

Red Mass - Diocese of Wilmington

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Our Need for the Holy Spirit's Guidance

I stand before you as the U.S. bishops' point person on religious liberty. In that capacity, I am involved in efforts to help U.S. Catholics and others to understand more deeply what the Church teaches about religious freedom in the context of a nation where that freedom is constitutionally guaranteed. Together with a committee comprised of bishops and lay experts, including, you'll be happy to know, many lawyers, I am also involved in pointing out and resisting challenges to religious freedom. This isn't the time or place to describe those challenges in detail; suffice it to say that they include challenges in areas such as employment, licensure, accreditation, and even free speech and assembly. Yes, I'm glad to celebrate this Red Mass with you because I need the Holy Spirit's help as much or more than you do - please pray for me and my colleagues!

Indeed, dear friends, in one way or another all of us are about defending freedom. You may or may not be directly involved in constitutional law but you carry out your daily work with the conviction that we are a nation of laws that guarantees the fundamental freedoms which many people take for granted. So under the guidance of the Holy Spirit we might ask the question: How should we understand the God-given gift of freedom? What is it for? And how should we use it? Let's first turn to Scripture for guidance.

"For Freedom Christ Has Set Us Free"

In the first reading from the Book of the Prophet Ezekiel, God promises to give to his people "a new heart and a new spirit." He promises to remove their "heart of stone" & give them instead "a heart of flesh." In place of hearts that are coldly indifferent to what is good and true, God will give to them hearts worthy of their human dignity. By renewing his spirit within the hearts of his people, so that they will freely and willingly obey his law, God helps his people to recover their humanity and indeed their homeland, not merely a geographic place but a space where the human spirit can soar.

In the reading from the Gospel according to St. John, Jesus says, “If you love me, you will keep my commandments.” Usually we associate obedience to commands with fear; but Jesus links love with obedience to his Word, his word of truth. It is as if he said, ‘Once you fall in love with me, you’ll willingly live as my disciples.’ As Pope Benedict XVI taught in his beautiful letter entitled *God Is Love*, (cf. no. 17) those who are in love come to “want the same thing and to reject the same thing”: “the one becomes similar to the other, & this leads to a community of will & thought.” Under the guidance of the Holy Spirit, the bond of love between the Father & the Son, we can come to see that the highest and best use of our freedom is to fall in love with God and in doing so accepting as our own his will that we should also love our neighbors and want for them all that is true and good.

St. Paul says takes this a step further in tonight’s reading from his letter to the Ephesians. Interestingly, he refers to himself as “a prisoner for the Lord” – and it’s true, St. Paul was imprisoned almost everywhere he went – yet he was always a prisoner who was supremely free because of his love for Christ. From captivity he calls the Church at Ephesus to unity and freedom. He reminds them that the calling they received from the Lord is no mere ideology but rather a way of life that is marked by gentleness, patience, and love. The Ephesian Christians are part of a community whose inner principle of oneness is the Holy Spirit. No one was coerced to be a part of this community and no one felt coerced once in it. Rather it was to be a community characterized by a symphony of human freedom whose composer and conductor was the Holy Spirit.

Freedom of Indifference vs Freedom for Excellence

Our readings, dear friends, give us a teaching on human freedom that is very different than the understanding of freedom in contemporary culture. Today many people regard freedom merely as ‘freedom of choice’ – “I am free to do whatever I want so long as I don’t bump up against the law.” Some philosophers say that freedom is essentially formless; it is just the human power to choose one thing over another, sometimes called “freedom of indifference”. It has no religious content and is bound by few if any fixed moral truths. Indeed many believe that human freedom demands such moral relativism – and that those who claim otherwise are in fact the adversaries of freedom.

Not only is this view of human freedom dominant in popular culture, I am also told that it pre-dominates in the study and practice of constitutional law. Freedom of indifference coupled with moral relativism is thought to be the best way and maybe the only way to guarantee justice to all groups in society with their competing, ideas, rights, and claims. But underneath it all, not even the law in our diverse culture can avoid facing the question of truth, especially the truth about who the human person is, what is the source of human freedom, what brings about authentic human flourishing. At the very least, the state should not pursue moral relativism to such an extent that it ends up imposing it on churches, church institutions, families, & individuals. The state should not make it difficult for believers and their institutions of service to embrace and uphold fixed truths about human nature and dignity. Still less should it hamper them from proclaiming and living their faith not only in the confines of the church walls but also in the workplace and in their service to the common good of the larger society. The paradox of a monolithic moral relativism confronts us when proposed state religious freedom restoration legislation is dismissed as “a license to discriminate”.

Thus, in keeping with today’s Scripture readings, another view of freedom emerges, sometimes termed “freedom for excellence”. Taking our cue from the prophet Ezekiel, we might say that our human hearts are meant for love, for friendship with God, a friendship in which we discover a way of life that is truly ennobling. In other words our freedom, flawed as it is, is naturally ordered toward God’s love, and this puts us on a path of growing in excellence, that is, in what is coherent, true, good, and indeed beautiful...in short, a life of virtue. At their best, church communities and healthy, loving families serve as a leaven to create a society where human dignity is respected & human flourishing fostered—what successive popes have called ‘a civilization of truth and love.’

During Vatican II, as the text of the Declaration on Religious Liberty was debated, an Archbishop named Karol Wojtyla, the future St. John Paul II, came from behind the Iron Curtain to proclaim: “Without truth there is no freedom.” In the end, he knew, moral relativism and indifference on the part of the state to certain fundamental truths about human nature and human dignity would inexorably lead to the abolition of freedom... not necessarily through force (though we see that happening elsewhere in the world), but by the imposition of the will of stronger upon the weaker. Both

John Paul II and Abraham Lincoln would agree that “Freedom is not the right to do what we want, but what we ought.” This is that durable freedom capable of building a just and humane society. This is the enduring freedom that serves as a beacon of hope for the world.

Conclusion: Apostolate of Personal Influence

This evening I proposed some themes from law, philosophy, and theology and you’ve been very kind to give me a hearing. But what is there to do with these ideas? If you are working on wills and titles every day or in corporate law or presiding over a courtroom – what can you do about any of this?

It is not for me to say specifically except to propose one concluding thought: All of you have connections; all of you have networks; all of you have influence. I might suggest that in your daily professional responsibilities, that you exercise what Blessed John Henry Newman called “the apostolate of personal influence.” This includes your personal use of your freedom for excellence, i.e., your living the link between freedom, truth, and moral responsibility. It includes a willingness to advance the notion of moral truth in your daily work on behalf of the law and your wholehearted participation in those intermediate structures of society that are essential for defending human freedom and dignity: families, churches, and institutions that serve the common good. Without fanfare, you can influence those around you to understand more deeply the God-given gift of religious liberty. Our country and our society will be better off for it!

Thank you for listening! May God bless you and keep you always in His love.