

Thursday 16 September, 2010

Basilica of the Sacred Heart of Jesus

Atlanta, Georgia

Red Mass 2010

□ Wilton D. Gregory,
Archbishop of Atlanta

My Dear Friends,

Once again, it is my distinct privilege along with the members of the Saint Thomas More Society to welcome all of you, so many of the distinguished members of the Atlanta legal community, to Sacred Heart Basilica to pray with and for you at what is commonly referred to as the beginning the judiciary year. Whatever your own personal faith heritage might be, I am pleased that you have chosen to take this moment to pause and to pray with and for one another and all of your colleagues in the legal world. The vitally important responsibility that you exercise for our community is more than worthy of the spiritual support and encouragement that this Red Mass annually offers for all of you.

On balance, the exercise of the public works of justice has always managed to be complex and exceedingly intricate in every human society. Justice itself must continuously be pursued yet aided by mercy and the interplay between those two virtues has always challenged the most learned and experienced legal minds. If true human justice could be achieved by the effortless application of written legal codes, we would be able to accomplish that feat much more efficiently today with our computers, but human beings demand more than the rote application of norms and regulations to the infraction of laws. True human justice requires the careful balancing of our laws with the circumstances of the human condition. And such an endeavor inevitably always allows for errors in judgment.

As our judicial officials, you are entrusted with the heavy burden of keeping us safe from criminal violence and with the equally daunting responsibility of responding compassionately when circumstances warrant it to those whose life situations are deserving of mercy. And you must fulfill both responsibilities simultaneously. That is why you need our prayers and our respect which we gladly offer to you readily this day.

For you will be soundly and harshly rebuked for failing to safeguard us from the activity of violent criminals yet rarely if

ever will you be publicly recognized for the prudent application of mercy in your legal decisions. Your highest responsibility is always the careful adjudication of our laws, yet your enduring legacy will also include the prudent application of mercy in your verdicts – one is never far removed from the other.

For the past quarter century, our justices have followed sentencing guidelines in many of your decisions. These protocols are intended to regularize and standardize the way that justice is applied in many notorious cases. Yet even these guidelines as carefully as they are crafted sometimes fail to establish perfect justice since such standardized applications often fail to take into account the human condition and no true justice can ever fail to consider the human person in all of his or her totality.

One of the primary and eternal standard requirements of justice is that the sentence must always be commensurate to the offense. Gilbert and Sullivan's famous musical comedy *The Mikado* includes a song whose refrain might be an appropriate mantra for today's Mass: *To let the punishment fit the crime*. Yet those of you who are engaged in the judicial world know that it was far easier for Gilbert and Sullivan to compose such a clever song than it is to achieve that balance in a court. Constantly you are asked to evaluate not merely what has transpired but also the circumstances of those who

appear before your bench or those whom you represent or seek to defend or to prosecute. It is that complexity that you must confront almost each day in your administration of the laws of our land.

As you continue to sharpen your legal skills and develop your professional prowess, you regularly turn to the wisdom of legal authorities from the past. They are the great minds and hearts whose legal insights have been captured from the past and held up as standards to be followed and emulated. They provide a welcome resource that continues to enrich our society many generations later. God's Word at today's Mass reminds us all of another perspective not to be too easily dismissed in the pursuit of human justice – and that is the perspective of Divine mercy which all of us hope to receive when we shall appear before that final tribunal.

For it is that perfect blending of Divine Justice and Mercy that offers an important paradigm for all of our laws and their ultimate right application in our world. Whether in the stories of faith found in the Hebrew Scriptures or those revealed in our Christian Sacred Texts, we are challenged to strive for that perfect wedding of justice and mercy that we know that none of us will ever fully achieve yet for which we must always strive to follow. In fact, the sacred literature of all of the great faiths make frequent references to that perfect combination of

Justice and Mercy to which all of our human laws and their application strive to imitate.

In all of the sacred literature of people of faith, the image of the lowly person – the poor one is always a prominent theme. The rich and powerful know how to command the reins of justice and society is often inclined to grant them a sympathetic consideration. Those who are poor, lowly, and marginalized are those who frequently fail to command a fair – much less a merciful hearing. Nevertheless they are the ones who time and again in our religious texts are held up for our compassion and so they must always be uppermost in our thoughts and minds when considering the true justice of the laws of a nation. The wise lawyer Portia in *The Merchant of Venice* reminds us all:

“The quality of mercy is not strain’d, it droppeth as the gentle rain from heaven upon the place beneath; it is twice blest; it blesseth him that gives and him that takes: tis mightiest in the mightiest: it becomes the throned monarch better than his crown.”

So may it be in all of you this coming court session. Amen.