

Fall 2020

Clark Memorandum: Fall 2020

J. Reuben Clark Law School

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CLARK MEMORANDUM

J. Reuben Clark

Law School

Brigham Young

University

Fall 2020



C O N T E N T S

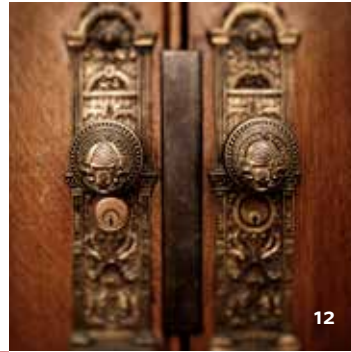
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a FEAST of
FAT THINGS

by SHARON EUBANK



As a young welfare worker in the Church Office Building, I came to know about President J. Reuben Clark, because emblazoned on a wall at the elevators where I read it every day was a statement of his:

The real long term objective of the Welfare Plan is the building of character in the members of the Church, givers and receivers, rescuing all that is finest down deep inside of them, and bringing to flower and fruitage the latent richness of the spirit, which after all is the mission and purpose and reason for being of this Church.¹

The nature of relief and development work is to be exposed to the unjust and disastrous circumstances that are like a killing frost to the potential “flower and fruitage” in human beings—the “finest down deep inside” people—so that they struggle even for survival.



This address was given at the Annual JRCLS Fireside on January 24, 2020. Sharon Eubank is first counselor in the Relief Society General Presidency and director of Latter-day Saint Charities.





THE LORD IS USING **REVOLUTIONS** TO OPEN UP
LARGER AND WIDER **OPPORTUNITIES** FOR HIS CHILDREN
TO **CONNECT** BACK TO HIM THROUGH THE GOSPEL.

Some of these things I have witnessed with my own eyes:

- ❁ The tragedy of 10-year-old boys and girls being sent to do menial work instead of to school.
- ❁ The heartbreak of a death when the doctors knew what to do but didn't have the medicine or equipment to do it.
- ❁ The loss of potential when three-year-old children don't get enough nutrition for their brains to develop higher cognitive function.
- ❁ The almost casual violence and abuse against people whose protection under the law is subverted in some way.

President Clark said that the mission, purpose, and reason for being of the Church of Jesus Christ is to build up the character of givers and receivers and, by so doing, rescue the finest parts of each of us. I believe that is part of the genius of the J. Reuben Clark Law Society, named in his honor. It organizes and motivates those who practice law to lend their expertise, faith, and experience to improve society in countless ways.

This year we are beginning two decades of commemorating the 200th anniversary of various events that are part of the Restoration of all things. The dispensation was ushered in dramatically in the spring of 1820 when Joseph Smith saw and spoke with God the Father and His Eternal Son, Jesus Christ. President M. Russell Ballard recently described, in an article printed in the January 2020 *Ensign*, some of the important ways “the Lord prepared the world for the Restoration.”² With a great debt to President Ballard, let me build on his thoughts and describe the revolutions and others still to come that are preparing the earth for the Second Coming. I personally resonate with the idea that the Lord is using revolutions to open up larger and wider opportunities for His children to connect back to Him through the gospel.

Before Jesus was born onto the earth, the gospel emphasis was on knowing the only true God and keeping His law; having a correct foreknowledge of the Messiah, who was to come; and protecting the records that taught His doctrine and prophesied of His coming. Once the Atonement was accomplished and the doctrine of Christ was established, then a series of powerful revolutions relentlessly began to open up ways for more and more children of God to hear about His plan and have the freedom to act for themselves in order to live that plan.

THE REVOLUTION OF THE DEAD

How many people would you estimate have ever lived on the earth? According to estimates by the Population Reference Bureau, it is approximately 108 billion. If 7.5 billion are alive right now, then somewhere around 100 billion people might be in the spirit world. Jesus's visit to the spirit world immediately after His Crucifixion was the opportunity to organize missionary work for those who had not known His gospel on the earth. It must have been a massive undertaking.

We have President Joseph F. Smith and his revelation in section 138 of the Doctrine and Covenants to thank for much of what we know, including an impressive list of men and

women who were there to greet the Savior when He arrived. From among those just and righteous spirits, He organized a missionary force to preach the gospel.³

It is impressed upon me how many more people the spirit world holds than the physical earth and how this stage of development frankly may be much more relevant for the 95 percent of the world's inhabitants who did not hear about Jesus Christ during their mortality. The revolution of the dead learning about Jesus Christ continually uses the exponential talents of all the prophets, apostles, missionaries, ministers, seers, mothers, and fathers in all periods of time. The scope of it is greater than I can imagine. Jesus Christ's atoning mission and that impressive, collective missionary force link the eras and families of Elohim's children, both living and dead, together into one great whole. Moroni and Malachi were right. Without this merciful concept, the whole earth would be "utterly wasted."⁴

THE MANUSCRIPT REVOLUTION

President Ballard describes that the change from using cumbersome, labor-intensive tablets of stone, clay, or metal to using parchment or papyrus scrolls meant many more people could keep a record. These lighter-weight writing materials made it much easier

*for scribes to record God's words received through inspired prophets and apostles. Using these writing materials, many countless and unknown scribes diligently copied, transmitted, and preserved sacred writings in multiple copies so that the flames of faith were never extinguished.*⁵

The standard works of scripture that sit on our night tables or on our phones represent an untold wealth of sacred riches.

THE PRINTING REVOLUTION

President Ballard goes on to say:

Gutenberg was an instrument in the Lord's hand to increase knowledge, understanding, and religious faith in the world. His [press in c. 1440] ignited a printing revolution that changed the world forever by facilitating the wide circulation of ideas and information that became "agents of change."

Scholars estimate that about 30,000 books existed in Europe at the time Gutenberg published the Bible on his printing press. Within 50 years after his invention, more than 12 million books were found in Europe.

