



Address of His Holiness Pope Francis to the Judges' Summit Against Human Trafficking and Organized Crime



Good afternoon! I offer you a cordial greeting and once more I express my appreciation for your efforts to contribute to the human and social progress which the Pontifical Academy of Social Sciences seeks to promote.

My heartfelt appreciation for this contribution also has to do with the noble service you can offer to humanity both by your analysis of the timely topic of indifference and the extreme forms it takes in our globalized world, and by your proposing solutions aimed at improving the living conditions of the poorest of our brothers and sisters. In fidelity to Christ, the Church is committed to meeting this challenge. The Enlightenment slogan that the Church must not be involved in politics has no application here, for the Church must be involved in the great political issues of our day. For, as Pope Paul VI pointed out, “political life is one of the highest forms of charity”. The Church is also called to be faithful to people and their needs, all the more so in situations of deep hurt and dramatic suffering in which values, ethics, social sciences and faith all enter into play. In such situations, your own witness as individuals and humanists, together with your expertise, is particularly valued.

In recent years, the Pontifical Academy of Social Sciences, thanks to the efforts of its President, its Chancellor and a number of prestigious external collaborators – to whom I offer my heartfelt thanks – has engaged in important activities in defence of human dignity and freedom in our day. This has been particularly the case with efforts to eliminate human trafficking and smuggling, as well as new forms of slavery such as forced labour, prostitution, organ trafficking, the drug trade and organized crime. As my predecessor Pope Benedict XVI stated, and I myself have repeated on several occasions, these are true crimes against humanity; they need to be recognized as such by all religious, political and social leaders, and by national and international legislation.

The 2 December 2014 meeting of leaders of the world’s major religions, and the 21 July 2015 summit of mayors and administrators of the world’s major cities, have demonstrated the readiness of the academy to work for the elimination of new forms of slavery. Together with these two meetings, I also think of the important youth symposiums promoted by the Academy. There are those who believe that the Academy would do better to be involved with pure science and theoretical considerations, which would certainly be consonant with an enlightenment vision of the nature of an academy. An academy must have roots, concrete roots; otherwise, it risks encouraging a free-flowing reflection which dissipates and amounts to nothing. The divorce between ideas and reality is clearly a bygone cultural phenomenon, an inheritance of the Enlightenment, but its effects are still felt today.

As with those meetings, the Academy has now brought you together as judges and prosecutors from around the world, in order to contribute your own practical experience and wisdom to the work of eliminating human trafficking, smuggling and organized crime. You have come here, representing your colleagues, for the praiseworthy aim of promoting a clearer awareness of these scourges. In this, you are manifesting your specific mission with regard to the new challenges posed by the globalization of indifference, in response to society's

growing concern and in respect for national and international legislation. Taking responsibility for one's proper calling also entails feeling free, and acknowledging oneself as such. But free from what? From pressure by governments, private institutions and, of course, those "structures of sin" referred to by my predecessor John Paul II, particularly that "structure of sin" which is organized crime. I know that you experience pressure and face threats in this regard, and that being a judge or prosecutor today means risking one's life. The courage of those who strive to maintain freedom in the exercise of their judicial function ought to be recognized. Lacking such freedom, a nation's judiciary is corrupt and corrupting. We all know how justice is caricatured in these cases, don't we? Justice is blindfolded, but the blindfold keeps falling and covering her mouth.

Happily, in carrying out this complex and delicate human and Christian project of freeing humanity from the new forms of slavery and from organized crime – a project that the Academy has undertaken at my request – we can also count on an important and decisive collaboration with the United Nations. There is a powerful and growing awareness in this regard. I am grateful for the fact that the representatives of the 193 UN member states unanimously approved the new Sustainable Development Goals, and in particular Goal 8.7. That goal is to "take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms". We can rightly say that such goals and targets are now a moral imperative for all UN member states.

To this end, there is a need to work together and across boundaries in creating "waves" that can affect society as a whole, from top to bottom and vice versa, moving from the periphery to the centre and back again, from leaders to communities, and from small towns and public opinion to the most influential segments of society. This will call for judges, like religious, social and civic leaders, to take full cognizance of this challenge, acknowledge the importance of their responsibility before society, pool their experiences and best practices, and work together in breaking down barriers and opening new paths of justice for the promotion of human dignity, freedom, responsibility, happiness and, ultimately, peace. Without pressing a metaphor, we could say that judges are to justice as religious leaders and philosophers are to morality, and government leaders and all those who embody sovereign power are to political life. Yet only through the work of judges does justice become seen as the primary mark of life in society.

This is a perception that needs to be revived, for there is a growing tendency to dilute the figure of the judge through the sorts of pressure I mentioned above. Yet judges continue to represent the primary attribute of society. This is seen in the biblical tradition, where Moses creates seventy judges to assist him in judging cases; one has recourse to a judge. When the figure of the judge is diluted, the effects are clear on the life of society. Each people possesses an identity that shapes it, enables it to grow and look to the future, to accept failures and uphold its ideals. But peoples today are themselves experiencing a process of weakening, as their specific identity tends to turn into the mere nominal identity of citizenship. A people is not the same as a group of citizens. The judge embodies the first attribute of a society that is a people.

