

FR. JOHN BARRES' HOMILY FOR THE RED MASS

OCTOBER 4, 1999

Bishop Saltarelli, distinguished members of the judiciary, distinguished public officials, attorneys, fellow members of the clergy and supporters of the St. Thomas More Society...

In a recent essay entitled "a moment Catholic and American", Fr. Richard John Neuhaus writes: "the greatest contribution to American public life is for Catholic Americans to live the Catholic faith thoroughly, authentically, radically."¹

As we celebrate Respect Life Month, the Feast of St. Francis of Assisi, the patronage of St. Thomas More, the Mass of the Holy Spirit, the charity of the good samaritan and the opening day of the 1999-2000 term of the United States Supreme Court, we ask ourselves this question: How do Catholic lawyers live the Catholic faith "thoroughly, authentically and radically"?

It was a question that faced Thomas More in the 16th century. Robert Bork recently wrote: "Though More was a profoundly religious man, it should not be forgotten that he was also a preeminent lawyer and judge. The law, quite as much as Catholicism, is crucial to an understanding of the man and the martyr."²

This question of catholic identity also faces people like Mary Anne Glendon, Louis Freeh and each one of us.

Catholic lawyers are not called to be "spinners" of the truth. They are called to be proclaimers and witnesses to "the splendor of truth". They realize with the Holy Father that "freedom of conscience is never freedom from the truth but always and only freedom in the truth."³

A Catholic lawyer does not compartmentalize their Catholic conscience -- a conscience formed by the Ten Commandments, the scriptures and the magisterium of the Church.

All of a Catholic lawyer or judge's actions, interventions and professional work must flow from their well-formed Catholic conscience and identity. The American bishops witness to this truth in their 1998 statement *Living the Gospel of Life: A Challenge to American Catholics*:

We urge those Catholic officials who choose to depart from church teaching on the inviolability of human life in their public life to consider the consequences for their own spiritual well-being as well as the scandal they risk by leading others into serious sin. We call on them to reflect on the grave contradiction of assuming public roles and presenting themselves as credible Catholics when their actions on fundamental issues of human life are not in agreement with church teaching. No public official, especially one claiming to be a faithful and serious Catholic, can responsibly advocate for or actively support direct attacks on human life."⁴

The Twentieth Century has provided us with ample evidence of the tragedies that occur when politics and law are sundered from any connection to the moral law written on the human heart.⁵

We believe that our Catholic moral teaching corresponds to the deepest reality and truth about human nature and that therefore this teaching is inherently inclusive to anyone who seeks the truth with a sincere heart.

Two weeks ago the governor received a letter from our Holy Father John Paul II asking for clemency from capital punishment for Willie Sullivan. What a beautiful expression of today's gospel! This giant of history is the Good Samaritan making his presence felt in the first state.

As we know, the Holy Father's request was denied. Our Bishop -- who has stood up so strongly and consistently on this issue -- has expressed his disappointment.

There is another area where a Catholic lawyer can stand up for justice. This is in the field of bioethics and end-of-life decisions. First of all, I would encourage you to stay on top of our ethical teaching in areas such as cloning, fetal tissue research, genetic research, HIV/AIDS research, reproductive technologies and issues pertaining to the withdrawal/forgoing of life support. In addition to studying the Holy Father's encyclicals, the Bishop's office is preparing a helpful bibliography for anyone who would be interested.

With your legal training, you have a capacity to understand and articulate the church's teaching on these issues. Some of you are involved specifically in the preparation of Advanced Directives or Health Care Proxy Forms. We all know that there are different types of forms.

Some of the forms prepared by Catholic bioethicists and lawyers, specialists in this area, make the necessary distinctions between ordinary and extraordinary means of health care. They also make the necessary distinctions as to when the withdrawal of nutrition and hydration is permissible (for instance when the patient is imminently dying from an underlying pathology) and when it is not (for instance, when the action or omission is done with the intent to cause the death of the patient so that all suffering might be ended.)

Most of the advanced directive and proxy forms circulating today do not make these necessary distinctions. This leads to confusion and misguided moral decision making.

The forms that Catholic lawyers use with both their Catholic clients and their non-Catholic clients should make these distinctions. This is once again a case of how a conscience formed in the truth should guide our public actions.

These are just a few ways in which we like St. Thomas More and St. Francis of Assisi can live the faith "thoroughly, authentically and radically."

1	Rev. Richard John Neuhaus, "A Moment Catholic and American," Foreword to Springtime of Evangelization. The Complete Texts of the Holy Father's 1998 ad Limina Addresses to the Bishops of the United States (Basilica Press: San Diego), 1999.
2	Robert H. Bork, "Thomas More for Our Season," in First Things (June/July 1999, Number 91), 17.
3	Pope John Paul II's "Freedom and the Moral Law: ad limina address to the Bishops of Texas, Oklahoma and Arkansas, June 27, 1998" in Springtime of Evangelization, 115.
4	Paragraph 32 of Living the Gospel of Life: A Challenge to American Catholics by the U.S. Bishops, 1998.
5	Cf. Pope John Paul II, "Freedom and the Moral Law...", 118.