

Provincial Elect of the Oblates of Mary Immaculate,
Fr Neil Frank OMI
Rev. Grand Chancellor, Archbishop Buti
Chairperson and members of the Board,
Leadership of the local church:
Archbishop Wilfred Cardinal Napier OFM Archbishop of
Durban
And Vicar General, Fr Sylvester David OMI
Members of the Faculty of the Institute
Students and in particular those who receive qualifications,
today.
Ladies, Gentleman and guests.

Thank you, Father Paul for that wonderful introduction. If you did not mention my name, I wouldn't have known it was me. You make me sound so good. Now I am really glad I'm me.

According to google there are approximately 415000 catholic priests worldwide and in comparison a countless number of attorneys. This ratio is extremely disproportionate. Does the world really need more lawyers than priests? I think not.

When I was asked to present this year's speech, I asked myself the question what a lawyer like me could possibly say to a gathering like this.

Yes I am a practicing Catholic, a good Catholic I do think, but maybe the nature of my profession must make me a regular visitor to my parish's confessional box.

The start of the answer to my question came fortuitously, when again as a good Catholic; I was going through my weekly dose of the Southern Cross. In the latest edition, in an article titled ‘Pope answers priests’ questions’, by Cindy Cowen, I found the first two paragraphs so pertinent that I will quote them in full:

“While it is true that the world is full of sin and sinful behavior, priests must learn to scrutinize the “signs of the times” for new trends and attitudes that are good and healthy and holy, Pope Francis told pastors from the diocese of Rome.

While there is “moral conduct that we aren’t used to seeing”, such as the normalization of living together before marriage, there also is a greater awareness of human rights, a push for tolerance and equality, and appreciation for the values of peace and solidarity,” he said”.

Later on the article reports that in response to a question that younger priests had posed regarding how they could fully live their vocation, the Holy Father is reported to have offered three recommendations: “first, learn to balance commitments; second, “find your own style”; and finally, spend time in private prayer and find a good spiritual director with whom to talk over what arises in prayer”.

I will base my reflections on the Holy Father’s wise counsel. As a legal practitioner I have an obligation to defend my client’s interests to the best of my abilities. I have an obligation to give my client’s version of events, to the court, to the best of my ability and have an obligation to do all I can

to show the honorable court that my client's version of events are not only probable, but the truth. But I also have another obligation, to uphold the law, to see to it that justice is done and seen to be done to all in equal measure (without fear, favour or prejudice). The supreme basis of our law is of course, our constitution, wherefrom all our common and statutory law derives its justification and fairness. Yet this is the question that the Holy Father addresses in a direct way and challenges priests to reflect on seriously. The Holy Father, in his address to the priests who were his audience, shows a remarkable awareness of the reality that colours the spaces that the priests live in, work in, and live out their faith. Those spaces are not wholly governed by the Catholic spirituality, moral theology, vows, teachings, and canonical instruments that they have vowed their lives to. Those spaces are governed by supreme laws of the land and pieces of legislation that may at times be at odds with what those priests have vowed to and their basic identity as a result of those vows. It is this very aspect that presents a special challenge not only to vowed life, but probably to all Catholics, and maybe all believers.

The challenge is how the believer is to negotiate his or her own existence, when the law that governs the land may be in direct opposition to deeply held beliefs and equally deeply cherished ways of living.

The Holy Father, not in direct words, indicates what a wrong attitude would be in such a situation. I think it is plausible to read the Holy Father as standing opposed to the believer developing a sanctimonious attitude towards those who are

different from his or her own values and beliefs. Rather, and in a more direct way, the Holy Father calls upon the priests in his audience, and I suppose all of us, to develop a more mature understanding of the dynamic between legal instruments that are at odds with our faith and that very faith. The most appropriate attitude is one of understanding what this dynamic represents. According to the Holy Father it represents not only a growth in the human rights regime but also the interpretation and defense of those individual rights. Why should it matter to the Holy Father that we develop such an attitude. I think what matters are an understanding of what the purpose of human rights is and how we can make them feature in our faith. Human rights share with some basic, but very fundamental aspect of our faith, I think. One of those features is the attempt to understand the individual who is not like us, to treat him or her fairly and with dignity due to him or her as God's creation, who is absolutely loved by God, I may add. I am not a preacher (though my husband may disagree) and will never pretend to be, I will not even attempt to be one, especially here – having benefitted from many a good sermon from the fathers here. But I will venture to draw on an incident in the gospel, to make my point. In one incident, some people, probably bloodthirsty, approach Jesus with a woman in tow. I can imagine the scene very clearly; it was not a nice, noble, gentle and well-mannered approach. It was probably rough, the woman was probably being dragged kicking and screaming, her clothes were probably torn, or she was not fully clothed. In a word her dignity was being stripped from her. Those who approach Jesus with her in tow, make their intentions very clear. They have caught her in the very act of