*The Protestant Reformation utilized Gutenberg's invention to spread its ideas and to bring the Bible to the common people in ways that no one of an earlier generation ever could have imagined.*⁶

THE LITERACY AND TRANSLATION REVOLUTION

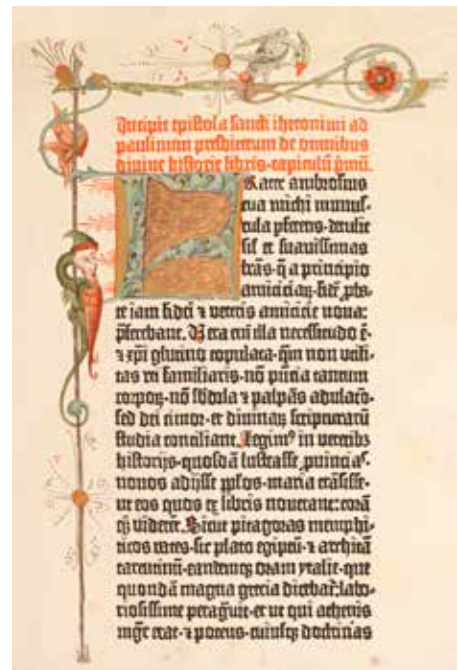
The printing revolution fed and was fed by an increase in literacy and a growing thirst among the common people of Europe to read the sacred words of scripture in their own languages.

... For centuries many Europeans learned about the Bible mainly through sermons given by priests.

But in the 15th and 16th centuries, religious reformers created new Bible translations in the common languages of Europe.

William Tyndale and others gave their lives in this revolutionary cause. The result was that, by 1800,

*most families, including that of Joseph and Lucy Mack Smith, owned a Bible and read from it on a regular basis. In fact, many people learned to read by hearing it read at home and by studying it themselves.*⁷



A page of the 42-line Gutenberg Bible printed in 1455.



COMMUNICATION INNOVATIONS

TELEVISION, INTERNET, SMARTPHONES,
ARTIFICIAL INTELLIGENCE HAVE WORKED TO
LANGUAGE, AND ACCESS FOR EVEN THE
OF THE EARTH.

THE POLITICAL REVOLUTION

Many of the earlier revolutions described above

prepared the way for political and technological revolutions that swept across Europe and the Americas between the 17th and 19th centuries. The changing political climate in Europe and America gave people greater freedom to choose their own religious path.⁸

Religious freedom and individual rights were protected under law, and this directly prepared the groundwork for the Restoration with Joseph Smith in the United States.

THE TECHNOLOGY REVOLUTION

As the Lord promised in Joel 2:28, as truth began to be restored, He also began to “pour out [His] spirit upon all flesh,” including upon those who were prepared to dream of new transportation, medical, and communication technologies that would move His Restoration forward in dramatic ways.

As the Lord raised up His Prophet, He inspired men and women to invent technologies, such as canals, telegraphs, railroads, and steam engines, so the gospel could go forth to all the world.

In countless other ways, the Lord prepared the world for the Restoration of His gospel to bless individuals, families, communities, nations, and the world.⁹

Medical advances have eradicated diseases, tamed pain, extended life, and mitigated disabilities. Communication innovations in the form of radio, television, internet, smartphones, machine translation, and artificial intelligence have worked to overcome distance, language, and access for even the most remote and poor people of the earth. All these advancements came so the gospel could go forth to all the world.

THE TEMPLE REVOLUTION

In 1963, when I was born, there were 12 operating temples. Now there are 187 temples dedicated, being renovated, or under construction. Announced temples bring the number to 225.¹⁰ That means 213 temples have been built or announced since I was born. And 122 of these temples have been established during the last 20 years. The facts surrounding these temples

are astonishing to me: That the Church has the funding to build them. Miracle. That the Church has the people to be the presidents, matrons, recorders, and workers. Miracle. That the world is peaceful and accepting enough to let them be built. Miracle.

Millions of ordinances each year flow from these temples. The work is fed by the genealogy, family history, and a records preservation revolution largely facilitated by nonmembers of the Church who feel the spirit of Elijah. Unprecedented. This is priesthood work being done quietly by priestly people—as Moses once envisioned.¹¹ I don’t believe the world has ever before had a million men, women, and children who hold active temple recommends. I won’t guess at what the exact number is today, but the standard of sacrifice, consecration, morality, and obedience to God’s laws that this statistic represents is revolutionary in my mind.

President Lorenzo Snow looked into the future and said, “The time will come when there will be temples established over every portion of the land, and we will go into these temples and work for our kindred dead night and day.”¹² Fascinatingly, he said this in 1899, when there were only four temples. We have truly lived through this temple revolution in our own lifetimes.

THE MAN/WOMAN REVOLUTION

The world has rarely been free from tension, patriarchy, and abuse within the absolutely essential relationship between men and women. There may have been only brief stints of true interdependence between God’s daughters and sons that have occurred during the history of the earth, but it is God’s true pattern, His way, and He is restoring it, too, to the earth so that men and women can finally build Zion together. This is what the temple revolution heralds. The pattern is taught within temples. Zion can be accomplished only by men and women, each with his or her gifts and powers, working cooperatively together.

President Russell M. Nelson made a bold declaration when he said: “The women of this dispensation are distinct . . . because this dispensation is distinct from any other. This distinction brings both privileges and responsibilities.” And then he extended an invitation to the women of this dispensation: “Take your rightful and needful place in your home, in your community, and in the kingdom of God—more than you ever have before.”¹³

In 1842, as Joseph Smith was contemplating the building of the Nauvoo Temple, he knew its function would be different from the Kirtland Temple’s and that he needed to prepare both the brothers and the sisters for the specific ordinances and roles that would be revealed. Joseph, at the founding of Relief Society, “turned the key” to the women and organized the Relief Society under a priesthood pattern to function in concert with the quorums in the work of salvation and exaltation. He said:

*I now turn the key to you in the name of God and this Society shall rejoice and knowledge and intelligence shall flow down from this time—this is the beginning of better days, to this Society.*¹⁴

I wondered if that could be documented. Was the founding of Relief Society really “the beginning of better days”? Without exhaustive research, the following two charts show some events before 1842 and after. The first chart shows some limited legal progress in isolated locations. The second shows the march toward universal suffrage between 1848 and 1920.

150 YEARS BEFORE THE FOUNDING OF THE RELIEF SOCIETY IN 1842

1689	Friesland, Netherlands: Female landowners vote in rural elections.
1718	Sweden: Female taxpaying members of city guilds are allowed to vote in local city and national elections.
1734	Sweden: Female taxpaying property owners of legal majority are allowed to vote in local countryside elections.
1755	Corsica: Female suffrage is granted in the independent republic’s diet.
1756	Uxbridge, Massachusetts, USA: One woman is allowed to vote in a town meeting.
1776	New Jersey, USA: Property owners are allowed to vote regardless of race or sex.
1838	Pitcairn Islands (pop. 194): Women are extended the vote.

