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IN BRIEF

Quote of the Week

"The Triduum is a great opportunity to show our love and gratitude for all that Jesus has done for us."

— Edward Sri, page B6 story

St. Teresa's 500th Birthday

The saint from Avila has much to teach modern Catholics about faith and prayer. In Depth, page 7; Travel, History & Saints, page B5

Observing Holy Week

How to prepare well for Easter. Culture of Life, pages B6 and B8

Feeling Unborn's Agony

11th State Passes Pain-Capable Legislation

BY BRIAN FRAGA
REGISTER CORRESPONDENT

CHARLESTON, W.Va. — West Virginia legislation to shield unborn children from abortion after 20 weeks of pregnancy will become law after overcoming a governor's veto.

On March 6, the Mountain State became the 11th state in the country to enact the Pain-Capable Unborn Child Protection Act, which prohibits abortion after 20 weeks on the basis that unborn children can feel pain by that point in their development.

"If you can't kill them when they reach the point of feeling pain, obviously it protects their lives, so we think that impact is a positive development, and the ultimate goal of the pro-life movement is to save the life of the unborn child," said Mary Spaulding Balch, the director of state legislation for the National Right to Life Committee.

The West Virginia law is based on the National Right to Life's model bill that is now in effect in eight states: Alabama, Arkansas, Kansas, Louisiana, Nebraska, North Dakota, Oklahoma and Texas.

Similar laws that passed in Georgia and Idaho are currently being challenged in court. West Virginia's law is set to take effect in mid-June, or 90 days after both chambers of the state Legislature overrode Democratic Gov. Earl Ray Tomblin's veto.

Citing concerns over the law's
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Supreme Court Prepares to Consider Death Penalty

Meanwhile, States Address Lethal-Injection Problems

BY BRIAN FRAGA
REGISTER CORRESPONDENT

WASHINGTON — Legal scholars and anti-death-penalty advocates are speculating about the possible impact the U.S. Supreme Court could have when it hears arguments next month on the constitutionality of Oklahoma's controversial three-drug protocol for carrying out executions by lethal injection.

Florida has already stayed the scheduled execution of a convicted murderer until the Supreme Court's ruling, which is expected sometime this summer. Some states, including Pennsylvania and Oregon, have moratoriums in place while they review their respective death-penalty protocols.

Meanwhile in Virginia, the state Catholic conference and allies in late February helped defeat a bill, supported by Gov. Terry McAuliffe, which would have shrouded almost everything about state-sponsored executions in secrecy. If passed, S.B. 1393 would have made it virtually impossible for the public to know what pharmacies provide drugs for lethal injections or even what drugs are used to execute inmates.

Virginia correctional officials argued the bill was necessary because manufacturers would be less willing to provide drugs for lethal injections if they are liable to public scrutiny. But Jeffrey Caruso, executive director



ALTERNATIVE URGED.

The new lethal-injection facility at San Quentin State Prison in San Quentin, Calif., is shown above. 2010 AP photo/Eric Risberg Protesters against the death penalty demonstrate in front of the Florida State Prison near Starke in November 2013. 2013 AP photo/Phil Sandlin

of the Virginia Catholic Conference, told the Register that the public has a right to information on state-sponsored executions.

"Especially in light of these botched executions that have happened in other states," Caruso said.

Death by lethal injection is viewed as being more problematic than ever, largely because many pharmaceutical companies in recent years have stopped producing or selling drugs that were traditionally used to carry out executions. As a result, states have been

scrambling for other sources, including compound pharmacies not regulated by the federal government.

The use of compound pharmacies raises concerns about the quality of drugs used in executions and whether those drugs are responsible for inflicting excruciating pain on condemned inmates. But scrutinizing those pharmacies and their products is often difficult because several states — including Arizona, Georgia, Missouri and Oklahoma — have

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Cardinal Edward Egan: A Lifetime of Noble Service to the Church

BY JOAN FRAWLEY DESMOND
SENIOR EDITOR

WASHINGTON — Cardinal Edward Egan, the archbishop emeritus of New York who balanced the books and strengthened Catholic schools, but avoided the spotlight, died on March 5. He was 82.

"When Pope St. John Paul II would remark, as he often did, that 'Love for Jesus and his Church must be the passion of your lives,' no one would smile more broadly, nod more vigorously and applaud more exuberantly than Edward Egan," said Cardinal Timothy Dolan of New York during his homily at the March 10 funeral Mass at St. Patrick's Cathedral in New York. In attendance were 34 bishops and six cardinals.

