

Red Mass 2016 Lecture by Fr. Patrick Conroy, SJ 9/28/16

Fr. Mark: Ah the old glass and silverware trick. Welcome everybody, it's great to have you here. I'm Fr. Mark Poorman, I'm President here at UP for those of you who were not at Mass. Welcome to everyone here in this room; it is a room full of lawyers. The lawyer jokes are flowing freely. I don't have a lawyer joke, I do have a true story. When I first came to UP and then subsequently after I assumed these responsibilities as President, I went to the former President of Notre Dame, Monk Malloy and I said, "Do you have any advice you want to give me?"

I served for 11 years as Vice President for Student Affairs at Notre Dame with Monk and Monk said, "Well Mark you know that when the Vice President for Student Affairs and Student Life comes to see you as President, it's you know what kind of crisis that is." I said, "Yeah I know what kind of crisis that is, I've been in on a few of those." "If the athletic director comes to see you you'll know what kind of crisis that is," and I said, "Yes, I know what kind of crisis that is." He said, "And if the Vice President for Student Life and the Athletic Director and General Council come, run."

All jokes aside, thank you very much for your dedication to the legal profession. Many of us who are dependent on lawyers day-to-day are deeply grateful for all that you do in terms of reviewing contracts and drafting policies and untangling legal tangles, and we owe you a great deal. It's wonderful to have you all here tonight. Let me offer a prayer and we can get on with the meal. Let us bow our heads and pray for God's blessing.

Gracious and loving God, as we gather this evening with your Holy Spirit in our midst, send your light and hope and guidance and wisdom to all who are here. We offer our prayers in a special way tonight for those who seek and administer justice in all its forms. We pray for attorneys and judges, for those who create laws, for those who apply them, review them, for students of law, for those who serve on juries, for all who establish and sustain the common good, for all whose labors rest on the virtues of right reason and prudence and equity. Be with us in our company tonight, bless our conversation, the community we share.

Let the nourishment of this food that we're about to receive strengthen us for generous service of Jesus Christ who is the source of our dignity and justice and peace. We ask this as we do all things, in the name of the Father, and of the Son, and of the Holy Spirit. Amen. Enjoy your dinner.

Fr. Charlie: Good evening. I'm Fr. Charlie Gordon. My colleague Dr. Karen Eifler and I direct the Garaventa Center for Catholic Intellectual Life and American Culture here at the University of Portland. We have the privilege of being your hosts this evening.

Our company tonight is graced by the presence of our Archbishop Alexander K. Sample and his auxiliary bishop Peter L. Smith. We're also pleased to welcome

members of the University of Portland Board of Regents who are in attendance. We're grateful for the support of our Red Mass corporate sponsors, and to University of Portland President Fr. Mark L. Poorman who's made it possible for so many of our students to join us this evening.

There are a number of distinguished members of the judiciary present this evening. We'd like to note in particular that on the 30th anniversary of his appointment to the United States Court of Appeals for the Ninth Circuit, Judge Diarmuid O'Scannlain, whose efforts have been integral to establishing and sustaining the Red Mass at the University of Portland, has announced that he will assume senior status at the end of the year. Let's offer him our congratulations on reaching this milestone in his exceptionally distinguished career.

Our speaker this evening, Fr. Patrick J. Conroy, an Oregon Province Jesuit, serves as the 60th chaplain of the United States House of Representatives. He is the second Catholic to serve in that capacity. In the course of his priesthood, Fr. Conroy has served as a parish priest and as a college chaplain at Georgetown in Seattle University. Many here know him from his years of ministry at Jesuit High School in Portland. Of particular interest in light of today's events, Fr. Conroy studied law at Gonzaga before entering the Jesuits. Subsequently receives his law degree from St. Louis University.

He practiced law for the Colville Confederated tribes in Omak, Washington. Represented self-adoring refugees for the Conference of Catholic Bishops Immigration office in San Francisco. Again works for the Colville tribes, helping to develop the case for the tribes' Treaty Fishing Rights in the mid-1980s.

The crowd gathered here this evening, and the enthusiasm generated by Fr. Conroy's acceptance of this invitation, make it really evident the high regard with which he's held in our community.

Speaking this evening on Pope Francis, his challenge in the Year of Mercy, let's welcome Fr. Pat Conroy.