IN THE FORM OF RADIO,

MACHINE TRANSLATION, AND

OVERCOME DISTANCE,

MOST REMOTE AND POOR PEOPLE

80 YEARS AFTER THE FOUNDING OF THE RELIEF SOCIETY IN 1842

1842	Nauvoo, Illinois, USA: The Relief Society is organized.
1848	Seneca Falls, New York, USA: Susan B. Anthony holds a national convention pushing for suffrage.
1861	South Australia: Property-owning women may vote.
1862	Sweden and Finland: Women may vote in local elections.
1869	United Kingdom: Single women may vote in local elections.
1869	Wyoming, USA: Full suffrage is extended to women.
1870	Incorporated Utah Territory, USA: Full suffrage is extended to women.
1888	United States: A constitutional amendment for suffrage and the right to hold office is proposed.
1893	New Zealand: The first self-governing colony to give all women right to vote, but women could not stand for election.
1894	South Australia and United Kingdom: Suffrage is granted to some women.
1895	South Australia: The first place in the world to allow women to stand for election; none did.
1896	Utah and Idaho, USA: Suffrage is reestablished upon gaining statehood.
1902	Australia (all provinces): Women are given the vote in federal elections, the same as men.
1906	Finland: The first country in Europe to give women the vote and the right to stand for parliament.
1907	Finland: The first female members of parliament in the world are elected.
1908	Denmark: Women may vote in local elections.
1910–15	Western United States, Norway, and Denmark: The franchise is extended to women.
1917	Estonia, Latvia, and Lithuania: Women are given the vote.
1918	United Kingdom: All women over 30 may vote.
1919	Sweden and many other countries: Universal franchise is given.
1920	United States: A constitutional amendment allows women full suffrage.

President George Albert Smith confirmed as much when he said:

When the Prophet Joseph Smith turned the key for the emancipation of womankind, it was turned for all the world, and from generation to generation the number of women who can enjoy the blessings of religious liberty and civil liberty has been increasing.¹⁵

The Relief Society’s purpose is to build faith in Jesus Christ, strengthen the resilience of families, and offer relief from illness, poverty, doubt, ignorance, and anything “that hinders the joy and progress of woman.”¹⁶

I believe the world has not yet seen the full fruition of what can be accomplished when men and women work interdependently and without structural barriers to improve circumstances. The J. Reuben Clark Law Society members have many opportunities—with your unique professional and spiritual expertise—to bring solutions and resources to the circumstances that affect men and women, families, and communities. This revolution is grounded in good secular law and in priesthood power. You play a part in both.

THE ZION REVOLUTION

Finally, I speak about the revolution that creates Zion. This stage will be difficult and messy because Satan uses all these revolutions for his own twists and misery. Pollution from technologies engulfs the earth. Filth, debasement, and inhuman acts are communicated to every remote corner of the earth. Politics falls into brute violence as human rights are violated for power. As opposition increases toward the end of the earth, the polarization will grow stark. Either you believe in God or you do not. Either you are willing to work in harmony with others or you are not. Either you will keep the rule of law for the good of society or you will not. Zion will be built by those who are willing to unify their hearts and minds for peaceful progress, dwell in obedience to law, and eradicate all kinds of poverty. Everything outside of that will eventually destroy itself.

Latter-day Saint Charities, the collective humanitarian efforts of Latter-day Saints themselves, is striving through both givers and receivers to unify hearts and minds for peaceful progress and to address issues of poverty. Its work, essentially, is to help lay the foundation stones of a Zion society. This would include sharing expertise freely so we can be of “one mind,” working side by side with others very different from us so we can be “of one heart,” keeping the laws of heaven and earth so we can “[dwell] in righteousness,” and building up our characters so there will be “no poor among [us].”¹⁷

President Nelson describes the work of all of these revolutions in his own vocabulary. He calls it gathering Israel “on both sides of the veil.”¹⁸

We have been talking about revolutions at the macro level, but let me give two examples of what they might look like at the micro level.

The first story is of the Hernandez family. They had gathered at Griffith Park near Los Angeles on Easter for a picnic. They were enjoying the day, when 13-year-old Jesse and some of his cousins went exploring. They found an unlocked shed, went inside, and—in the way boys sometimes do—began jumping on boards to see if they would break. Suddenly, the boards broke apart, and Jesse disappeared into a hole. The cousins screamed his name, but all they could hear was running water. Jesse had fallen into an open sewer pipe and was being swept along the network of interlinking tunnels underneath Los Angeles.

His parents called 911, and first responders tried to figure out how fast Jesse might be traveling and in which direction he might have gone. They worked for hours with no success. Someone had the idea to tape GoPro cameras onto floats and put them into the tunnels to see if they could see any telltale sign of which way Jesse went. As the hours went by, many despaired that Jesse could still be alive in the stinking water.

Los Angeles mayor Eric Garcetti holds a press conference on the rescue of Jesse Hernandez.



Suddenly, someone thought they could see the barest hint of four finger marks on the side of a pipe wall in one of the tunnels. They did some math to calculate where Jesse might physically be if he had indeed gone down that pipe. They had to shut down the Los Angeles freeway and open up access to the sewer system. They hoped to somehow catch him as he swept by, but when they opened up the cover and shined a powerful light inside, there was Jesse. He had wedged his foot into a seam as the water and sewage flowed up and over him and was praying someone would rescue him. They lowered a rope and pulled him out. They washed him off with a fire hose and handed him a cell phone. He called his mother and said, in the way only a 13-year-old boy can manage, “Mom, I’m alive. Come pick me up.”¹⁹

The odds of rescue were not in Jesse’s favor, but the dedication, innovation, and refusal to give up of the people who loved and cared about him made all the difference in the end.

All of the revolutions I have been describing are being orchestrated by the One who loves us and will not give up on us. No matter how much sewage we have fallen into, Jesus Christ is there as a first responder to rescue us and pull us back up. And, like Him, we can be enlisted to help pull up others out of the holes they have fallen into. The points of the printing, literacy, technology, temple, and Zion revolutions are all the same: to guide us to Jesus Christ, who can bring us home to our Heavenly Parents.