"He loved Jesus Christ, who, 'by dying,



destroyed our death, and by rising, restored our life!' And he loved the Church!" After the Archdiocese of New York confirmed that Cardinal Egan had died following cardiac arrest, Church leaders expressed sadness at his death. But they also celebrated his remarkable legacy in New York, as well as his previous service as the bishop of Bridgeport, Conn., and in Rome, as a leading canon lawyer and judge on the Roman Rota and the Apostolic Signatura who worked closely with Pope St. John Paul II on the revision of the Code of Canon Law.

"I offer heartfelt condolences to you and to the faithful of the archdiocese," wrote Pope Francis in a telegram to Cardinal Dolan.

"I join you in commending the late cardinal's noble soul to God, the Father of mercies,

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Saving Lives With Baby Boxes

Indiana Considers Expanding Newborn Safe Havens

BY LORI HADACEK CHAPLIN
REGISTER CORRESPONDENT

INDIANAPOLIS — With the recent theater showing of *The Drop Box* documentary — a story depicting a South-Korean pastor who fashioned a baby "mailbox" into the side of his home to save the lives of abandoned infants — "baby boxes" have been in the news.



SAVING BABIES. A prototype of a baby box, where parents could surrender their newborns anonymously, is shown outside the fire station in Woodburn, Ind., Feb. 26. AP photo/Michael Conroy

Provisionally, Indiana is currently trying to pass a bill (H.B. 1016), authored by Republican state Rep. Casey Cox, that will make it possible to have a version of baby boxes (referred to as "newborn safety incubators" in the bill) voluntarily placed in locations such as fire and police stations, hospitals and EMS providers, or nonprofits that have been in existence for 10 years or more and whose purpose includes child welfare or domestic-violence prevention.

The bill passed unanimously (94 to 0) in the state House recently, and in the coming weeks, it will go before the Indiana Senate.

"I raised this as an issue saying,
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First Woman To Lead Catholic Charities

IN PERSON

ALEXANDRIA, Va. — Catholic Charities USA (CCUSA), the national office for Catholic Charities agencies across the country, will soon welcome a new president, Adrian Dominican Sister Donna Markham.

Sister Donna presently serves as the president of the Behavioral Health Institute for Mercy Health. A board-certified clinical psychologist with critical experience in the delivery of mental-health services to the poor, Sister Donna will be the first woman to serve as the president of Catholic Charities USA, and her appointment sparked headlines when it was announced in January.

When she takes up her new role in June, she will engage U.S. lawmakers, influence legislation and provide guidance to diocesan Catholic Charities.

"We looked in the corporate world, academics, nonprofits and within and outside the Church," Sister Linda Yankoski, chair of CCUSA's board of trustees and president and CEO of the Holy Family Institute, told the Register.

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Lethal

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passed laws to conceal the drugs and the manufacturers that supply them.

No Consistency

The death-penalty landscape in the United States is in such flux that lethal-injection protocols differ not only from state to state, but even from one execution to another in the same state, said Deborah Denno, a law professor at Fordham University who has studied and written on the death penalty.

“The states have been changing execution methods continuously,” Denno said. “What we saw in Virginia is regrettable, that this continues to happen, but in some ways, it doesn’t surprise me. The protocols, the kind of drugs they are using, are so problematic that they wouldn’t be able to use them unless they were hidden in secrecy.”

Next month, the U.S. Supreme Court will review lethal injections in Oklahoma to determine if they violate the Constitution’s Eighth Amendment prohibition against cruel and unusual punishment. The case — *Glossip v. Gross* — will be the high court’s first examination of lethal injection since it upheld Kentucky’s protocols in 2008.

“It will be interesting to see what the court is going to do,” Denno said. “The court could make it a very narrow decision or they could make it broader. We’ll have to see how this plays out.”

At issue in Oklahoma is the

three-drug cocktail used in executions: midazolam, a sedative that renders the inmate unconscious, a second drug that paralyzes the body and a third that stops the heart. It is virtually the same procedure Oklahoma used last year to execute Clayton Lockett, a convicted murderer and rapist.

During his April 2014 execution, Lockett writhed in pain, clenched his teeth and strained to lift his head when he was injected with a previously unused combination of three drugs. Officials halted the execution after 20 minutes, but Lockett later died from a heart attack, according to published reports. Three months earlier, another Oklahoma man, Michael Lee Wilson, a convicted murderer, said he felt his “whole body burning” when he was executed by lethal injection.