Fr. Patrick:

It's a little awkward, I'm at an age where I'm right between being able to see this and not. Archbishop, brothers of the congregation of the Holy Cross here at Portland, judges, attorneys, all gathered here, Don Clark. On Monday I was prepared to give here a reiteration of a talk I gave at the Pontifical Council of Peace and Justice in Rome a couple of years ago. It was a gathering of Catholic chaplains to legislatures from around the world. I have a bunch of business cards here should any of you like to email me the link, I could get you the link if you really want to read that. It's actually been published, it's in here. It's good to put by your bedside if you have trouble getting to sleep.

A funny thing happened on the way to the bluff. On Monday I was contacted by the Senate Finance Committee, asking me to visit a staffer who had collapsed on the court while playing a charity basketball game a week ago. He was at George

Washington University's ICU. The Senate chaplain had visited the patient and his family at the hospital, but they were asking that I visit as well. Now in my work my focus is the House of Representatives; I don't work with senators, I don't want work with staffers on the senate side. They asked not because the Senate chaplain's visit was not enough, it wasn't anything like that, at least to me. They were asking because they were people of faith and hope.

Visiting strangers as a priest in times of human crisis like this visit, is the most humbling experience, yet profoundly efficacious for any priest or minister. I am humbled that I am representing the Church, which was entrusted by Christ to carry on His ministry of healing and reconciliation, and empowered by the Holy Spirit at Pentecost. That's what we were praying for today. I am also humbled and sometimes challenged that on those occasions I do not witness immediate healing at the time of anointing. Is healing happening? Is anybody there? Does anybody care? Is the failing in my lack of faith, in the faith of the family asking for the Church through me as the priest to be there, or in the belief that God knows what is most needed? Yet the family asks me to visit, and I do.

We hope that that itself is an act of faith and that God honors that. It is rare that we have proof that anything is there, that anybody most importantly God, cares. This is the challenge of faith and hope. It is such moments in my ministry as a priest that I experience most profoundly my vocation. I am called to be a priest by the people of God at such moments, and am most aware that what I am participating in is a reality transcendent to our experiences on this mortal coil. There is a greater reality, a greater good.

40 years ago, I was Alexander Hamilton in the musical 1776. Don Clark was Samuel Chase, this was at Gonzaga. The opening lines are given to John Adams, "I have come to the conclusion that one useless man is called to disgrace, that 2 are called a law firm, and that 3 or more become a Congress." It's a play about me, okay. We're all familiar with the humor, I dare say scorn, so frequently directed to our profession as lawyers. That is evidence by the playwright's script. John Adams was a lawyer and a very good one. When he was 28 years old in 1761, he witnessed James Otis, 10 years his senior, argue before the Superior Court of Judicature, Massachusetts, Bay Colony.

He argued that the writs of assistance which allowed the crown or its agents to search any subject's home without judicial oversight or just cause, violated the natural rights of Englishmen. Otis contended that neither King nor parliament could impose such a law because it violated the unwritten English constitution. This argument was based on principle, and he was not intimidated by the powers that opposed him. He declared, James Otis, "I will to my dying day oppose with all the powers and faculties God has given me, all such instruments of slavery on the one hand and villainy on the other as this writ of assistance is."

John Adams sat enraptured, and that day was convinced that all who heard Otis, were "prepared to take up arms against the writ". Years later Adams credited

Otis's argument as the beginning of the Revolutionary Movement, 1761. He wrote, years later, "Then and there the child of independence was born." Kevin Olson and Mary Joe Clark, when the professional, when the medical profession was still using leeches and bleeding people to balance the humors of the body, lawyer were writing the constitution of the United States. Booyah!

That was for comedy's sake. I've had back surgery, knee scope, rotator cuff repair, and my ankle reconstructed by skilled surgeons; I am highly respectful of the genius such men and women bring to their profession. From my point of view, they are faithful to their vocation, and are participating in Christ's work of bringing healing to our world. Doctors, like priests, have vocations, so too do lawyer and judges. I invite you all to consider this proposition.

It is quite possible to be professionally excellent and skilled in the craft of lawyering. The service to justice and the rule of law is immense, but how we as Catholic lawyer participate in this when considered as a vocation from God, can make a significant difference. We are participating in God's work. When we bring healing, reconciliation, and justice to the world.

When I was practicing law I was assisting my Native American and then Salvadorian clients, in some of the most traumatic experiences of their lives; looked at objectively. I think we all, I hope we all recognize this, but I too have been sued, fortunately not arrested yet, and have felt the anxieties of being brought before a court of law, a court of justice. As a matter of fact I'm being sued right now. Even with the confidence of being right, it is a very troubling experience. At those times how we as lawyers interact with clients can itself be soothing, healing and comforting ministry.