The second example comes from a video made in Thailand in which a young man goes about living his regular, everyday life.²⁰ He places a dying plant under a drain spout. He helps lift a heavy burden for a worker. He shares his meal with a dog. He responds to a parent’s desire for her child to go to school. He leaves fruit anonymously for a neighbor who doesn’t get out. He gives up his seat in a hot, crowded bus to a woman who is standing. Imagine that every simple act he performs represents some application of the rule of law.

He personally does not benefit from any of these acts in that he won’t be made partner, his arguments won’t be shown on TV, and he will still be anonymous and not famous. What he does receive are relationships. He is a witness to happiness. He reaches a deeper understanding of the divine. He feels love and receives what money cannot buy. This is revolutionary on the human level—person to person. Following the example of Jesus Christ to serve God and serve others changes everything.

There are literally millions of lawyers in the world. The American Bar Association reports that in the last 10 years, the number of attorneys in the United States has grown by 15.2 percent.²¹

But how many men and women of the law are committed to the revolutions I have described? How many will not bend to personal interest and corruption? How many have made their vows in a holy temple to obey and consecrate so there will be “no poor among [us]”?

The scriptures teach that the great outcome of our mortal experience is to develop a deeper connection to God, our Father, and Jesus Christ and also a deeper connection to each other. Jesus said, “On these two commandments hang all the law and the prophets.”²² So the question that was asked in the Grand Council in Heaven is relevant to each one of us: “Whom shall I send?”²³ Every day you see resources that aren’t connected, children who aren’t in school, neighbors who don’t function as they should, and people who are standing who should be sitting. The question whispers, and sometimes rings out, “Whom shall I send?” Let it be you. Let it be me.

I began tonight with a look at two millennia of history to lift our vision to what is going on around us that is truly of lasting importance. President Dallin H. Oaks reinforced this idea when he said in 1991:

*The most important idea for any of us is that this life, with all its advantages and disadvantages, is only temporary. It is part of a larger whole. Our challenge is to develop the perspectives to realize and the strength to act upon the realization that the really important achievements of this life are those that carry enduring, favorable consequences for the eternities to come.*²⁴



BRADLEY STADE

THE POINTS OF THE PRINTING, LITERACY,
TECHNOLOGY, TEMPLE, AND ZION REVOLUTIONS
ARE ALL THE SAME: TO **GUIDE** US TO
JESUS CHRIST, WHO CAN BRING US **HOME**
TO OUR HEAVENLY PARENTS.

Let me close with this passage from Doctrine and Covenants 58. It is my testimony; it is the foundation I have staked all my intellectual, spiritual, and physical desires on. If you have heard me say it before, I hope you will hear it a hundred more times.

Ye cannot behold with your natural eyes, for the present time, the design of your God concerning those things which shall come hereafter, and the glory which shall follow after much tribulation.

For after much tribulation come the blessings. . . .

Remember this, which I tell you before, that you may lay it to heart, and receive that which is to follow.

. . . For this cause I have sent you—that you might be obedient, and that your hearts might be prepared to bear testimony of the things which are to come;

And also that you might be honored in laying the foundation, and in bearing record of the land upon which the Zion of God shall stand;

And also that a feast of fat things might be prepared for the poor; yea, a feast of fat things . . . ;

Yea, a supper of the house of the Lord, well prepared, unto which all nations shall be invited.

First, the rich and the learned, the wise and the noble;

And after that cometh the day of my power; then shall the poor, the lame, and the blind, and the deaf, come in unto the marriage of the Lamb, and partake of the supper of the Lord, prepared for the great day to come. . . .

And that the testimony might go forth from Zion. . . .

Yea, for this cause I have sent you.²⁵

May the revolutionary work of Jesus Christ be in our hearts and minds every day. May the J. Reuben Clark Law Society fulfill its mission to be a light unto the nations. And may the Holy Ghost point clearly to the things each of us can do to prepare “a feast of fat things” for Zion is my prayer. [cm](#)

NOTES

1 J. Reuben Clark Jr., “Special Meeting of Stake Presidents,” Oct. 2, 1936.

2 M. Russell Ballard, “How the Lord Prepared the World for the Restoration,” *Ensign*, Jan. 2020.

3 See Doctrine and Covenants 138:38–47, 49, 53.

4 Doctrine and Covenants 138:48 and JS—H 1:39; see also JS—H 1:36–39.

5 Ballard, “How the Lord Prepared the World.”

6 Ballard, “How the Lord Prepared the World.”

7 Ballard, “How the Lord Prepared the World.”

8 Ballard, “How the Lord Prepared the World.”

9 Ballard, “How the Lord Prepared the World.”

10 Six additional temples were announced in the October 2020 general conference. See “Temple Statistics,” churchofjesuschristtemples.org

11 See Exodus 19:1–8; Doctrine and Covenants 110:6–11.

12 Lorenzo Snow, “Discourse by President Lorenzo Snow,” *Millennial Star* 35, vol. 61 (Aug. 31, 1899): 546.

13 Russell M. Nelson, “A Plea to My Sisters,” *Ensign*, Nov. 2015.

14 Joseph Smith, “Discourse, 28 April 1842, as Reported by Eliza R. Snow,” in *Nauvoo Relief Society Minute Book*, 40, josephsmithpapers.org.

15 George Albert Smith, “Address to the Members of the Relief Society,” *Relief Society Magazine* 32, no. 12 (Dec. 1945): 717; see also Belle S. Spafford,

“Latter-day Saint Women in Today’s Changing World,” in Jennifer Reeder and Kate Holbrook, eds., *At the Pulpit: 185 Years of Discourses by Latter-day Saint Women* (Salt Lake City: Deseret Book, 2017), 189.

16 John A. Widtsoe, *Evidences and Reconciliations: Aids to Faith in a Modern Day*, vol. 1, arr. G. Homer Durham (Salt Lake City: Bookcraft, 1943), 245.

17 Moses 7:18.

18 Russell M. Nelson, in R. Scott Lloyd, “Book of Mormon: Gathering Israel, Preparing for Second Coming,” *Church News, Ensign*, Apr. 2013.

19 “After 12 Hours in LA Sewer, Teen Calls Mom: ‘I’m Alive. Come Pick Me Up,’” *CBS News*, Apr. 3, 2018, cbsnews.com/news/jesse-herandez-teen-rescued-los-angeles-sewer-calls-mom-im-alive-come-pick-me-up.