In convening this gathering of judges, the Academy seeks only to cooperate, to the extent of its ability, with the UN's stated goal. Here I would express my appreciation to those nations whose ambassadors to the Holy See have not shown themselves indifferent or arbitrarily critical, but instead have cooperated actively with the Academy to make this summit possible. It is our hope that those ambassadors who did not see this need, or washed their hands, or did not consider it sufficiently urgent, will join us for the next meeting.

I urge judges to carry out their vocation and their essential mission of establishing that justice without which there can be no order, or sustainable and integral development, or social peace. Undoubtedly, one of the greatest social ills of the world today is corruption at all levels, which weakens any government, participatory democracy itself and the wheels of justice. As judges, you are charged with administering justice. I ask you to be particularly concerned with justice in the areas of human trafficking and smuggling and, in the face of these evils and of organized crime, to avoid becoming entangled into the web of corruption.

As you well know, when we speak of "administering justice", this does not mean seeking punishment as an end in itself. Punishment must rather be directed to the re-education of wrongdoers, offering them hope for their eventual reinstatement in society. In other words, punishment should necessarily include hope. A narrow form of punishment that would exclude hope is torture rather than punishment. Based on this, I would reaffirm the position of the Church against the death penalty. It is true that, as I have been told, medieval and post-medieval theology considered the death penalty to entail hope: "we are handing them over to God". But times and situations have changed; let us allow God to choose the moment...

With regard to reinstatement in society, I would add that "not even a murderer loses his personal dignity, and God himself pledges to guarantee this" (John Paul II, *Evangelium Vitae*, 9). This subtle interplay of justice and mercy, with a view to reinstatement, applies to those responsible for crimes against humanity as well as to every human being. It thus applies *a fortiori*, and in a particular way, to those victims who, as the term itself

indicates, are more passive than active in the exercise of their freedom, having fallen into the clutches of today's new slave masters. All too often these victims are betrayed even in the most private and sacred aspect of their person, that is to say, in the love they aspire to give and receive. Their family owes it to them, and their suitors or husbands promise it, but then sell them into the forced labour and prostitution market, or the organ trade.

Judges are today, more than ever, called to focus on the needs of the victims. Victims are the first in need of rehabilitation and reintegration in society. Human traffickers must be relentlessly prosecuted. The old adage that certain things have been around from the beginning of time is unacceptable. Victims can recover and in fact we know that they can regain control of their lives with the help of good judges, social workers and society as a whole. We know that a good number of them are now lawyers, politicians, brilliant writers, or are successfully employed in service of the common good. We also know how important it is to encourage former victims to talk about their experience as something now courageously put behind them, and how they are survivors, or rather, persons enjoying quality of life, their dignity restored and freedom reclaimed.

While on this subject of reinstatement, I would like to share a personal experience: when I go to a city, I like to visit prisons; I have already visited a number of them. Without wishing to detract from anyone, I would say that my general impression is that prisons run by women are better run. This has nothing to do with feminism, but it is interesting. When it comes to reinsertion, women have a particular, almost natural, knack for putting people in the right place; some might think it is because they are mothers. But it is curious. I mention it as a personal experience which may be worth thinking about. Here in Italy, many prisons are run by women. Many of them are young; they are respected and enjoy a good rapport with the prisoners. Another experience I have is that it is not unusual for wardens to bring groups of prisoners from one prison or another to my Wednesday audiences. These are all gestures of reinstatement.

You are called to give hope and to administer justice. Everyone, from the widow insistently demanding justice (*Lk 18:1-8*) to today's victims, longs for justice, trusting that the injustice so present in our world is not final, that it will not have the last word.

It could help to apply, in a way suited to individual countries, continents and legal traditions, the Italian practice of confiscating the ill-gotten gains of traffickers and criminals and destining them to the needs of society and, in particular, to the rehabilitation of victims. Rehabilitating victims and reintegrating them into society, whenever possible, is the greatest good we can do for them, for community and for social peace. Certainly this is no easy task; it must not end with sentencing, but continue by ensuring that victims and victimizers alike receive guidance, opportunities for growth, reinstatement and rehabilitation.

If there is anything characteristic of the Beatitudes and the criteria for God's judgement found in the Gospel of Matthew (cf. *Mt 25*), it is the issue of justice. "Blessed are those who hunger and thirst for righteousness, those who suffer for justice's sake, those who mourn, the meek and the peacemakers". "Blessed by my Father are those who treat the neediest and the least of my brothers and sisters as they would me. They – and here I think especially of judges – will receive the greatest reward: they shall inherit the earth, and they shall be called children of God; they shall see God and rejoice for ever with my heavenly Father".

In this spirit, I encourage all of you, as judges, prosecutors and jurists, to carry on your good work and to pursue, within the limits of your possibilities and the help of God's grace, worthy initiatives that bring you honour and serve people and the common good. Thank you.