U.S. Supreme Court

In January, the U.S. Supreme Court said it would consider the petition, which was filed by three inmates on Oklahoma’s death row. The decision followed the high court’s ruling to allow Oklahoma to execute Charles Frederick Warner, who was convicted of raping and murdering an 11-month-old girl. When the execution began, *The Associated Press* reported that Warner said, “My body is on fire.”

In a dissent to the high court’s ruling that allowed Warner’s execution, Justice Sonia Sotomayor conceded that the petitioners deserved punishment for having “committed horrific crimes.” However, Sotomayor wrote, “But the Eighth

Catechism on the Death Penalty



“Assuming that the guilty party’s identity and responsibility have been fully determined, the traditional teaching of the Church does not exclude recourse to the death penalty, if this is the only possible way of effectively defending human lives against the unjust aggressor.

If, however, non-lethal means are sufficient to defend and protect people’s safety from the aggressor, authority will limit itself to such means, as these are more in keeping with the concrete conditions of the common good and more in conformity to the dignity of the human person. Today, in fact, as a consequence of the possibilities which the state has for effectively preventing crime, by rendering one who has committed an offense incapable of doing harm — without definitely taking away from him the possibility of redeeming himself — the cases in which the execution of the offender is an absolute necessity ‘are very rare, if not practically nonexistent’ (2267).

Amendment guarantees that no one should be subjected to an execution that causes searing, unnecessary pain before death.”

Karen Clifton, executive director of the Catholic Mobilizing Network to End the Death Penalty, is hopeful about the Supreme Court’s decision to examine the constitutionality of Oklahoma’s three-drug lethal-injection cocktail. She quoted Sister Helen Prejean’s comment that there is “no humane way to kill a conscious, imaginative human being.”

“We are pleased [the Supreme Court] is willing to address this cruel and unusual punishment,” Clifton said, adding that “recent botched executions have unmasked the true horror of what happens when we seek to take a person’s life by using drugs that are not legal to euthanize animals in some states.”

Said Clifton, “We see this [Supreme Court] review as the opportunity to take another step forward on the road to upholding the sanctity of all life and ending

executions in our country.”

The Catechism of the Catholic Church states that, although the Church’s traditional teaching does not exclude recourse to the death penalty when necessary to protect society, in modern nations, “as a consequence of the possibilities which the state has for effectively preventing crime, by rendering one who has committed an offense incapable of doing harm — without definitely taking away from him the possibility of redeeming himself — the cases in which the execution of the offender is an absolute necessity ‘are very rare, if not practically nonexistent’” (2267).

Other States

Because Florida’s lethal-injection protocol is “virtually identical” to Oklahoma’s, the Florida Supreme Court in mid-February stayed the scheduled execution of Jerry William Correll, who is convicted of murdering his wife, their 5-year-old daughter and two in-laws. Caruso, from the Virginia Catholic Confer-

ence, said his state’s protocol is the same as Florida’s.

“To the extent that a lot of states are using the same or similar protocols, what the [Supreme Court] decides could have implications well beyond Oklahoma and could probably even rewrite the rules on what appropriate lethal-injection protocols are,” Caruso said.

Courts in several states are already examining the issue. In late February, the Arkansas Supreme Court heard arguments on whether a 2013 law grants the state Department of Corrections too much authority in setting lethal-injection protocol.

In Georgia, state correctional officials postponed two executions after a lethal-injection drug batch appeared to be “cloudy” just hours before one execution was scheduled to be carried out. The Georgia Department of Corrections said it delayed the executions out of an “abundance of caution” while officials analyzed the drug supply.

“There has to be some credit to the fact that they said there was a problem,” Denno said. “But if you think about it, they didn’t have to do that, and nobody would have known. In the past, they might have used the drugs anyway, but I think the specter of what we saw in Oklahoma makes it so that people are concerned that it would lead to a botched execution and considerable negative attention. I think that is what the motivation was in Georgia.”

Legislative Initiatives

Motivated by bad publicity or not, other states are considering

legislation to reform or even abolish the death penalty. A bill to eliminate capital punishment passed the Arkansas Senate Judiciary Committee by a voice vote. A similar bill in Montana was approved by a House committee, but failed on a tied vote before the full House of Representatives. Legislation to repeal the death penalty has been introduced this year in the Nebraska Legislature.

Meanwhile, other states are considering alternative means to execute prisoners. Bills to bring back firing squads have been introduced in Utah and Wyoming; Utah voted March 11 to resume its practice of execution by firing squad if lethal-injection drugs cannot be obtained. Last year, Tennessee passed a law that makes the electric chair a backup method of execution.

