive* term – inadmissible is a legal term dealing with procedures that govern evidence, trial protocol, and sentencing *etcetera*. That is, it has to do with correct procedures employed in a criminal or civil case *not* with the substantive moral facts of the case. According to [Black’s Law Dictionary](#), inadmissible refers to:

*“That which, under the established rules of law, cannot be admitted or received: e. g., parol evidence to contradict a written contract.”*

When the pope teaches that the death penalty is *inadmissible*, a reasonable person might be expected to ask: Where or when is it inadmissible. The answer: In the Tribunal of Mercy (or in an Ecclesial Court – the death penalty has always been inadmissible in Ecclesial Courts). **The death penalty is certainly admissible in a Tribunal of Justice** (a secular Criminal Court or the Court of the Eternal Judge) in which a person can be found guilty by a temporal judge and sentenced to death. or by the Eternal Judge and sentenced to hell, to what eschatological literature refers to as the “Second DEATH” ([Rev. 20: 13-15](#)). However, **the Second Death is not possible for any person judged in the Tribunal of Mercy.** Such people will never taste death again! When a person refuses to avail himself of God’s Mercy, he places himself outside the Tribunal of Mercy and is handed over to death which is OUTSIDE the Kingdom of Heaven – Death is not admissible in Heaven.

*“Then shall the king say to them that shall be on his right*

*hand: Come, ye blessed of my Father, possess you the kingdom prepared for you from the foundation of the world. For I was hungry, and you gave me to eat; I was thirsty, and you gave me to drink; I was a stranger, and you took me in: Naked, and you covered me: sick, and you visited me: I was in prison, and you came to me... Then he shall say to them also that shall be on his left hand: **Depart from me, you cursed, into everlasting fire which was prepared for the devil and his angels**" ([Matt 25:34-41](#)).*

Instead of saying they were sorry, those sentenced to the Second Death in the above scripture, complained of their innocence. Thus, instead of mercy and eternal life, they received justice and eternal death, the death penalty. Had they availed themselves of mercy they would have known life because the death penalty is inadmissible in the Tribunal of Mercy!

**Detractors, please be very careful, those who clamor for the sword of justice, risk having the death penalty imposed upon themselves:**

*"JUDGE not, that you may not be judged, For with what judgment you judge, you shall be judged: and with what measure you mete, it shall be measured to you again" ([Matt 7:1-2](#))*

The only reason people are sentenced to the "Second Death" is their radical refusal to ask for forgiveness, the radical refusal to say, "sorry." If they did so, they would find themselves forgiven and inheritors of eternal life. The Lord, Himself, does NOT ADMIT the death penalty into His Tribunal of Mercy – the death penalty is INADMISSIBLE!

Pope Francis is pleading with modern men and women to save their brothers and sisters from the Second Death and showing them how to avoid it themselves. This is something

that the Mother of God also taught at [Fatima](#). She showed [Jacinta, Francisco and Lucia](#) a momentary vision of hell to inspire them to save souls from being sentenced to its endless caverns.

*“You have seen hell where the souls of poor sinners go. [To save them](#), God wishes to establish in this world devotion to my Immaculate Heart.”*

The death penalty is clearly “*inadmissible*” in a Tribunal of Mercy as Pope Francis correctly teaches. However, the death penalty is not “*intrinsically evil*”, nor did Pope Francis ever say that it is. The death penalty can surely be imposed in a Tribunal of Justice, which is exactly what those risk who clamor that sinners be subjected to justice and who falsely accuse the pope of being a wolf by misrepresenting his words.

It would be better for them to humbly admit their ignorance:

*“Jesus said to them: If you were blind, you should not have sin: but now you say: We see. (Therefore) Your sin remaineth”* ([John 9:41](#)).