The professionalism we bring is crucial and there are times we are participating with something transcendent to the here and now of our cases. I was often asked, "How can you, a Catholic Jesuit priest presumably moral lawyer, represent someone you know to be guilty in a criminal case?" Remember the Boston massacre? Defended by our same John Adams, 6 of the 8 soldiers who fired upon the mob gathered to harass them, were acquitted. The other 2 were convicted of manslaughter and given a reduced sentence, branding on their hands. How could Adams defend them, and win?

I would say it's because as lawyers our faith is in the system, and our hope is that no matter how ugly the details of the cases we are involved in, our demand that system work here and now will serve a greater transcendental reality, the rule of law. This is a noble and holy pursuit.

I was reminded in the introduction this talk was supposed to be about Pope Francis and the Year of Mercy, so it's not in my prepared. Here's just a thought to go away, improvisational theater, baby, is great. We all long and hope for God's justice. I mean think of the terrible people in our world's history, maybe some now. I was profoundly moved when my novice master, 40 years later, after

Saddam Hussein was captured and killed, prayed at a community gathering for the repose of the soul of Saddam Hussein for whom Jesus died. I had to say yes. God's justice is real and it's true, but it is trumped by God's mercy. That's what saves all of us.

While we work for justice, and that's absolutely important. If we as lawyers and judges can bring God's mercy into our world, it is a great blessing. I thank you for this invitation, I am honored. I implore you to consider what you do as something greater than a noble profession, which it is. Are you called by God to your profession? Please consider. If you can find God in your life's work, it will transform how you engage in the profession.

I will close by paraphrasing a very popular admonition of the late Pedro Arrupe, the General Superior of the Society of Jesus, "Nothing is more practical than finding God in your vocation to practice the law. Such an understanding can seize your imagination, and will affect everything. It will affect how you get out of bed in the morning, and with what energy you approach your work. What you read, what breaks your heart, and what amazes you with joy and gratitude. Find God in your vocation to the law, and it will decide everything.

I'm happy to accept questions about anything, because I'm a Jesuit but I know everything. Unfortunately that's all I know. Anyway, but so glad to answer any question about my talk, but I am the 60th Chaplain to the House, kind of a big deal. If you have any questions about that or anything else, I'm happy to ... That's part of the program, right? I mean yeah so. Yeah, happy to take questions. Okay, stand up please.

Speaker 4: How can I get your job?

Fr. Patrick: Well I've been here 5 years, so in the first year the answer to that question was it either came from God or Satan. Here's the narrative. It was 6 years ago, it was election year 6 years ago, but it was like 2 weeks from, 2 months from now. The Republicans had flipped the House so it was clear that John Boehner was going to be the Speaker. My predecessor, now I'm the 60th and this is the 114th, the end of the 114th Congress so how old is our Republic? 114th Congress, how old is our Republic?

Speaker 5: 228.

Fr. Patrick: 228, thank you very much. All right, so each Congress is 2 years and my predecessor the first Roman Catholic in 200 years, wanted to retire. He informed John Boehner that he was retiring. As the Speaker, John Boehner was responsible for finding the next Chaplain. My position, I'm one of 4 officers with the Clerk of the House, the Sergeant at Arms and the Chief Administrative Officer, who were not appointed, were nominated by the Speaker and elected by the House. Mine of those 4 is the non-political one, and so what John Boehner chose to do was ask Nancy Pelosi, the Minority Leader, to offer up 2 staffers to

go with his 2 staffers as a search committee and find 5 candidates for the position. John Boehner is a graduate of Xavier in Cincinnati who said to the committee, "If you're going to find a Jesuit candidate, please find a Jesuit candidate."

Meanwhile, across town I'm teaching 9th grade theology, and coaching the mighty JV II Girls' softball team; Assistant Coach. You've heard a little bit of my biography, I also have a political science degree from Claremont. My plan in going to Gonzaga was to become a senator, and then I ran into the Jesuits of Gonzaga; I was a dead man. Anyway, so with a law degree and 10 years at Georgetown, my provincial when asked, "Do you have somebody you'd be willing to make available?" He thought of me. I didn't know this until I went in to meet with him, and which happened serendipitously the next week after this request for a Jesuit candidate went out. All the provincials in the US were asked, "Do you have somebody?"

The next week I'm meeting with my provincial, planned months ahead of time. I sit down and he says, "Well tell me how things are." I said, "This is my last year teaching high school; I'm done. I don't know what else I want to do, but I'm done." He understood that and he said, "Well something just came up." I didn't know there was a Chaplain to the House of Representatives, so I applied and I didn't blow the interviews. That's how it happened. Beyond it fell out of heaven, it really did. My life journey's answer to that is I was obedient to my superiors. It's profoundly true. Everything that I've done as a Jesuit prepared me for this. I couldn't have worked that out.