The Virginia General Assembly last year debated a bill that would have made the electric chair the default method of executing prisoners. That bill failed, said Caruso, adding that Virginia state law currently allows condemned inmates to choose between lethal injection and the electric chair.

“We’ve had two so-called solutions in consecutive years to make sure that executions proceed,” Caruso said. “What I’m hoping is that after the failure of both of these bills we can shift the conversation and really look more broadly at what some of the problems are in our death-penalty system.”

Said Caruso, “I hope we can change the conversation.”

Brian Fraga writes from Fall River, Massachusetts.

Baby Boxes

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Let’s look at this existing safe-haven law and see if there are ways that we can come alongside it to support it and to make sure we are doing everything we can to provide solutions to a completely avoidable tragedy,” Cox told the Register.

Currently, every state as well as the District of Columbia has safe-haven laws in place. Indiana’s safe-haven law allows a parent or another responsible adult to hand over an unwanted baby — no more than 30 days old — to a designated safe-haven location without risk of arrest or prosecution. (Visit NationalSafeHavenAlliance.org for a map of state safe-haven laws.)

These baby incubators are not new. Equipped with a weight sensor and temperature and oxygen controls, they are high-tech versions of the “foundling wheel”: In the 12th century, Pope Innocent III, concerned by the large number of infants dumped in the Tiber River, had foundling wheels put into the exterior walls of monasteries to save the lives of unwanted children. Now, such boxes can be found around the

globe, including Europe and Asia.

Monica Kelsey, who founded a nonprofit called Safe Haven Baby Boxes, is one of the driving forces behind the bill. She’s the individual who initially brought the baby boxes to the attention of Cox.

“When you look at statistics for Indiana, 13 babies have been safely relinquished under the safe-haven law since it was enacted 15 years ago. The law is working,” Kelsey told the Register. “However, there were still 33 babies abandoned illegally in our state, and we believe that the baby box is going to help save future babies.”

Boxes Increase Anonymity

Cathie Humbarger, vice president of Indiana Right to Life, also sees a need for baby boxes in her state because, of those 33 illegally abandoned babies, 13 died: “This provision is needed to increase anonymity and so decrease the number of times newborn babies are abandoned in life-threatening circumstances. We have no idea how many more were abandoned and not found.”

Numbered among the dead is a baby boy who froze to death in a snowbank outside of an Indianapolis emergency room, a safe-haven

location, in 2002.

“These women are trying to implement the safe-haven law, but they can’t make the final step of placing their child in someone else’s arms. They feel shame. This box is merely taking that out of the mix,” said Kelsey, who is a firefighter and paramedic.

Boxes’ Backstory

Abandonment is a personal issue for Monica Kelsey. In 1972, her 17-year-old biological mother was brutally raped. Her attacker left her alongside the road to die. Six weeks later, her mother discovered that she was pregnant. She attempted to have an illegal abortion, but fortunately was not able to go through with it and went into seclusion to bring her pregnancy to term. Two hours after delivering Kelsey, she abandoned her at a hospital. Many years later, Kelsey connected with her mother, Sandy, and learned of her life-changing history.

Then, in 2013, Kelsey was in Cape Town, South Africa, for a speaking engagement at a church that happened to have a baby box. Kelsey was intrigued enough to find out more information about the box, and she even took measure-

ments: “I came back to Indiana, and I could not get the thought of the baby box off my mind.”

But not everyone is pleased with the baby-box idea, including the United Nations.

“The United Nations came out a few years ago in response to a growing number of newborn safety incubators in Europe. They said they didn’t like the incubator system because every child should know his or her ancestry,” explained Cox, who has two young children. “My response to that is that in an ideal world we certainly want children to know and be raised by their biological mom and dad. Unfortunately, we don’t live in an ideal world. Let’s save the life of the child, who then can be adopted. If you don’t do that, then there’s no point in knowing where you came from.”

Critics of the newborn safety incubators are also concerned that this will make it easier for parents to abandon their children, and they worry that the mothers who abandon their infants in the baby boxes won’t get the medical attention they may need.

“Many of the criticisms about the incubators would apply equally to the existing safe-haven laws,”

Cox said. “At the end of the day, we have to make sure we are doing everything we can to save those children and to value their lives.”

Yet other baby safe-haven advocates oppose the current bill and have questioned whether Indiana lawmakers have done enough research into the best ways to combat and stop newborn abandonment.

