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## THE FREE EXERCISE OF RELIGION: A RED MASS HOMILY

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*On October 1, 1995, the John Carroll Society sponsored its forty-third annual Red Mass, celebrated in the Cathedral of St. Matthew the Apostle in Washington, D.C.. The Red Mass is celebrated in cities all over the United States, on the Sunday before the first Monday in October, to invoke God's blessing and guidance for the administration of justice. Among those in attendance at St. Matthew's Cathedral were President William Clinton, Attorney General Janet Reno, and Associate Justices of the Supreme Court Antonin Scalia, Clarence Thomas, and Stephen Breyer. The following homily was delivered by James Cardinal Hickey, Archbishop of Washington—The editors.*

Mr. President and dear friends,

In 1837, when Martin Van Buren was President of the United States, the original parish property of this Cathedral was purchased at 15th and H Streets. In 1840, when William Henry Harrison was elected President, St. Matthew's was founded as a parish church. In 1893, when Grover Cleveland was President, Cardinal Gibbons laid the cornerstone for this present structure which, in time, was to become St. Matthew's Cathedral. On that occasion, the Cardinal praised America as a land of religious freedom, and then added: "Washington was called at the beginning of the century the city of magnificent distances, but it is now the city of monuments and imposing edifices. Among the buildings at present, the Catholic churches occupy a rather respectable and conspicuous place." Thus Cardinal Gibbons spoke a little over a century ago.

Indeed, St. Matthew's has occupied "a respectable and conspicuous place" not only in the heart of this city but in the hearts of its citizens, Catholic and non-Catholic. Fifty years ago, people from every walk of life streamed into this Cathedral to give thanks for the end of World War II. And to this Cathedral came a grieving nation, in person and by television, when President John F. Kennedy was laid before this altar in a deeply-moving Mass of Christian Burial.

Dear friends, today I do not propose to give a history of this Cathedral Church of which I am so proud; but I do submit that this Cathedral, and the many other churches, synagogues, and mosques which adorn our city of Washington, stand as telling symbols of the fundamental place which religious faith occupies not only in our city, but also in the very fabric of our American society.

From the earliest days of our republic, religion has played a significant *public* role. Some of the fundamental ideas and ideals enshrined in the Constitution and the Bill of Rights have their roots in religious thought. The citizens of our republic cherish religious freedom as one of the four freedoms for which they lived and for which they died. At the heart of the American experiment is the guarantee of religious liberty, capsulized in the free exercise clause of the First Amendment.

The First Amendment reads: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . . ."

The First Amendment wisely forbids any semblance of a religion established by the state; but all too often the first clause is touted at the expense of the second by those who would remove religion itself from the mainstream of American life. For some it is as if the second clause did not exist! As citizens and as believers, we accept both clauses! Taken in its totality, the First Amendment ensures that religion will not be controlled by the state. That same Amendment also offers people of faith, and religion itself, the freedom to speak openly and respectfully of our God-given human dignity and of the God-inspired hopes and aspirations which transcend the affairs of state. So also, it provides to religion its rightful freedom—not only to speak clearly, and even to challenge the majority—but indeed to put its beliefs into practice.

To be sure, full religious liberty is fundamental to our understanding of democracy. But how do we best exercise this God-given gift of religious liberty? I submit that we do so in three ways:

- 1) by acknowledging those stirrings of the human heart that lead to religious faith and then practicing the faith we profess;
- 2) by participating in the national dialogue as people of faith and reason;
- 3) by establishing and maintaining, without undue interference, those institutions and programs by which faith is translated into action.

Allow me to speak briefly to each of these points.

*Stirrings of the Heart & the Practice of Religious Faith*

First, as individual citizens and as believers each of us must cherish the right to embrace and practice religious faith. Not everyone is a person of faith but all experience in themselves a restlessness, a searching which no one but God can satisfy. Today's first reading from the Book of the Prophet Ezekiel suggests that [the] law of God is etched not merely on tablets of stone but on the human heart. And as the Second Vatican Council teaches, the inalienable dignity of each person rests above all on the fact that every human being is called to communion with God. [GS, 19]. This inner sense of God's law and this calling to friendship with God is an essential part of who the human person is. Human beings have inherent worth and dignity not only because of their intellectual capacity—but rather because they are created in God's image and likeness, and because they are made to share His love. Because we are made by God and for God we enjoy the right to life, liberty, and the pursuit of happiness. It is the spark of divinity in each of us that sets us apart from the rest of creation and ultimately makes us worthy of the rights guaranteed by our Constitution.