Speaker 6: [What's your 29:38] typical week look like?

Fr. Patrick: Well, what's a typical week look like? Monday's followed by Tuesday, followed by Wednesday. This is an election year, and you all know the reputation of the House of Representatives and the dynamic, well Obama nominated a Supreme Court Justice in February or March and nope, we're not going to do anything about that. We're not going to do anything as a matter of fact, and that's the political game. My only experience being back there is with a Democratic President and a Republican House. Now our founders actually well in their genius but also I think there's something with the Holy Spirit here because I don't think any of them intended that it would exactly work out this way.

Our system of government is basically set up so that the majority cannot tyrannize the minority. Split government means a heck of a lot does not get done and what does get done is long and painful and laborious. There's a genius to that. It's frustrating in the experiencing of it, but I think there is a genius to that, but basically what that's managed for 5 years for me, the House is in from a Tuesday to a Friday and the next Monday until Thursday and then they're gone for 10 days. Part of that is the Republicans don't want to do anything because they don't want to pass something that the President will sign, they want to pass

things the President won't sign because they're trying to point out ... It's politics; this is politics.

This year's an election year. I was, I don't need to be there if Congressmen aren't there, so from mid-July until a week after Labor Day, I wasn't there. I understand today they passed the Continuing Resolution to fund the government and they're getting out of dodge, I don't need to go back. I'm scheduled to go back [inaudible 32:24] because I thought I had prayers tomorrow, and I won't have to be back until Mid-November because they're running for office now. Election years are bizarre, they just are. What it would like when the President and the House are the same party, I'm guessing that a week would be 5 days from 9:00am to 10:00pm, every day because they want to get stuff done. There is that.

I am the ceremonial prayer in the House. Every day, actually since the second Continental Congress but certainly since the first day a quorum was reached in 1790, there's been a prayer to open a session, the session of Congress every day; I do that. There are ceremonial prayers that happen like on 9/11 now there's always a memorial and I give a prayer at that. Last week, the State of Ohio traded out one of their statues for a statue of Thomas Edison, I give the prayer for that. I'm ceremonial prayer and for the most part for the rest of it I'm available.

The Chaplain of the House of Representatives could not be a person who needs to create programs, who needs to run programs, who needs to initiate things, who needs to create something, because there is no time for that under the current situation. The current situation is this, Washington, D.C. is like top 3 most expensive places to live. Members of Congress are elected back home and their constituents expect them to be home. They don't want them to become beltway residents, so no Congressmen move their families to Washington, D.C. The whole time a Congressperson is in Washington, D.C. they're sleeping in their office.

At the end of a contentious toxic day, they go home to their office. There's no family there, there's no loved ones there, there's nothing. You need to pray for your representatives, it is a God-awful way to live, and they want to get out as fast as they can. My ministry is to be there for them while they are there super-busy and super-stressed and show up where they show up. I did this my whole career on campus ministry, I ate every meal in the student dining room, because that's where they were. They weren't coming to my office, so I had to go where they were, and that's the way it is now. When they have votes on the floor, that's where I am. I see everybody and everybody sees me.

I would say what I, the value added, and this is like the grace of God. It's an extraordinary thing, it's like the hospital, the thing I mentioned. It's like, "Thank you Jesus I get to do this." I'm the one person in the whole community that a member of Congress knows that they're talking to me it doesn't have to be and it's not going to be about politics, it's not going to show up anywhere else, it's not a negotiation, it's none of that. I'm like the human oasis. There are members

of Congress who are marvelous people and there are friendships I'm sure that are marvelous, but I'm like no-man zone. I'm the safe guy.

It sounds like great and incredible and all the rest of it but it's really not all that sexy. I recommend to you a PBS documentary 2 hours on Chaplaincy, you can find it I hope. A guy produced this and the Senate Chaplain and I are in it, but there's military chaplains, there are hospital chaplains, there are prison chaplains, Tyson Chicken has a chaplain; fascinating. The military chaplain was the chief, the head of chaplains in Afghanistan, a Roman Catholic priest Colonel.

One of the first voices you hear is mine and my line is nobody needs the chaplain until they need the chaplain. That's kind of true. They are busy doing their thing until the wheels fall off and then they need you. I'm 65, this is a good thing to be doing at this point in my life. If I was 35 I'd be pulling my hair out and kicking the bench like I did with the JV II Girls' softball team. Anyway, that's a long answer to.