“The Indiana safe-haven law has never had an awareness program aimed at young women,” said Mike and Jean Morrisey of Baby Safe Haven New England in an email to the Register. “Indiana should follow states with the proven best programs at stopping newborn abandonments.”

‘Another Way to Save Lives’

However, Humbarger contends, “In a perfect world, there would be no desperate mothers who are convinced the only way out of their crisis is to ‘get rid’ of their children. This [the baby box] is a much more responsible act by the mother than abandoning the newborn in a dumpster.”

The boxes from Safe Haven Baby Boxes will be equipped with an 800 number. That number will also be on all of the organization’s

literature, which will be placed in state schools and colleges.

“We want girls to call this number because we are going to offer them alternatives to this box. We want to offer them a parenting or adoption plan,” said Kelsey. “If that girl still wants to abandon her baby, we’ll try to persuade her to walk into a fire or police station or a hospital and to get medical care. We don’t want her to place her child in this box, but what we certainly don’t want is for her to not have a final leg to stand on.”

Indiana’s bill is not only bringing attention to this new concept, it’s shining a spotlight on the existing safe-haven laws and making people more aware of them, according to advocates.

“It has provided us with a vehicle to talk about standardizing signage for fire stations and hospitals. It has already started a conversation in Indiana about whether we are doing enough for our existing law,” said Cox.

“The baby incubator is not intended to supplant that. It’s to target the 33 illegal abandonments that we know about and provide another way to save lives.”

Lori Hadacek Chaplin writes from Idaho.

Unborn

CONTINUING PAGE ONE STORY

constitutionality, Tomblin vetoed the bill on March 3. Tomblin said he had urged state lawmakers to consider a compromise bill that could pass constitutional muster. He vetoed a similar bill last year, also on constitutional grounds.

But on March 6, the West Virginia Senate voted 27-5 to override the veto, two days after the state House of Delegates did the same, with a 77-16 vote.

The legislation had been supported by local pro-life groups and by Bishop Michael Bransfield of Wheeling-Charleston, who thanked pro-life advocates for their hard-fought campaign after the House of Delegates originally passed the bill on Feb. 11.

“West Virginians can be proud of their legislative representatives for the hard work they put into the effort to protect unborn children from the terrible pain of abortion. They truly represented the pro-life values of the state,” said John Carey, legislative coordinator for West Virginians for Life.

Research Debate

West Virginians for Life’s president, Wanda Franz, said in prepared remarks that the bill, H.B. 2568, “reflects the most current medical research, which clearly demonstrates that human beings feel pain beginning at least by 20 weeks’ gestation.”

Said Franz, “West Virginians will now be protected from pain and abuse from the beginning of the time that they are capable of suffering from pain.”

First enacted by Nebraska in 2010, the Pain-Capable Unborn Child Protection Act — the National Right to Life’s Department of State Legislation drafted the model bill — is based on what National Right to Life says is “substantial medical evidence” that unborn children can feel pain by 20 weeks after fertilization.

The abortion lobby disputes the bill’s premise. Some medical studies suggest that unborn children do not develop the sensory system to feel pain until 30 weeks into gestation. A 2005 survey in *The Journal of the American Medical Association* argued that fetal perception of pain is “unlikely” before the third trimester.

However, several medical professionals have testified before state legislative committees that unborn children can feel pain at 20 weeks or earlier. Dr. Jean Wright, former professor and chair of pediatrics at Mercer School of Medicine in Macon, Ga., told a congressional subcommittee in 2005 that by 20 weeks “all the essential components of anatomy, physiology and neurobiology exist to transmit painful sensations from the skin to the spinal cord and to the brain” in the unborn.

Balch told the Register that the Pain-Capable Unborn Child Protection Act “brings the unborn baby back into the abortion debate.”

“This legislation allows people to see the ultimate victim of abortion: the pain-capable child,” Balch said. “We think the educational value of getting the unborn child discussed in the abortion debate will ultimately educate

people in today’s age who, when we’re talking about abortion, often forget the unborn child.”

National Support

A Quinnipiac University poll in November found that 60% of Americans support banning abortion after 20 weeks. Sensing an opportunity, pro-life advocates and lawmakers in several states are pushing pain-capable legislation.

Ohio state lawmakers introduced a bill on March 11 to ban abortion after 20 weeks. A few days earlier, the New Mexico House of Representatives approved a pain-capable bill and sent it to the state Senate. Meanwhile, Wisconsin Gov. Scott Walker, in a March 3 “Open Letter on Life,” said pain-capable legislation is likely to reach his desk in the current legislative session.

