

Not far from here at the Library of Congress we could find the famous engraving, now 150 years old, by John McCrae depicting our first President at prayer at Valley Forge. Without entering into the battle over the historicity of the event depicted in the engraving, I think that we could agree that the engraving and its popularity reflected a civic sense that prayer is an appropriate response, if not the most appropriate response, when confronting daunting crises. At this critical moment in our nation's history, at this time when America seems to be almost paralyzed by a political polarization that impedes our ability to address effectively a whole host of pressing needs, we gather not just to pray for our country and its leaders in general, as we are encouraged to do whenever we gather for Mass, but to plead in a particular way for an outpouring of the Holy Spirit on those who are involved in the administration of justice, and most especially on jurists at the federal, state and local levels, cabinet and other government officials, members of Congress and other legislatures, diplomats, university presidents, deans, professors, students of law and lawyers.

The Church is keenly aware of the importance of your work, oriented as it is to the promotion of the common good. Your generous service is often a concrete manifestation of the American commitment "to building a society which is truly tolerant and inclusive, to safeguarding the rights of individuals and communities, and to rejecting every form of unjust discrimination" that Pope Francis extolled when he spoke at the White House one year ago. Men and women of good will throughout this nation depend on you to protect their liberties and to help us create and preserve a "just and wisely ordered" society.

With that in mind, it should not be surprising that we gather with you today to ask that the Holy Spirit would guide you in your labors, so important in the administration of justice. We do that this year, however, in the particular context of an extraordinary jubilee called by Pope Francis, a Year of Mercy, that began last December and that continues until the end of November of this year. It was Pope Francis' hope that the Year would lead us to both a deeper appreciation of the mercy that we have received from God and a greater awareness of the ways in which we are concretely challenged to be instruments of mercy. The motto for the year, "Merciful like the Father," calls us first to a realization of God's mercy for us and then to a response to that mercy that inevitably commits us to imitation of the Father, who is presented to us in Sacred Scripture as both "perfect justice" and "infinite mercy."

In offering "infinite mercy," our God does not deny justice. As Pope Francis notes "He rather envelopes it and surpasses it with an even greater event in which we experience love as the foundation of true justice." Mercy and justice are not contradictory realities, "but two dimensions of a single reality that unfolds progressively until it culminates in the fullness of love."

Following his lead, it would seem to be important for each of us to explore where those two virtues must intersect in our lives and in our actions. The Pope is certainly not asking us to offer a less than vigorous representation of our clients or to take our eye off the ball that is justice, but rather to go beyond justice, to exceed the requirements of justice, to pursue justice with a brotherly or sisterly love for all the persons involved in the issues or disputes that come before us.

For men and women who have dedicated their lives to the pursuit of justice, all of this talk about mercy might at first be a little disconcerting. As Msgr. Vaghi has reminded me, we usually want justice for others but mercy for ourselves. Law Schools teach torts and contracts, not tender mercy. But if the Holy Father is correct in his assertion that “where there is no mercy, there is no justice,” and I think he is, it would be a mistake for anyone involved in the administration of justice to turn a blind eye to the demands of mercy.

Charting the intersection of those two virtues is by no means the sole prerogative of theologians. I suspect that some of you are feeling the absence of Justice Scalia this morning, so long a fixture at the Red Mass. He was someone who seemed to understand the necessity of exploring the connection between justice and mercy. In addressing law students at the University of St. Thomas in my Archdiocese last year, shortly before he passed away, he stressed the importance of their moral formation, stating that “the rule of law is always second to the law of love.” Those of you who knew and worked with Justice Scalia or who are students of his jurisprudence know that we certainly should not be interpreting his statement as suggesting a lack of appreciation for the rule of law, but rather as a reflection of a heightened appreciation for the importance of the law of love—and for the mercy that flows from it—in the practice of law and in the administration of justice.

What are the implications in our lives as we strive to be faithful to our calling and to promote the common good? Concretely, with particular relevance for those of us who are gathered here this morning, Pope Francis has noted that mercy “does not approach ‘cases’ but persons and their pain.” As he reminds us, “Mercy gets its hands dirty. It touches, it gets involved, it gets caught up with others,” it necessarily “gets personal.” Working in an environment so often populated by Jane Does and John Does, we need to remember that real people are at the heart of what we do and are affected by the decisions that we make.

That call to “get personal” by no means requires that we abandon our commitment to justice. It is an oversimplification to think of mercy as requiring that we blindly let another off the hook. Even the Holy Father has cautioned against the temptation to a “deceptive mercy” that binds a wound before it is cured. Our concern for the person and our concern for society makes it imperative for us to assess accurately the “wound” to the best of our abilities, to the best of our professional standards, using the tools available to us, so that we might be instruments of the Lord in bringing the real healing that redounds not only to the individual but also to the common good. While mercy, as the Pope notes, can be a “visceral emotion,” it “can also be the fruit of an acute intellectual insight—startling as a bolt of lightning but no less complex for its simplicity.”

Those insights can be drawn from our professional training and experience but also from our observation of the world around us. How difficult it is to perform our work well—whether that be adjudication or advocacy or policy-making or ministry, if we are not students of human nature and of the totality of factors that might have an impact on an individual’s daily actions and decision-making. As Pope Francis has noted in this context, “We can understand so many things simply by seeing someone barefoot in the street on a cold morning....”

With an eye to that challenge, I hope that we can draw comfort from the assurance that St. Paul offered in our second reading this morning that the spirit bestowed by our God is not “a spirit of cowardice but rather of power and love and self-control.” The Holy Spirit invoked at this Mass is indeed a spirit that can be counted on to “empower” us, to help us to act with neighborly love, to assist us in temperately twinning justice with mercy.

In a society in which shopping malls and discos and schools have all too often become places of unthinkable horror, at a time when old hatreds and prejudices seem to be rearing their ugly heads, or when our first freedoms are so easily put at risk, we could easily be tempted to throw up our hands and simply join the lament that we heard in our first reading: “How long, O LORD? I cry for help but you do not listen! I cry out to you, “Violence!” but you do not intervene.”

The “spirit of power, love and self-control,” gratuitously bestowed upon us in such abundance, however, prevents that murmur--and indeed leads us instead to an acceptance of a privileged role as the hands of God’s mercy, hands that are capable, under the Spirit’s direction, of bringing the balm of that mercy to a world that cries out for healing.

At this difficult time, instead of giving up in discouragement, we, enlivened by the Spirit, need to join the Apostles in their fervent prayer: “Lord, increase our faith.” I find it significant that Gospel specifies that it was the apostles as a group, rather than any one apostle, that approached the Lord with that request. There is surely strength in numbers. When we put our heads together, when we support each other in doing what’s right, when we pool our strengths and compensate for each other’s weaknesses, we can--by God’s grace and the work of the Holy Spirit--do amazing things.

I am grateful to Cardinal Wuerl, to the Archdiocese of Washington, and to the John Carroll Society for having the insight to bring us together this morning for this moment of common prayer and mutual support. Surely between us we will be able to come up with faith at least the size of a mustard seed, faith capable of moving the mountains of despair and division, faith capable of pursuing justice while manifesting mercy, faith capable of making a difference in our lives and in our communities. Through the workings of the Holy Spirit, may the Lord in his mercy bring to fulfillment the good work that he has begun in us this morning.