adultery and want to know what should be done to her, or more adventurously demand instant justice, to take the law into their own hands. This is a woman caught in sin and she deserves to be punished immediately and without hesitation. Jesus' reaction is most remarkable for its proximity to being a defence of human rights. There is much that can be made, theologically, of Jesus' challenge to the agitators that whoever has not sinned must cast the first stone. From a rights perspective, there is an implicit recognition, by Jesus, of the woman's worth. This worth is equivalent to that of those who demand her death, on grounds of her committed act. But Jesus turns the matter around and demonstrates, to the agitators, their equal standing, in frailty; to the woman they seek to have killed. When they walk away, without inflicting any further harm on the woman, they acknowledge not only their own sinfulness but also their own need to be protected from the possible wrath of their fellows, if they were to be found in the same frail situation.

A right based regime not only forces each one of us to defend the other, in the face of possible persecution, it also forces us to think how we should frame the dignity of those whose lives are different from our own. In a way, the regime of rights due to each individual serves as a reminder of the need not to only look at the individual who is different from ourselves with the intention of seeing their difference, but to be compassionate towards them. To understand their difference, to sympathise with their difference and even to stand up for them when that difference is a cause for attack.

It is here that I find the Holy Father's understanding of the intersection of the growth of human rights and our own faith most instructive. As people who will work in the church either in vowed life or ordained ministry, I invite you to think of your life as a witness. But a witness to what? Are you called to be a witness to how best condemn and stone those in moral situations we are not used to seeing, or are you called to something greater than that. The Holy Father acknowledges that there is a lot of sin and sinful behaviour in the world, yet at the same time he calls upon his audience to be awake to the signs of the times, to be aware of the good that comes with these times. Good such as "tolerance and equality, and appreciation for the values of peace and solidarity", which is what the Holy Father calls his audience to be alert to, is what I think we are all equally called to be witness to. I believe that these characteristics will make you better witnesses for Christ than nit-picking, accusatorial witnesses who wish to throw stones at every sinner they chance on.

This, in no way, should be seen as an advocacy of sin and sinful tendencies that are clearly on the rise. I am not asking you to be blind to the reality of sin that exists amongst us, and at times there is pure evil that may accompany that sin. What I am urging you to be mindful of, is how powerful a tolerant and discerning mind is, when it calls out a situation, and when it invites those with frailties to the grace of God. Those who live in frail existence are most likely to respond to our understanding, care and protection; than they are likely to respond to rough handling and stoning. After all if we stone them, we lose out the most as we will have no one to

show Christ's love. As Jesus gently turned to the woman, he had just saved from stoning, to encourage her not to sin again; he had a powerful effect on her life – he had defended her right to live and was now counseling her into a new life. There is no doubt that the woman was prepared to take Jesus seriously because of his initial act.

The last consideration that I think the Holy Father is calling us to be attentive to is to be open to the possibility that these changing times present in the old debate of the separation of the state from the church. Some believers firmly hold that such a separation spells doom through the loss of influence of the church. Others think such separation is directly responsible for the rise in sinfulness and moral decay. However, the Holy Father might, again, be calling his audience and indeed all of us, to be alert to, and seize the opportunity that that separation may present. Let us think of the state, the nation, the country; or more precisely all states, nations, and countries that we live in, as a large theatre where each one of us puts a performance of what it is to be the best human being. Not only do we contest for our show to be recognized as the best, we also seek to surpass others. The state and its laws may be thought of as an umpire that assures us of the validity of the multiplicity of existence before us. But in this act of overseeing the various acts that are at times contrasting, at times in harmony, and at times at war, we are called to remember one crucial thing about ourselves: our own frailty and our own ignorance. We are limited in many ways and whatever we know, we must be careful not to think of it as the final word of all reality. We must be open to the possibility of learning more and being

awoken to more. We must be open to the possibility of having our own ignorance displayed before us and we must be ever more prepared to accept that we are ignorant.