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21 See “New ABA Data Reveals Rise in Number of U.S. Lawyers, 15 Percent Increase Since 2008,” May 11, 2018, *ABA News*, americanbar.org/news/abanews/aba-news-archives/2018/05/new_aba_data_reveals.

22 Matthew 22:40.

23 Abraham 3:27.

24 Dallin H. Oaks, “Values,” *Clark Memorandum*, Spring 1991, 15.

25 Doctrine and Covenants 58:3–11, 13–14.





And When He Came to Himself

BY
ELDER DAVID A. BEDNAR

*Member of the Quorum of
the Twelve Apostles*



I am grateful to participate with you in the Religious Freedom Annual Review at the J. Reuben Clark Law School at Brigham Young University.

This is a most opportune time to consider together the importance of religious freedom, and I appreciate the invitation to share a few of my thoughts with you.




~~~~~  
*This keynote address was given at  
the Religious Freedom Annual Review  
hosted by the International Center for Law  
and Religion Studies on June 17, 2020.*  
~~~~~

THE PRODIGAL SON

In the 15th chapter of Luke in the New Testament,¹ we learn about a young man who obtained his inheritance from his father and then traveled to “a far country.” This young man “wasted his substance with riotous living.”² When he had squandered all of his resources, “a mighty famine [arose] in that land; and *he began to be in want.*”³

And he went and joined himself to a citizen of that country; and he sent him into his fields to feed swine.

And he would fain have filled his belly with the husks that the swine did eat: and no man gave unto him.

And when he came to himself, he said, How many hired servants of my father’s have bread enough and to spare, and I perish with hunger!

I will arise and go to my father, and will say unto him, Father, I have sinned against heaven, and before thee,

And am no more worthy to be called thy son: make me as one of thy hired servants.

And he arose, and came to his father.⁴

This story has a marvelously happy ending. The return of this son to his home led to a loving reconciliation with his father and a restoration of his station in his family.

A WAKE-UP CALL

The parable of the prodigal son describes the experience of a young man who became lost and subsequently found his way back home. Please note two key aspects of this young man’s experience.

First, “he began to be in want” when a mighty famine arose in the land. As this natural calamity unleashed its negative effects, I presume his inheritance was gone. I also imagine that many of the friends who enjoyed his companionship while he had plenty of money had long since told him goodbye. He may have been homeless. But ultimately, it was the famine and his resultant hunger that constituted a strong “wake-up call.” He was shaken awake from the customary patterns of his lifestyle by an increasing realization of his inability to fulfill his most basic needs.

Second, the young man’s wake-up call led him to “[come] to himself.” This poignant phrase suggests to me a process of examining aspects of his life that previously had been

unexamined, resulting in a personal realization of his present circumstances and what he had become. He also was willing to strive for a timely and needed course correction: “I will arise and go to my father.”

Our world has seemingly been filled recently with strong wake-up calls. From natural disasters to a deadly pandemic sweeping the globe to a most pernicious social plague of racism, we are daily reminded that we need to awaken to the perilous times that surround us, come to ourselves, and arise and turn to our Divine Father, who desires to instruct and edify us through our trials.

COVID-19 CONSTRAINTS CAN BE BLESSINGS

Just as the famine for the prodigal son was a pivotal turning point in his life, so can COVID-19 help us to realize what we have not fully realized before.

Several years ago I spent a Sunday afternoon in the home of my apostolic associate Elder Robert D. Hales as he was recovering from a serious illness. We discussed our families, our quorum responsibilities, and our important life experiences.

At one point I asked Elder Hales, “You have been a successful husband, father, athlete, pilot, business executive, and Church leader. What lessons have you learned as you have grown older and been constrained by decreased physical capacity?”

Elder Hales paused for a moment and responded, “When you cannot do what you have always done, then you only do what matters most.”

I was struck by the simplicity and comprehensiveness of his answer. My beloved friend shared with me a lesson of a lifetime—a lesson learned through the crucible of physical suffering and spiritual searching.

For Elder Hales, the limitations that were the natural consequence of advancing age had become, in fact, remarkable sources of spiritual learning and insight. The very factors that may have appeared to limit his effectiveness became some of his greatest strengths. Physical restrictions expanded his vision. Limited stamina clarified his priorities. Inability to do many things directed his focus to a few things of greatest importance.

Thus, constraints and limitations can be remarkable blessings if we have eyes to see and ears to hear. And this same truth applies to all of us today as we wrestle with the effects of a pandemic.

COVID-19 WAKE-UP CALLS

The following examples highlight some of the things we may now see and hear more distinctly because of the demands and constraints imposed upon us by COVID-19.

- ◆ COVID-19 has alerted us to many of the limitations in the supply chain processes that bring food from the fields, farms, and processing plants to our local grocery stores and kitchen tables.
- ◆ COVID-19 has alerted us to our dependence upon foreign nations for many of our essential medical supplies, pharmaceuticals, and a wide variety of other strategically important products.
- ◆ COVID-19 has alerted us to many of the constraints of just-in-time inventory and delivery systems for manufacturing plants and retail businesses.
- ◆ COVID-19 has alerted us to many of the deficiencies in our national and local health care systems.
- ◆ COVID-19 has alerted us to the importance of defending the borders between personal liberty, constitutional rights, and governmental authority.
- ◆ COVID-19 has alerted us to many attacks on the freedoms of religion, speech, and assembly. And the list goes on. The buzzer on the COVID-19 alarm clock just continues to ring and ring and ring.

COVID-19 AND RELIGIOUS FREEDOM

The Religious Freedom Annual Review is a time to reflect on religious freedom and its place in the law, the nation, and our personal lives. Doing so in the midst of COVID-19 sharpens our focus. This present crisis may well be a moment when we too come to ourselves and realize, perhaps as never before, just how precious and fragile religious freedom is.

Religious Freedom and the Right to Gather with the Faithful

One key realization is that for most faith communities, gathering for worship, ritual, and fellowship is essential; it is not merely an enjoyable social activity.

