

Catholic Social Thought and Criminal Justice

By Fr. Fred Kammer, S.J.

The common good is undermined by both “criminal behavior that threatens the lives and dignity of others and by policies that seem to give up on those who have broken the law.”

- *Responsibility, Rehabilitation, and Restoration:
A Catholic Perspective on Crime and Punishment*

Consideration of prison construction, imprisonment practices, and imprisonment of immigrants should begin with principles drawn from Catholic Social Teaching (CST). The most comprehensive authoritative U.S. treatment of these themes was the 2000 statement by the U.S. bishops titled *Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Punishment*.¹ The most applicable principles drawn from CST are human dignity and the common good.



The **common good** is undermined by both “criminal behavior that threatens the lives and dignity of others and by policies that seem to give up on those who have broken the law.”

Human dignity focuses the morally concerned person on the victim of crime and the offender, but also on those involved in various roles within the criminal justice process. The bishops call for strong support to make the justice system more responsive to the concerns of victims who too often are neglected in the process or their anger and pain is exploited to support punitive policies. Attention must be paid to their needs of healing and compassion, inclusion in the proceedings against their offenders, and the help of the faith community in recovering their dignity as they search for genuine justice. The bishops urge the widespread adoption of “innovative programs of restorative justice that provide the opportunity for mediation between victims and offenders and offer restitution for crimes committed.”

Offenders, too, retain their human dignity no matter what. Their rights must be respected and defended in the justice process. In the penal system, this means conditions that comport with human dignity including food, clothing, shelter, personal safety, timely medical care, opportunity for religious worship, education, and meaningful work adequate to the conditions of human dignity.



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REFLECTION: CST

Too often our prison systems have abandoned the traditional corrections goal of rehabilitation. Prisons have been moved to distant rural locations that prevent family support and visits with inmates and undermine relationships with prisoners' families and children.

In response, the bishops cite the *Catechism of the Catholic Church* and its teaching that civil punishment for crimes must serve three principal purposes:

- (1) the preservation and protection of the common good of society,
- (2) the restoration of public order, and
- (3) the restoration or conversion of the offender.

To these they add the importance of redress, the repair of the harm done to the victims and society, which often is neglected in current justice systems.

In keeping with human dignity, the bishops urge drug treatment in communities and in jails and prisons, an end to “three strikes and you’re out” policies and rigid minimum sentences, efforts to address racism in society and in the system, the importance of strong family life, community-based prevention and responses to crime, challenging a culture of violence, and insisting on the rehabilitative purposes of incarceration that encourage and reward efforts to change behaviors and attitudes and promote needed education and employment and life-skills. Society’s resources should move away from more and more imprisonment and toward prevention, addiction and mental health treatment, parole, and probation programs. We must insist upon a vision of social justice and the common good that undergirds the possibility of a fair criminal justice system.



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ENDNOTES

- 1 U.S. Catholic Bishops, *Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Punishment*, in *Origins*, Vol. 30: No. 25, November 30, 2000.



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Photo credit: Jonathan Ernst/RNS via Reuters

*“I am here as a pastor but,
above all, as a brother,
to share your situation
and to make it my own.
All of us have something
we need to be cleansed of,
or purified from ...*

I am first among them.

~ Pope Francis, at the Curran-Fromhold
Correctional Facility in Philadelphia,
September 27, 2015

REFLECTION QUESTIONS

1. Fr. Kammer discusses human dignity and how we must use this value as a touchstone when evaluating our current system of criminal justice. Have you seen or read about cases where the human dignity of the victims of a crime was not upheld in the justice process? Have you seen or read about cases where the human dignity of the accused was not upheld? What are images of victims and of criminals that are common in the media, the News, on TV, and in films? What are the societal roots of how we view both victims and “criminals?”

2. In his recent address at a Philadelphia prison, Pope Francis said: “It is painful when we see prison systems which are not concerned to care for wounds, to soothe pain, to offer new possibilities.” He goes on to talk about the importance of rehabilitation for those who have broken laws and acted in destructive ways, saying that rehabilitation will benefit the entire community. What values are the roots of the Pope’s statement? Why is it a challenge to promote rehabilitation rather than punitive experiences? What values underlie a punitive perspective for those convicted of crimes? What benefits is the Pope possibly thinking of when he declares that rehabilitation of prisoners will contribute to the common good?

3. Fr. Kammer refers to the U.S. Bishops’ document on a Catholic perspective on crime and punishment; this document calls us to look at the root causes of criminal behavior. What are some of the causes Fr. Kammer mentions? Have you seen evidence of these in our society? Why do the Bishops call us to examine these? What are some of the ways these can be addressed so we can help people live constructive lives, reduce criminal behavior, and build the common good?



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PRAYER

As our father, Francis, declared, help us share the pain of all members of society, especially those who have been the victims of crime, and also those who have committed crimes.

Pope Francis has asked us to remember “Jesus seeks us all out, he wants to heal our wounds, to wash us clean.”

We pray to have the faith of Francis, the faith that seeks to help all resume their journeys, to recover hope, to restore their lives no matter what has happened.

We pray that we may be part of the healing of this society through our work to address the conditions that contribute to destructive behavior and through our support of justice that restores the common good.

FAITH IN ACTION

1. In an existing group, or in a small group you call together, read the U.S. Bishops’ document *Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Punishment* at www.usccb.org as well as Pope Francis’ address to prisoners in Philadelphia (<http://ti.me/i1DaVgs>). Share the insights from your reading and your group discussions with others. Follow and support the Bishops’ recommendations for transforming the U.S. criminal justice system.

2. Find out if there are organizations in your area that work with victims of crimes (see the directory at <http://victimsofcrime.org/help-for-crime-victims>), and organizations such as Hour Children, started by Sr. Tesa Fitzgerald, CSJ, to help mothers in prison retain bonds with their children and by helping mothers released from prison re-unite with their children, learn parenting skills, get job training, and find adequate housing (www.hourchildren.org) Learn how you can support such organizations.

