



The Holy See

ADDRESS OF HIS HOLINESS POPE FRANCIS TO THE NATIONAL ASSOCIATION OF MAGISTRATES

*Consistory Hall
Saturday, 9 February 2019*

[Multimedia]

Distinguished Ladies and Gentlemen,

I address a cordial greeting to you, to your President, whom I thank for his words, to the Central Steering Committee and to the entire National Association of Magistrates, which is 110 years old: an anniversary which becomes an opportunity for gratitude and evaluation, a moment in which you are able to confirm your intentions and recalibrate your aims, in the light of the changed context.

For more than a century, through initiatives of a cultural nature and linked to assistance and insurance, the National Association of Magistrates has supervised the proper functioning of the delicate and precious function of the magistrature. At the same time it fulfils an important task of monitoring democratic rules and promoting constitutional values, at the service of the common good. By promoting these values, through internal debate and press releases, national congresses, your journal and dialogue with institutions, you make a significant contribution to the most relevant issues concerning the administration of justice. The fact that around ninety per cent of Italian magistrates are members of your Association makes you privileged interlocutors, in particular for the legislative bodies of the State, as it allows you to draw on a wide range of professional experiences, giving you a direct knowledge of the life of citizens and of critical issues.

We live in a context afflicted by tensions and ruptures, which risk weakening the social fabric itself and weaken the civic awareness of many, with a consequent withdrawal into the private sector that often generates disinterest and becomes a fertile ground for illegality. The claim to a range of rights, up to those of the third and fourth generation connected to the new technologies, is often flanked by a limited perception of one's own duties and a widespread lack of sensibility towards

the primary rights of many, indeed multitudes of people. For these reasons, it is necessary to reaffirm with constancy and determination, in attitudes and in practice, the primary value of justice, indispensable for the correct functioning of any area of public life and so that every person may lead a serene life.

Philosophical tradition presents justice as a *cardinal virtue*, the quintessential cardinal virtue, since the others also contribute towards its realization: prudence, which helps to apply the general principles of justice to specific situations; fortitude and temperance, which perfect its fulfilment. Justice is therefore a *virtue*, that is, an inner robe worn by the subject, not an occasional dress or one to be worn for events, but a robe that must always be worn, so that it covers and envelops you, influencing not only concrete decisions but also intentions and purposes. And it is a *cardinal value* as it indicates the right direction and, like a pivot, it is also a point of support and junction. Without justice, all social life is obstructed, like a door that can no longer open, or that ends up grinding and creaking in a confused movement.

Therefore, all the positive energies present in the social body must contribute to the attainment of justice, because in fulfilling the task of rendering to each person what is rightfully his, it is the main requirement for the achievement of peace. To you, magistrates, justice is entrusted in a very special way, because not only do you practice it with alacrity, but you also promote tirelessly; it is not in fact an order already realized to be preserved, but a goal towards which to strive every day.

I am aware of the many difficulties you encounter in your daily service, hampered in its effectiveness by the lack of resources for the maintenance of the structures and for the recruitment of personnel, and by the increasing complexity of legal situations. Every day you must then deal with an overabundance of laws, which can cause overlap or conflict between different laws, old and new, national and supranational; and, on the other, with legislative gaps in some important issues, including those relating to the beginning and the end of life, to family law and the complex reality of immigrants. These critical issues require magistrates to assume responsibility that goes beyond their normal duties, and demands that they establish the events and pronounce on them with ever greater accuracy.

In a time in which so often the truth is falsified, and we are almost overwhelmed by a whirlwind of fleeting information, it is necessary that you be the first to affirm the superiority of reality over the idea (see Apostolic Exhortation *Evangelii gaudium*, 233); in fact, “realities simply are, whereas ideas are worked out” (*ibid.*, 231). May your commitment to ascertaining the reality of the facts, even if made more difficult by the amount of work entrusted to you, always therefore be punctual, accurately reported, based on an in-depth study and on a continuous effort to remain up-to-date. May you be able to make use of dialogue with various forms of extra-judicial knowledge, to better understand the changes taking place in society and in people’s lives, and where necessary, to be able to implement skilfully an evolutionary interpretation of the laws, on the basis of fundamental principles enshrined in the Constitution.

In a social context in which the pursuit of individual interest even at the expense of the collective is increasingly regarded as normal, without scandal, you are called to offer a sign of disinterested dedication that your Statute recalls from its first article, and made possible by the important prerogative of independence, which you have always safeguarded as a National Association. External independence, which leads to firm affirmation of your non-political character (cf. *Statute*, article 2), deters favouritism and the formation of currents, which can contaminate choices, relations and appointments; and internal independence (cf. *Statute*, article 1), instead allows you to be free from seeking personal advantages and capable of rejecting “pressure, indication or direct solicitation to unduly influence the timing and methods of administration of justice” (*Statute*, art. 2).

It is precisely the timing and ways in which justice is administered that touch the living flesh of people, especially those most in difficulty, and leave in them signs of relief and consolation, or wounds of oblivion and discrimination. Therefore, in your valuable task of discernment and judgment, seek always to respect the dignity of each person, “without discrimination or prejudice on the grounds of sex, culture, ideology, race, or religion” (*Statute*, art. 9). May your view of those whom you are called to judge always be a gaze of goodness. “Mercy triumphs over judgment” (*James*, 2: 13), the Bible teaches us, reminding us that an attentive view of the person and his needs succeeds in grasping the truth in an ever more authentic way. May the justice you administer be increasingly “inclusive”, attentive to the least and their integration: indeed, with the duty of giving to each person what is due to them, one cannot forget the extreme weakness that afflicts the lives of many and influences decisions.

May high moral standards, expressed with clarity in your Code of Ethics, always inspire your action, as you are more than officials; rather, you are models to all citizens and in particular to younger people. For this I congratulate you, as you recall the magistrates who have suffered and lost their life in the faithful execution of their duties. To each one of them I too, today, address a special and grateful memory.

May the Lord bless you all, your work and your families. Thank you.

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