

Red Mass Homily

Gonzaga University

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Bishop of St. Thomas

Ladies and Gentlemen of the Legal Profession,

For nearly 800 years, members of the legal profession, both practitioners and students, have gathered at the beginning of the legal term to seek the guidance of the Holy Spirit of God. In time, this mass came to be known as the “Red Mass.” There are two explanations for the name. Some scholars claim that the name reflects the fact that in many places in Europe, it was common for judges to wear red robes. Others argue that the color red was used to symbolize the commitment of judges to defend the truth, even to the point of shedding their blood. The jury, however, is still out on which reason is correct and, unfortunately, Judge Judy is not available to resolve the matter with dispatch.

Thus, we are left to our own devices. But I must admit that as a homilist, whose task it is to explicate the Gospel, I am captivated by that ancient description of the members of the legal profession as defenders of truth. And for a moment, at this Red Mass and in the light of the Gospel, I would like to explore that idea with you.

In recent years, the legal profession, along with other ancient professions such as the priesthood, has suffered a crisis of confidence. Some judges involved with high profile cases have taken liberties with the law that not only have come back to haunt them but have in fact injured the process of justice. Some lawyers have ignored the basic legal principle of the necessity to avoid conflict of interest and failed to do what is best for their client while doing more than what is best for themselves. Some students leaving law school have been ill prepared for the challenges they will face on a daily basis to compromise their integrity because of a diminishment of the importance of professional ethics courses.

I am sure that none of you enjoys seeing a story on the evening news or reading an article in the paper about a member of the legal profession who has betrayed his or her oath. This is especially true in the light of the nobility of your calling and the progress human society has made because of your commitment. It was men of the law who brought order to the Roman Empire and with order, there was peace. Men of the law drafted the momentous documents at the founding of our country that declared this nation one, under God and free. And men and *women* of the law fought during the civil rights movement and continue to fight today so that those on the margins of our

society, the newcomer, the recipients of racial prejudice, the homeless, and the mentally ill, may be included. Many of you participate in passing on those traditions of service to humanity by pro bono work: teaching or tutoring, sharing time and resources with the less fortunate. Or by raising children who have a sense of responsibility to use their talents not simply for themselves but for others.

All of these actions are important, but how can you restore that deep and abiding sense of confidence that the legal profession once enjoyed? How can you restore a confidence that leads to trust, a confidence that inspires young men and women to choose a legal career, not only for the money, but for the opportunity to make a contribution to society?

I believe an answer lies in the Judeo-Christian scriptures we have heard this afternoon. Those scriptures from the prophet Micah, the apostle Paul and the evangelist Matthew have one theme in common. They summon us to live a faith rooted in action. As members of the legal profession, I submit that your rightful action is to be men and women of faith and defenders of the truth. And specifically, you are called to be defenders of the truth for the poor.

Consider again the first reading. Micah identifies faith and right action as essential to true worship. "With what shall I come before the Lord?" Holocausts? Calves a year old? Oil for sacred anointing and for purification? No. The Lord requires of you that you live in union with Him (faith), that you love goodness and do the right (action).

James makes the same point in the second reading. By faith, James means the free acceptance of God. By works, he means the implementation of God's will in every aspect of life. Without that implementation, James writes, faith is dead. We can be tempted to think that James is opposing faith and works but a closer look reveals he is not. What he is contrasting is the difference between a living faith and a dead faith. A living faith acts for good; a dead faith does not. In other words both faith and action are fundamental. But towards what goal should your actions be directed? The Gospel illuminates the path.

"Blessed are the poor in spirit." Matthew's poor in spirit as those among us whose poverty does not allow them the arrogance and assertiveness of the wealthy. They need you to defend the truth that they also enjoy the rights expressed by the Constitution.

"Blessed are those who mourn." They are the people who experience little worldly joy, because some of the laws of our society are weighted against them. They need you to act in such ways as to insure basic fairness.

"Blessed are those who hunger and thirst for what is right." They are those who live with the pain of seeing and bearing injustice. They need you to act for the right from your positions of power.

And so it is with the other Beatitudes. Jesus sets for us an example of a moral revolution that has not yet reached its fullness. The Lord began the

process of building the Kingdom on earth. We are given the responsibility of carrying that task forward until the time when He returns to bring all things to completion. You then are the same as the disciples in the passage from Matthew that follows the Sermon on the Mount. You must be the salt of seasoning; you must be the lamp set up to draw light into the darkness. You, the men and women of the legal profession, must take seriously your vocation to defend the truth with a preferential option for the poor. To quote Pope John Paul II: “The love for the poor impels us to give attention to a world in which poverty is threatening to assume massive proportions in spite of technology and economic progress. Love of the poor is made concrete in the promotion of justice.”

Bothers and sisters of the law, rediscover the time—honored meaning of your profession. Give over your lives to the truth. And from the depths of your faith, act for the right and defend the poor. Then will confidence be restored, justice flow like a river and God’s kingdom come.