For example, gathering is an especially powerful element in the doctrine of The Church of Jesus Christ of Latter-day Saints. A central mission of the Church is to gather together the scattered family of Abraham—and indeed all who are willing—to the ordinances and covenants of the Savior’s gospel. Through that gathering, we believe God will establish a people who are of one heart and one mind, who dwell together in righteousness and peace, and who love and care for each other so completely that no poor, spiritually or physically, are found among them.⁵

In ancient and modern scripture, the Lord calls such a people and such a place “Zion.” Zion is where “the pure in heart”⁶ dwell. And it is where God Himself can dwell in the midst of His people.⁷ We believe that such a gathering is essential before the Messiah returns again.⁸

This vision of gathering has been a driving motivation for the Latter-day Saints since the Church’s earliest days and inspired our members to assemble first in Ohio and then in Missouri and Illinois. At each stage, government and mobs combined to persecute and scatter our members until they eventually found a place of gathering outside the United States—in what later became the state of Utah.

This vision has inspired our building of holy temples, where through sacred ordinances and covenants we eternally gather our families to God.

And this vision continues to inspire Latter-day Saints to gather together in their local congregations to worship God and His Son, Jesus Christ, partake of the sacrament of the Lord’s Supper, and strengthen, serve, and fellowship each other.⁹

Being in each other’s presence is a unique and irreplaceable experience. In Christianity, the God of the Old Testament came to His people in the flesh. Jesus Christ touched people, embraced them, healed them, and ministered to them. And we believe we are called to do as He did.¹⁰ He taught, “Where two or three are gathered together in my name, there am I in the midst of them.”¹¹

Of course, Latter-day Saints are hardly alone in this need to gather as a religious community. Our Catholic, Orthodox, Protestant, and Evangelical friends gather for mass, baptisms, confirmations, sermons, and myriad other religious purposes.

Our Jewish friends gather for worship in their synagogues.

Our Muslim friends gather in their mosques.

Our friends in the Buddhist, Sikh, and other faith traditions likewise have sacred places to gather and worship together.

Gathering, in short, is at the core of faith and religion. Indeed, if the faithful are not gathering, sooner or later they will begin to scatter.

And because gathering lies at the very heart of religion, the right to gather lies at the very heart of religious freedom.

COVID-19 and Unprecedented Restrictions on Religious Exercise

I believe it is vital for us to recognize that the sweeping governmental restrictions that were placed on religious gatherings at the outset of the COVID-19 crisis truly were extraordinary. In what seemed like an instant, most Western governments and many others simply banned communal worship. These restrictions eliminated public celebrations of Easter, Passover, Ramadan, and other holy days around the world.



No other event in our lifetime—and perhaps no other event since the founding of this nation—has caused quite this kind of widespread disruption of religious gatherings and worship.

The COVID-19 restrictions affected The Church of Jesus Christ of Latter-day Saints in a unique way. The Church’s April 2020 general conference—a celebration of the bicentennial of the First Vision of the Prophet Joseph Smith—had to be broadcast to a global audience from a small auditorium with only a handful of people attending instead of from our large Conference Center with a congregation of more than 20,000 people.

Clearly, governments have an affirmative duty to protect public health and

safety.¹² And I believe public officials have most often sought to do the right things to protect the public from the virus. Drawing proper lines to protect both public health and religious exercise in a pandemic is very challenging.

But we cannot deny and we should not forget the speed and intensity with which government power was used to shut down fundamental aspects of religious exercise. These decisions and regulations were unprecedented. For nearly two months, Americans and many others throughout the free world learned firsthand what it means for government to directly prohibit the free exercise of religion.

Reflections on the Nature of Government and the Importance and Fragility of Religious Freedom

Like the prodigal son who “came to himself” in the midst of crisis, our own time of being “in want” invites us to carefully reflect on fundamental principles that perhaps we have long taken for granted. Here are a few of my own reflections.

FIRST REFLECTION: Government power can never be unlimited.

In our political system, the government derives its “just powers from the consent of the governed,” to quote the Declaration of Independence. But the “just powers” of government cannot be unlimited because they exist most fundamentally to secure the God-given rights of life and liberty so that each of us can exercise our moral agency—the ability “to act for [our]selves and not to be acted upon”¹³—and be accountable before God for our choices and actions.

Constitutions, representative government, checks and balances, and the rule of law help constrain the tendency of government to exercise unlimited power. Of course, liberty has limits. Government has a just role in fostering a moral environment in which people can live good and honorable lives. But whatever else government officials may be called upon to do, we, the people, must never allow them to forget that their offices and powers exist to secure our fundamental freedoms and the conditions for exercising those freedoms.

Thus, despite the obvious need for a proper response to COVID-19, we must not become accustomed to sweeping assertions of governmental power. Invoking emergency powers, government executives summarily imposed numerous orders and directives that in many ways are analogous to martial law. These executive orders are unlike laws enacted through the ordinary give-and-take of the democratic process.

No doubt an emergency on the scale of COVID-19 justifies strong measures to protect the public, but we cannot lose sight of the fact that many of these measures are extraordinary assertions of governmental power that can dramatically constrain our basic freedoms. The power of government must have limits.



SECOND REFLECTION: Religious freedom is paramount among our fundamental rights.

This time of restriction and confinement has confirmed for me that no freedom is more important than religious freedom. The freedom of religion properly has been called our first freedom. It is first not only because of its placement as the first right in the First Amendment but also because of the paramount importance of respecting the moral agency of each person. Living even for a brief few weeks under the restrictions imposed on religious activity by COVID-19 is a stark reminder that nothing is more precious to people of faith than the freedom to worship “Almighty God according to the dictates of our own conscience”¹⁴ and to openly and freely live according to our convictions.

