

## **Red Mass**

Holy Rosary Cathedral

9 March 2016

Dear brother priests, dear members of the St. Thomas More Guild:  
lawyers and their co-workers, members of the judiciary, and law students;  
dear brothers and sisters in Christ:

### ***Introduction***

The centuries-old tradition of invoking the Holy Spirit at the Red Mass for those whose noble vocation is the law and the administration of justice testifies to the seriousness with which Catholics in this profession take such matters. Together with them, this evening, we thank God for all those in the law who seek the gift wisdom and discernment, for theirs are heavy responsibilities (cf. 1Kgs 3:3-14). We ask the good Lord, who holds our universe in being and orders it wisely, to guide them in their obligation to participate in all their endeavours in his higher law.

However humdrum and imperfect might be the practice of much of day-to-day law, at its best it aspires to reflect that higher divine order. In the Judeo-Christian tradition the philosophy of law begins with the idea that every person – even someone different from me in ethnicity, religious beliefs, and cultural experiences – is a child of God with an intrinsic dignity worthy of my respect and the community's protection. It is a blessing that our country is heir – admittedly, an increasingly unacknowledged heir – to such values and honours the rule of law based

upon these fundamental truths.<sup>1</sup>

### ***Freedom of Religion: To Witness in Public***

Never has your role in the public sphere been so vital to the common good of our nation as it is today.

Our belief in God and his creation reveals an inherent, integral, even intimate connection between God and law as it has come to exist in the world he created and redeemed. God is the starting point. And God is our goal.

But we now live in a world where belief in God cannot always be presumed. Because of this, religious freedom as it has been honoured in our law until now is at risk. God is eclipsed; belief evaporates; faith vanishes; and law no longer support religious freedom.

Certainly we believe that our faith is personal, rooted in an intimate and trusting relationship with God, but it is never private – isolated from the world and society in which we live.

In Canada, as in many other Western countries, there is an increasing tendency to confine religion to the private sphere. And, in these countries, we see the courts chipping away at the original understanding of religious freedom and freedom of conscience. In order to fit new political or ideological agendas, religious freedom is being reinterpreted narrowly to mean merely “freedom to worship,” thereby

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<sup>1</sup> Cf. Anthony Fisher, Homily for the Red Mass, Sydney (2 February 2015).

excluding the freedom to serve and or the freedom to witness to one's faith in the public square.

Yet, just as freedom of speech depends not only on one's right to say what's on one's mind but also on the existence of institutions like newspapers, universities, libraries, political parties and other associations that make up what we call "civil society," so too freedom of religion and freedom of conscience must also encompass protecting faith-based institutions which serve the common good, especially in the spheres of education, health care and the provision of social services.

Let me affirm clearly that attempts by any government or civil institution to restrict fundamental values, like the right to life from conception to its natural end, or to oblige a person to go against his or her conscience, can never be justified. Such attempts violate a person's human dignity and ultimately will prove detrimental to society itself.

As persons, we live in relationships. Consequently, freedom of religion includes a communitarian and institutional aspect, as well as the right of each religion to establish its own rules, to organize itself and to disseminate publicly its beliefs. The State cannot legitimately intrude on this process. It can limit the exercise of institutional religious freedom only if there is a compelling interest and only by using least restrictive means.<sup>2</sup>

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<sup>2</sup> Cf. Thomas Wenski, Homily at Red Mass (23 April 2015).

## *Assisted Suicide and Freedom of Conscience*

At this time, I am very concerned about the right of health care workers' right to freedom of conscience both as guaranteed by the natural moral law hardwired into humanity and as set forth in the Canadian Charter of Rights and Freedoms. Today this right is under attack.

In light of the Supreme Court's *Carter* decision, Parliament's Special Joint Commission on Physician-Assisted Dying recommends that physicians who have a conscientious or religious objection to assisted suicide be obliged to refer the patient for this procedure. This requires the physician to be complicit in the very act to which he or she objects. Moreover, all publicly funded institutions, including hospitals, hospices and long-term care facilities will be obliged to provide this service.<sup>3</sup>

Physicians who have devoted their lives to healing patients will soon be *required* to do the opposite. No longer will they be asked just to relieve suffering by providing treatment and loving care but by putting them to death. Killing a patient is no longer to be considered a crime, but will actually be seen as a kind of health care, complete with legislation to regulate it.<sup>4</sup>

Any attempt to curtail a health care worker's right to freedom of

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<sup>3</sup> Cf. REAL Women of Canada, Media Release, *The Assisted Suicide Free-for-All* (1 March 2016).