“I will sign that bill when it gets to my desk and support similar legislation on the federal level,” Walker said.

The Republican-controlled U.S. House of Representatives scheduled a vote on a federal version of the Pain-Capable Unborn Child Protection Act for Jan. 22, which would have coincided with the annual March for Life and the anniversary of *Roe v. Wade*, the U.S. Supreme Court’s 1973 landmark ruling that legalized abortion. However, GOP leaders pulled the bill after several members of their caucus raised concerns that the bill’s exemptions for rape and incest victims did not go far enough.

The House leadership’s decision angered many pro-life activists, including Jill Stanek, who said she would join the Christian Defense Coalition to stage a sit-in protest outside of House Speaker John

Boehner’s office on March 25.

Meanwhile, whether the legislation is constitutional remains to be seen. The U.S. Supreme Court’s precedents do not allow states to ban abortions before the point of fetal viability, which is about 24 weeks. Last year, the Supreme Court let stand a lower court decision that declared unconstitutional an Arizona law that banned abortions 18 weeks after fertilization.

The pain-capable laws in Geor-

gia and Idaho are enjoined (prevented from taking effect) pending litigation, said Balch, who has been working on pro-life legislation at the state level for more than 25 years.

Grassroots Activism

Balch said abortion is arguably the most controversial issue on the political agenda, one that most lawmakers would rather ignore.

“We always start out behind the

eight ball. It’s never a given that a pro-life bill is going to get a welcome reception, so we start out on a difficult climb,” Balch said, adding that grassroots support is critical.

“If not for the grassroots [activists], pro-life legislation would never get off the ground,” she said. “It’s something the pro-life movement needs in order to have success protecting unborn children.”

Brian Fraga writes from Fall River, Massachusetts.

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Supreme Court Upholds Drug Cocktail for Death-Row Inmates

BY PETER JESSERER SMITH
WASHINGTON CORRESPONDENT

WASHINGTON — Lethal injection narrowly missed becoming de facto unconstitutional after the U.S. Supreme Court upheld states' use of a drug involved in several botched executions, saying it did not meet the threshold of "cruel and unusual punishment."

In a 5-4 decision released June 29, the high court ruled against a group of death-row inmates who had challenged the state of Oklahoma's use of the experimental sedative midazolam as inadequate for guaranteeing a painless execution. The inmates alleged this was a violation of the Eighth Amendment to the U.S. Constitution.

The majority opinion, written by Justice Samuel Alito, and joined by Justices Anthony Kennedy, Antonin Scalia and Clarence Thomas and Chief Justice John Roberts, said, "It is settled that capital punishment is constitutional," and therefore it "necessarily follows that there must be a [constitutional] means of carrying it out." "Holding that the Eighth Amendment demands the elimination of essentially all risk of pain would effectively outlaw the death penalty altogether," it added.

Midazolam is the first drug in the three-drug lethal injection protocol for Oklahoma (and four other states). The drug is an experimental replacement for sodium thiopental and pentobarbital, powerful barbiturates the state was no longer able to acquire after anti-death-penalty activists succeeded in pressuring each drug's manufacturer to stop producing them. Midazolam is meant to suppress any pain from the administration of the following two drugs: pancuronium bromide, which induces paralysis, and potassium chloride, which stops the heart.

The inmates' attorneys in *Glossip v. Gross* argued that midazolam's



CAPITAL PUNISHMENT. Execution room in the San Quentin State Prison in California. Wikipedia/California Department of Corrections

effectiveness at eliminating pain was recently called into question by several unusually prolonged executions in Ohio, Arizona and Oklahoma, in which inmates appeared to suffer excruciating pain during their deaths. The case itself was filed in 2014, following Oklahoma's execution of Clayton Lockett, a convicted murderer and rapist.

Lockett writhed in agony before officials called a halt to his execution 20 minutes later. He subsequently died from a heart attack, but the episode led Archbishop Paul Coakley of Oklahoma City to call for a moratorium on the death penalty, saying Lockett's manner of death highlighted "the brutality of the death penalty."

Oklahoma state officials argued that swapping out sodium thiopental for the experimental midazolam — untried until fall 2013 — was consistent with the Supreme Court's 2008 precedent on lethal injection, which ruled the first drug used in any three-drug execution protocol must prevent inmates from experiencing intense pain.