When we allow forces in our society to douse that spark or when we who are believers grow lax and cold in the practice of religious faith, we are not only rejecting God; we are also compromising our human dignity and threatening the basis for a truly just society. When people of belief stop worshipping each week or fail to speak of the things of God in their families, then they are unwittingly surrendering their religious freedom. No, not everyone is a person of explicit faith, but every reasonable person should be a passionate defender of religious liberty. And every person of faith should understand the urgent reasons for exercising the religious liberty afforded us in these United States of America.

*Contributing to National Dialogue and Decision*

Second, as a people of faith and reason we must reject the premise that religion is a merely private affair, practiced only in the privacy of one's home. If that spark of divinity within each of us is the key to human dignity and the basis of a truly just society, then it follows that we must bring our faith and the reasons that undergird our faith to the public arena of dialogue and decision. As men and women of faith, we are obligated to speak clearly of those moral principles and values necessary for the common good of our society. We believe God has shown us how to live in a way that is both pleasing to His eyes and authentically human. By word and example, we must point to the existence of fundamental moral obligations binding on everyone. The law of God etched on all human hearts translates into many moral obligations which we, as a society, must hold in common.

As a diverse society, we may discuss and debate these obligations, but we imperil our ability to live and work together when we draw the conclusion that faith, and the values that flow from faith, are a purely private concern, unrelated to the well-being and order of our society. That, I maintain, is a seriously wrong and dangerous position. Indeed, the dwindling of a common understanding of our moral obligations, especially with regard to families, to the sick and frail elderly, to the unborn, and the young, to the unemployed and recent immigrants—has given rise to many of the social problems that continue to plague our society and threaten its survival.

It is not appropriate for churches to engage in partisan politics. But it is appropriate, as the members of the John Carroll Society know well, for every citizen to bring the values of faith and reason to every arena of life—to art and education, to medicine and technology, to law and government. The free exercise clause guarantees us that we do not have to leave our faith at home when we depart for work each morning! To surrender to those who are intolerant of religion is to imperil our democracy! As Alexis de Tocqueville observed, "Liberty regards religion as its companion in all its battles and triumphs, as the cradle of its infancy and the divine source for its claims. It considers religion the safeguard of morality, the best security of law and the surest pledge of the duration of freedom."

*Institutional Practice of Religion*

Third and finally, the free exercise clause protects not only the right of individuals to practice their faith but religion's right

to establish and maintain in situations that translate into action the most fundamental law of all—enumerated in today's Gospel: love of God and neighbor (Mark 12:28-31). That right is good for our society. No one can calculate the tremendous assistance which church-related institutions provide for communities across this great land. I think of the tremendous charitable work accomplished by the three Catholic hospitals in the Archdiocese of Washington. I think of the more than 200 volunteers, physicians, dentists, and nurses in our Pro Bono Health Care Network and the many volunteers, lawyers and paralegals of various religious faiths in our Pro Bono Legal Network, all of whom provide much needed services to the poor and to the marginalized in our society. I think of the tremendous contribution made locally by our church-related schools and the national and international contributions of Georgetown University, Catholic University of America, and our Trinity College—all in this City help raise up new generations of leadership for church and country.

Yet some forces in our society would make it difficult for churches and other organized faith groups to continue works of charity, health care, and education. For example, zoning regulations hostile to churches represent a significant incursion into the ability of churches to function. Some would propose health care legislation that would force religious health care institutions to make a choice between their religious values and keeping their doors open to the poor. Others would impose tax burdens on religious institutions that would force them to shut down and stop providing much-needed services not just to those who attend church but to the community at large.

As citizens and as believers dedicated to the common good of our society we must guard, protect, and defend the freedom of religion to function at the institutional level. To do anything less is to allow religion and its influence upon our society to fade from the scene.

### *Conclusion*

On this day, when we seek God's blessings on those who lead, serve and guide our nation, we give thanks for the gift of religious liberty. May the Holy Spirit overshadow this great land dedicated to liberty and to justice. May the Holy Spirit continue to pour out His wisdom on those who lead our government in its executive, judicial, and legislative functions. And may that

same Holy Spirit move the heart of every citizen to protect the gift of religious liberty as the great bulwark of democracy today and for the centuries that lie ahead. May God bless, preserve and prosper the United States of America.