<sup>4</sup> Cf. Cardinal Thomas Collins, Statement concerning Euthanasia/Assisted Suicide (1 March 2016).

conscience by insisting that he or she *must* refer a patient to another practitioner willing to assist in euthanasia is to be opposed in the strongest terms.

### ***A Word on Justice and Mercy***

“The Lord is gracious and merciful . . . The Lord is just in all his ways” (Ps 145: 8,17). These two verses are from the Psalm we just proclaimed. And, since we are in the midst of the Jubilee Year of Mercy declared by Pope Francis, I would like to offer a few words about the relationship between mercy and justice.

The most characteristic language of God’s love is mercy. Mercy is “love’s second name”<sup>5</sup> and “Jesus’s most important message.”<sup>6</sup> Divine love is expressed as mercy because of our fragility and faults, our need for, but not our right to, salvation. We need to be saved. And God mercifully delivers us from our sinfulness and introduces into eternal life through the Death and Resurrection of Jesus Christ (cf. Jn 5:24).

My prayer is that you, as Catholics in the legal professions, make this Holy Year a privileged opportunity to reflect on mercy in your administration of justice.

In Portia’s memorable speech in Shakespeare’s *Merchant of Venice*,

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<sup>5</sup> St. John Paul II, *Dives et Misericordiae*, 7.

<sup>6</sup> Pope Francis, *The Name of God Is Mercy: A Conversation with Andrea Tornielli* (London: Pan Macmillan, 2016), 3.

“the quality of mercy is not strained,” she says: “And earthly power doth then show likest God/When mercy seasons justice.”

Mercy seasoning justice! That is our summons. How can mercy season the administration of human justice, so that it can reflect at least something of the justice and mercy of God, thereby finding its fullest expression?

In *Misericordiae Vultus*, “The Face of Mercy,” the Bull of Indiction for the Jubilee Year of Mercy, the Holy Father insists that justice and mercy “are not contradictory realities but two dimensions of a single reality that unfolds progressively until it culminates in the fullness of love.”<sup>7</sup>

In the Bible, there are many references to divine justice and to God as “judge” – even as we heard today in the Gospel. In these passages, justice is understood as the full observance of the Law given in the Covenant. Such a vision, however, not infrequently led to legalism, forgetting the underlying value of the Law: the faithful abandonment of oneself to God’s will.

Jesus goes beyond justice as mere observance of the Law with his mercy and forgiveness. He does not “mean that justice should be devalued or rendered superfluous. On the contrary: anyone who makes a mistake must pay the price. . . . God does not deny justice. He rather

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<sup>7</sup> Francis, *Misericordiae Vultus*, 20.

envelopes it and surpasses it.”<sup>8</sup>

### ***Conclusion***

The question I leave you with, but cannot answer for you is this: How are you, in your practice of law and administration of justice, to be missionaries of mercy, to live out this relationship between mercy and justice that our faith reveals to us?

What I can do is to invite you to let the Holy Spirit inflame your mind and heart, so that you will find the ways to season justice with mercy, no matter your field of law. Welcome into your soul the Holy Spirit who keeps you ever sensitive to the suffering and weaknesses of others, respecting whatever human dignity demands as their due. Desire always to exercise the works of justice and mercy as God alone would have you do – impartially, consistently, and generously.

This is your calling and your mission, as today we thank God for the vocation to serve justice with mercy and in doing so serve the well-being of our society.<sup>9</sup>

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Archbishop of Vancouver

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<sup>8</sup> Francis, *Misericordiae Vultus*, 21; cf. Francis, General Audience (3 February 2016).

<sup>9</sup> Cf. Vincent Nichols, Homily at Red Mass (1 October 2015).