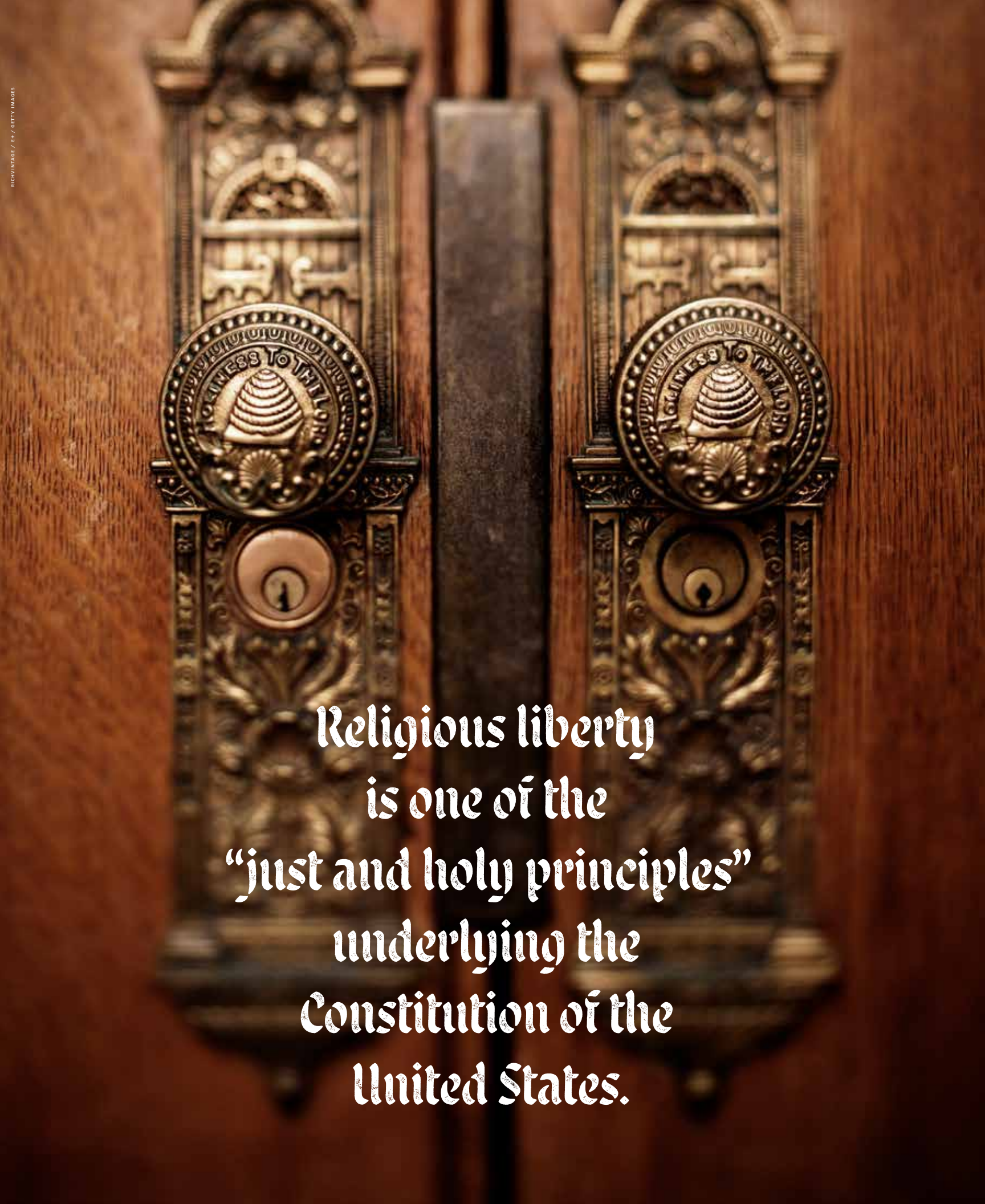
Religious liberty is one of the “just and holy principles”¹⁵ underlying the Constitution of the United States. That liberty draws from and in turn reinforces the other rights protected by the First Amendment—the right to speak freely, to make use of a free press, to peaceably gather with others, and to petition the government to redress grievances.

Freedom of religion stands as a bulwark against unlimited government power. It safeguards the right to think for oneself, to believe what one feels to be true, and to exercise moral agency accordingly. It secures the space necessary to live with faith, integrity, and devotion. It nurtures strong families. It protects communities of faith and the rich and sacred relationships they make possible.

Nothing government does is more important than fostering the conditions wherein religion can flourish.

THIRD REFLECTION: Religious freedom is fragile.

As we have just experienced, religious freedom can quickly be swept aside in the name of protecting other societal interests. Despite COVID-19 risks, North American jurisdictions declared as “essential” numerous services related to alcohol, animals, marijuana, and other concerns. But often religious organizations and their services were simply deemed “non-essential,” even when their activities could be conducted safely. In the name of protecting physical health and security or advancing other social values, government often acted without regard to the importance of protecting spiritual health and security. It often seemed to forget that securing religious freedom is as vital as physical health.



Religious liberty
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FOURTH REFLECTION: In a time of crisis, sensitive tools are necessary to balance the demands of religious liberty with the just interests of society.

I am *not* for a moment saying that religious freedom can be unlimited in the middle of a pandemic. Nor am I saying that all government officials have disregarded religious rights. Far from it.

What I *am* saying is that we can no more disregard the valid claims of religious freedom in a time of crisis than we can disregard the valid claims of freedom of speech, freedom of the press, or freedom from unreasonable searches and seizures. Nor should we prioritize secular interests above religious ones. A health crisis should not become an excuse for a religious freedom crisis.

I believe we must always remember a key principle: specifically, religion should not be treated less favorably than analogous secular activities.

For example, the orders of one state barred Catholic priests from anointing a parishioner with holy oil in the performance of last rites—even if the person was not sick with COVID-19, even if the priest and parishioner were protected with masks and gloves, and even if the oil was applied with a swab. In the same state, my church could not perform baptisms, even under the safest of conditions.

Protecting a person's physical health from the coronavirus is, of course, important, but so is a person's spiritual health. That same state allowed lawyers to meet with people to administer to their legal needs, allowed doctors to meet with people to administer to their health needs, and allowed caregivers to administer food to satisfy nutritional needs. But it did not allow a clergyperson to administer to a person's *religious* needs, even when the risk of all these activities was essentially the same.

This example and many more like it illustrate a profound devaluing of religion. We can and must do better.

I also believe we must always remember a second essential principle: namely, policy makers, even in a crisis, should limit the exercise of religion only when it truly is necessary to preserve public health and safety.

When the needs of society are great, officials should still ask whether there is some way of addressing those needs other than by burdening or banning the exercise of religion. With

good will and a little creativity, ways can almost always be found to fulfill both society's needs and the imperative to protect religious freedom.

After all, the COVID-19 virus is not attracted uniquely to religious people. As most of us now recognize, a variety of methods can be used to mitigate the risk of the virus that do not require outright prohibitions on religious worship or gatherings.