The majority ruling said that "because some risk of pain is

inherent in any method of execution, we have held that the Constitution does not require the avoidance of all risk of pain." The court explained that the state of Oklahoma had made a "good-faith effort" to find stocks of sodium thiopental and ruled that the inmates arguing against the use of midazolam had "failed to establish that any risk of harm was substantial when compared to a known and available alternative method of execution."

But Justice Stephen Breyer, joined by Justice Ruth Bader Ginsburg, argued that the changes over the past 40 years show it is time to reopen the debate on the death penalty's constitutionality, saying it "now likely constitutes a legally prohibited 'cruel and unusual punishment[.]'"

A statement from Gov. Mary Fallin of Oklahoma applauded the Supreme Court's decision to allow midazolam's use in executions and announced that execution dates were to be set for Richard Glossip, John Marion Grant and Benjamin Robert Cole, the death-row inmates who brought the suit

against the state.

"The Constitution is clearly not intended to prohibit the death penalty by lethal injection or the use of the sedative midazolam," she said. "I appreciate the court's ruling, which upholds the letter and the spirit of the law as it is written."

However, Archbishop Coakley responded by condemning the death penalty in any form, saying its use "diminishes us all."

"Even as we seek justice for these grave wrongs and render compassion for those who have endured great loss, our faith impels us to call for the building up of a culture of life where every human life is valued," he said in a statement provided to the Register.

At the U.S. Conference of Catholic Bishops, Anthony Granado, policy adviser for the Office of Domestic Social Development, argued that capital punishment must end and that the court's decision did not contribute to "the building of a culture of life in our nation."

"The decision of the Supreme Court today upholding certain lethal-injection practices in Oklahoma is very disappointing," he said. "Pope Francis addressed debate about methods of execution in a letter he wrote in March, in which he stated, 'There is no humane form of killing another person.'"

"A continued cycle of violence diminishes all of us. When there are other ways to safeguard society, resorting to the death penalty displays a disregard for human life and dignity," Granado said.

The Catholic Mobilizing Network, which promotes restorative justice (rehabilitation of criminals through reconciliation with the victims and the community at large), also argues that the death penalty contravenes the Church's witness to the sanctity of human life and dignity.

Edward Peters, professor of

canon law at the Sacred Heart Major Seminary of the Archdiocese of Detroit, said that Catholic Tradition "recognizes the right of the state to impose capital punishment," as well as to substitute lesser penalties for the death penalty.

Peters said that Pope Francis "may be accurately understood to be calling for the complete abolition of the death penalty (and, it seems, for the abolition of life imprisonment as well). But, even assuming those are in fact Francis' views, he has not presented them in a way that suffices to change the Catholic Tradition accepting as morally licit the limited application of the death penalty."

"Francis' views must be taken into account by those who want to know Church teaching in this area, but, so far at least, neither he nor John Paul II has fundamentally changed Church teaching on this matter," Peters said.

The canonist added that, while contemporary discussion of the death penalty has focused on the need to defend the innocent from an aggressor, the death penalty also has a function of "punishment for past acts" affirmed in the Catechism of the Catholic Church. "The death penalty can be a way of trying, within the inevitable limits of human justice, to restore the social disorder introduced by certain especially grave crimes," he said.

But Archbishop Coakley has argued previously that the continued use of the death penalty in the modern world "threatens to erode completely our sense of the innate dignity of the human person and of the sanctity of human life from conception to natural death."

"When available, we should choose non-lethal ways to ensure justice and to protect society," he said. "I pray for the day that Oklahoma and other states will abolish capital punishment."

CNA contributed to this report.



Remembering Mother Teresa's Successor

Glowing tributes have been paid to Sister Nirmala Joshi, who died June 23 in Kolkata.

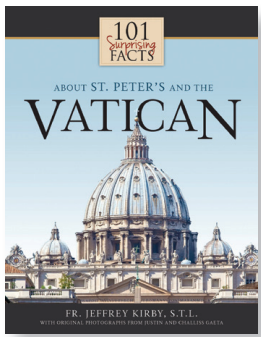
World, page 4



Synod Preparation

The Holy See released the working document for the October gathering.

Vatican, page 5



Basilica Book

A priest and newlyweds teamed up to combine facts and photos in a new read about St. Peter's in Rome.

Books, page 11

MAKING GAY OKAY

How Rationalizing Homosexual Behavior is Changing Everything

"If you read only one book on homosexuality, natural law theory, and the radical changes within our culture, let it be this one!"