This awareness, I think is most important to our graduands today. You have completed your studies, some of you summa cum laude, and some of you cum laude and others with distinctions. Indeed you are now educated people. You hold degrees, diplomas, and certificates. Many people in the world do not have that privilege and access. But why did you spend so many years buried in study, laboring and toiling your life away? Was it merely for the certification or was it for something bigger than both the certificate and indeed this occasion. As you are people who are called to ministry, to minister, I would like to challenge you to think of your education and achievements not as something that belongs to you as an individual. Consider this achievement to be a deed for humanity, not for your own benefit but the benefit of humankind. Your educational achievement must be able to bring joy and enlightenment to those you will minister to. It must not be a source of your own arrogance and attempts at demonstrating to “lesser mortals”, or “sinful mortals” how they are in the wrong; how they stand judged and accused by your erudition. This education must be aimed at protecting those who need your protection, those who are frail, and those whose ways can be changed by their encounters with your educated self. To those of you who are going to continue studying, or those of you who will have to begin all over again, maybe with a different qualification or with a higher and more demanding qualification, think of the achievements you celebrate today as preparing you for that

higher or different educational calling. Be humble and open to possibilities in your pastoral work and in all your endeavors. True humility is staying teachable, regardless of how much you already know. Seek that which is beneficial to humankind and avoid that which causes harm.

Yet all this can be rightly termed platitudes. How does one live life, you may ask? What practical advice do you have for us to be the agents you propose? I do not pretend to be an ethicist, I am sure most of you can competently tell me about the great ethicists you have studied from Aristotle to Kant; from theories of *ubuntu* to utilitarianism. However, for you, to live fully and meaningfully is not just a matter of ethics or a matter of putting a performance in the theatre of the state. It is to live out a conviction! A conviction rooted in prayer as the Holy Father encourages his audience, in thoughtful prayer, in an ever present desire to grow, spiritually. It is this growth that will enable you to minister to the world, not by shouting and putting up vigorous displays of your difference. But in your ways of conviction, the world will see who and what you are. And when you speak, the world will sit up and listen, for it will not find sophistry but words of conviction borne from a life of conviction. Your academic career is just but a part of what you are called to be and what you are supposed to be! It is preceded by the witness you must be! And this witness is aided in many ways by your education. I hope throughout your studies you were shown how to be open to possibilities and to read the signs of the times.

But as people who will minister, remember you do so with the expectation that you will have an accurate understanding

of the conflicts that our very existence brings. However, do not be trapped in those conflicts, seek to go beyond them, embrace the possibilities that conflicts present to being witnesses of your convictions. Win people over not by rhetoric and violent denunciation of their ways, make them want to understand the source of your convictions. Make them see what they can follow in your ways. Be tolerant but firm.

Again this is easier said than done. I am not calling on you to be a cosmopolitan. What I am asking of you is to be ministers who are understanding, who are aware of the complexities associated with our existence, who have an appreciation of the rights due to others. Be ministers who know what otherness means, ministers who can be compassionate towards that otherness, and yet at the same time are so deeply rooted in their spiritual foundations that when you speak and admonish your word carries real weight.

In conclusion, let me say something about the law. The law is for everyone and it applies to everyone. If you ever become my client, my suspicion is that you would be in deep trouble. So do not ever be my client. Yet if you do become one, you are assured of my best representation. If I were you I would stick to conventional methods of shepherding the flock, holy water and holy oil are still acceptable instruments of ministering to the sick and whoever may need such ministering. But more seriously, you will be bound by the law of your land. Yes the law is always open to interpretation but it is your duty to know the law. You may have the task of being a parish priest and it will then become your duty to

have an insightful knowledge of the labour laws that will be applicable to your staff. Remember the same law that permits what we frown on, is also responsible for guaranteeing that we pursue our religion free of harassment. It is therefore incumbent upon us to, as the Holy Father urges, see possibilities that the regime of rights presents. Let us see the gains the law has sponsored in respect of peaceful co-existence, broader equality, and freedoms to have our convictions on display.

Today be thankful to God, be thankful to your family and friends for their love and support. I wish you the best in all your future endeavors and may you always be truly open to possibilities that every hard situation presents and may you remain steadfast in your faith and conviction. And as the Holy Father urges, find your own style while remaining in prayer. Your own style, is the best instrument in your ministry.

Thank you!!!