Fr. Charlie: Maybe we probably have time for one more question.

Fr. Patrick: I've got these if you really are, if you really want this thing about Catholic ... By the way just a comment about that. I think I'm the only Catholic chaplain to a legislature in the world. This guy's got the last question, but this is what is unique about our country and I think is one of the greatest gifts of God to us. I think it's inspired by the Holy Spirit, but what we have to give to the world is the notion that you can have a unified political and a unified government and a unified community under the rule of law and constitution without having to have a unified religion.

That's an American gift, and because that is so much a part of our DNA, somebody like me can actually exist; I can actually exist. The other legislators, I mean it's in their talks, what became clear is they and almost every one of them was the pastor the parish priest of the parish within which the parliament sat. They're available to the Catholic members of the legislature, and providing the Catholic members of the legislature with what the Catholic Church teaches about what they're considering. That's a lobbyist. The USCCB has lobbyists; not my job. That makes my job possible. Our Church, praise Jesus, our Church is engaged at many many levels and no one of us, certainly not me, has to do all of it. That's the beauty of it to me anyway. Last question right here.

Speaker 7: Excuse me. I was in law school more than 16 years ago, and on the subject of the lawyers, the morality of the lawyers [inaudible 41:25] that that lawyers knows is guilty [inaudible 41:29]. The way we were taught was that a person, speaking from a [inaudible 41:38] stand, who is guilty of the crime, maybe guilty of a serious sin, has a certain moral obligation. [inaudible 41:49]. Once a person has done that they have hopefully reconciled your conscience. [inaudible 42:09] is teaching that that accused person has to gain good morality and to gain forgiveness [inaudible 42:18]. That's not part of the moral picture, that if he has

no duty to go to jail, the lawyer has no duty to go to [inaudible 42:30]. Now I don't know the university or law school that is teaching [inaudible 42:35] now. Would you agree with that proposition?

Fr. Patrick: Well I'm not sure I'm understanding it exactly, but what basically what it sounds to me like what the presupposition there is that all of these people are practicing Catholics and are familiar with the Catholic understanding of these things.

Speaker 7: [inaudible 42:58] understanding but as far as I know no moral teaching in this country is teaching that it's necessary to reconcile your conscience and to go to jail [inaudible 43:11]. What we witness that all the time is people run a stop sign let's say, feel sorry about it, feel some responsibility for it. They're not running down and knocking on the door and saying, "Let's [inaudible 43:24] stop sign [inaudible 43:26]."

Fr. Patrick: Yeah I'll give you that, but the thing is is as the lawyer representing that person that's also not my job. This is how I did that, because where I practiced I practiced in Omak, Washington. The crème of the crop of every police academy was not trying to get a job in Omak, Washington. Often times my job as I saw it was to defend my client, so Native Americans. Plenty of scoundrels there, but also a lot of racism and a lot of unprofessional conduct on the part of police and unfortunately judiciary.

I understood that my job was not to walk through the moral responsibilities of my clients, but to guarantee that the rule of law would get better; get better and demand that the police behave. Demand that the rule of law would decide a case, not the judge saying, "Oh I know John, I know he's a great guy but when he starts drinking these bad things happen." I would say, "Well I object, the rule of law is this," and he'd say, "I think I just read in the advanced sheets that that was overturned." It's like, "No your honor you did not."

In the nitty gritty of it, and that's why that was my phrase whatever those, the ugly facts of a case, the nobility of it is that we have to deal with those ugly details, but hopefully we're in service to that transcendent value of the rule of law. That our part in that dealing with the scoundrels of the system is to make sure that the rule of law is what is guaranteed and functions. Some scoundrels will get away with murder, it'll happen, but we hope that the scoundrels are not the ones who have the power of the state behind them; that's in a criminal situation.

You're right, I think we are woefully lacking, and I would say that is a problem for us all. How do we up the ante so that young people and the population at large is educated in the proper responsibilities it takes for the civic community that behaves? It's a major task. What we're fighting against is human ignorance and human sin and weakness and all those things. Which is why to get back to my main point is I think it helps a lawyers, it helps a judge if the judge and the lawyer knows, "I've been called to this. God is the one who initiated this, and as long as I

do my best to make the system better so that the rule of law is served, I can do that every day." Yeah all right.

Fr. Charlie: Let's thank Fr. Patrick.

Fr. Patrick: [inaudible 48:09].

Fr. Charlie: Thank you very much. Goodnight everybody, thank you.