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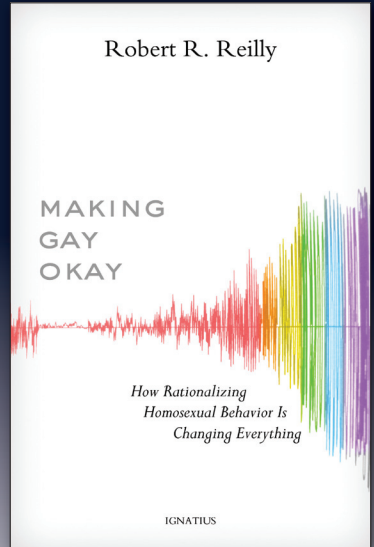
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Why are Americans being forced to consider homosexual acts as morally acceptable? Why has the US Supreme Court accepted the validity of same-sex "marriage", which was unheard of in the history of Western civilization? Where has the "gay rights" movement come from, and how has it so easily conquered America?

As Robert Reilly shows in this book, the answers are in the dynamics of the rationalization of sexual misbehavior. The power of rationalization drives the gay rights movement and gives it its revolutionary character. The homosexual cause moved from a plea for tolerance to cultural conquest because the security of its rationalization requires universal acceptance. In other words, we all must say that the bad is good.

The understanding that things have an in-built purpose by their Nature is being replaced by the idea that everything is subject to man's will and power. This is what the debate over homosexuality is really about — the Nature of reality itself.

The outcome of this dispute will have consequences far beyond the issue at hand. Already America's major institutions have been transformed — its courts, its schools, its military, its civic institutions, and even its diplomacy. The further institutionalization of homosexuality will mean the triumph of force over reason, thus undermining the very foundations of the American Republic.

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Pope's U.S.-Cuba Itinerary Finalized

BY ELISE HARRIS
CNA/EWTN NEWS

VATICAN CITY — Pope Francis' itinerary while in Cuba and the United States confirms several highly anticipated events, including a special United Nations summit and the canonization of Blessed Junípero Serra. He is also set to meet with groups he frequently prioritizes: homeless, prisoners and migrants.

On June 30, the Vatican issued a final schedule for Pope Francis' upcoming 10-day trip to both Cuba and the United States.

The schedule confirms that he will visit the small Caribbean island Sept. 19-22 and will then travel to the U.S. Sept. 22-27, before landing in Rome the morning of Sept. 28.

Pope Francis recently played a key role in helping thaw icy relations between the two countries, which after more than 50 years of broken ties agreed in December to restore diplomatic relations.

Although news of the Pope's plan to visit the U.S. in 2015 had been public for some time, his stop in Cuba beforehand was just announced in April.

After leaving from Rome's Fiumicino airport the morning of Saturday, Sept. 19, Pope Francis will land in Havana that evening, where he will receive an official welcome. The next morning, he will meet with Cuban President Raul Castro, before heading to vespers with priests, religious and seminarians that evening.

He will travel to Holguín on Sept. 21, where he will celebrate Mass and bless the city before flying to Santiago that evening. He departs from Santiago at 12:30pm on the



Pope Francis will address a joint session of Congress in September. Public domain

22nd and is scheduled to land in Washington at 4pm local time. While in the U.S., Pope Francis is scheduled to participate in several major events, including the canonization of the founding father of California and meetings with the U.S. Congress, as well as a special summit at the headquarters of the United Nations in New York. Pope Francis will canonize the Franciscan missionary at Washington's National Shrine of the Immaculate Conception the day after he lands.

The next morning, at 9:20, he will be the first religious leader to address a joint meeting of Congress, according to congressional historians. Francis will later meet with the homeless before heading to New York.

Once in New York, the Pope will address the U.N. Special Summit on Sustainable Development the morning of Sept. 25. He will then participate in an interreligious event at the Ground Zero memorial, where Benedict XVI also stopped during his visit in 2008.

Francis will conclude the day by meeting with child and family migrants in Harlem and celebrating Mass in Madison Square Garden.

He leaves for Philadelphia the next morning, where he is set to participate in the World Meeting of Families.

After meeting with bishops, priests and religious on the morning of the 26th, the Pope will participate in a religious-freedom event with the Hispanic community and other immigrants at Philadelphia's Independence Mall. That evening, he will attend a prayer vigil for the World Meeting of Families.

On his final day in the U.S., Pope Francis will meet with bishops present for the family gathering as well as prisoners at Philadelphia's Curran-Fromhold correctional facility.

After celebrating Mass that afternoon, the Pope will greet the organizers, volunteers and benefactors of his trip before departing for Rome. He is scheduled to land around 10am on Sept. 28.

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