THE OPPORTUNITY BEFORE US

The COVID-19 crisis has presented us with a unique opportunity to reaffirm and shore up religious freedom. We have witnessed the government's swift, well-intentioned, but often dangerous breaching of the boundaries that protect the free exercise of religion. Do we hear the buzzer on the alarm clock? This is a wake-up call for all of us. Those fundamental boundaries and protections must be healed, renewed, and fortified.

While believers and their religious organizations must be good citizens in a time of crisis, never again can we allow government officials to treat the exercise of religion as simply "nonessential." Never again must the fundamental right to worship God be trivialized below the ability to buy gasoline.

CONCLUSION

In the midst of crisis, the prodigal son in the biblical parable "came to himself" and began the long journey back to his home. No doubt in that moment he realized the error of his ways. But more fundamentally, I think he also realized that he had forgotten who he was. There, among the swine, he remembered. And then everything changed.

In our understandable desire to combat COVID-19, we, too, as a society may have forgotten something about who we are and what is most precious. Perhaps we have not fully remembered that faith and the right to exercise it are central to our identity as believers and to all that we deem good and right and worthy of protection. Now is the time for us to heed the wake-up call, to remember, and to act. That we may do so is my hope and my earnest prayer.

As I now come to the end of my message, I joyfully exercise what for me, personally, is one of the greatest religious liberties. I express these thoughts in the name of Him whom I serve, whom I love, and whom I represent, even Jesus Christ, amen. [cm](#)

NOTES

- 1 See Luke 15:11–32.
- 2 Luke 15:13.
- 3 Luke 15:14; emphasis added.
- 4 Luke 15:15–20; emphasis added.
- 5 See Moses 7:18; Mosiah 18:21–22.
- 6 Doctrine and Covenants 97:21.
- 7 See Moses 7:69; Matthew 5:8.
- 8 See Russell M. Nelson, "The Future of the Church: Preparing the World for the Savior's Second Coming," *Ensign*, April 2020.
- 9 See Moroni 6:5–6.
- 10 See 3 Nephi 27:27.
- 11 Matthew 18:20.
- 12 See Doctrine and Covenants 134:1.
- 13 2 Nephi 2:26.
- 14 Articles of Faith 1:11.
- 15 Doctrine and Covenants 101:77.



BY ELDER LAWRENCE E. CORBRIDGE

GENERAL AUTHORITY SEVENTY / THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

NO OTHER GODS BEFORE ME

THE INFLUENCE OF RIGHTEOUS LAWYERS AND JUDGES

Most of us here share a great debt of gratitude to Rex Lee, but none more than members of the charter class of the J. Reuben Clark Law School. When he talked to me about joining the charter class in 1973, he said law school would change me as much as my mission. He was right, and he could have said the same thing about the practice of law as well. The question is whether the change is for good or ill. ♦ How you view yourself and what you aspire to become are monumentally important. You may see yourself, for example, as a successful litigator. That vision molds who you become depending on what you think that entails. If it means arrogant, adversarial, combative, uncompromising, and hard-hitting, then you will evolve in that direction, and you can't effectively compartmentalize it all. You can't be one way at work and another at home, at least not over the long haul. ♦ Brigham Young said: "The greatest and most important labour we have to perform is to cultivate ourselves."¹ At the end of the day, the questions won't be How much money did you make? or How successful were you as a lawyer? Rather, they will be What good did you do? and, especially, Who are you? Those are the questions. Who are you, and who are you in process of becoming? Jesus asked a similar question. He said, "What manner of men ought ye to be?" Then, answering His own question, He said, "Even as I am."²

*Excerpted from an
address given at the
J. Reuben Clark Law Society
Annual Conference in
Phoenix, Arizona,
on February 28, 2020.*

ILLUSTRATIONS BY RICHARD MIA

While there is much I don't like about the practice of law, one of its privileges is to know so many good, capable, and honorable people, usually fellow members of the bar. They have inspired me to be a better person. There are many who defy the sleazy-lawyer characterizations that prevail in the public domain.

Speaking of sleazy lawyers, just before we meet Zeezrom in the Book of Mormon, we have this troubling statement: "And now behold, I say unto you, that the foundation of the destruction of this people is beginning to be laid by the unrighteousness of your lawyers and your judges."³ Lawyers are not known for getting good press anywhere, at any time, including in scripture, but this is a startling statement, that the foundation of an entire people rests on the righteousness of its lawyers and judges. Why is that? Why lawyers and judges?

When I was called to serve as a General Authority Seventy, I had been practicing law for 33 years, minus a three-year hiatus as president of the Chile Santiago North Mission. As I looked back over those years, I made several observations. Four of them are relevant to the theme of this conference from Micah 6:8: "O man, what is good: and what doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?"

"DO JUSTLY"

First, "do justly." I interpret that to mean act justly or act honestly.

The Propensity to Lie

OBSERVATION NUMBER ONE was a quantum leap in people's willingness to lie, even under oath.

There weren't many white hats 44 years ago, but by the time I left the practice, I was hard pressed to find any. I wondered, *Is there anyone honest out there anymore?* I am not saying there were no honest people; I just didn't know many of them.

It isn't that lawyers are dishonest, rather that *people* are dishonest, and despite the belief of many to the contrary, lawyers are people too. The people who piously beat their chests and rail about dishonest lawyers are the same people who press to win by hook or crook when their iron is in the fire.

Honesty is highly valued in Sunday School class but not in the knock-down-drag-out everyday world of most people. I was never hired because people thought that I was honest. Conversely, I was not retained because they believed I was dishonest, rather because they believed I would represent them well. Honesty and ethics promoted on your firm's website are not going to bring clients through the door. If you are going to be honest, you have to do it for other reasons, and you can't pick and choose when and where to be honorable; you have to do it all the time.

Endless and Ordinary Opportunities to Compromise

Lawyers live and die by deadlines, especially in bankruptcy court. Once, in the press of the work, a filing deadline was missed, and a claim that should have been treated as secured was rendered unsecured with little prospect of payment. The caseloads from our clients were large enough for it to be impractical for the clients to track every case. No

one would ever know of the mistake, and it was uncertain how much would have been recovered had the claim been timely filed. It was easy to give it little thought, sweep it aside as a cost of doing business, and with a shrug of the shoulders, move on, saying, "Mistakes will happen. Look at the big picture and see what good service we are providing on the whole."

Instead, we wrote a check for the full value of the claim and sent it to the client with an explanation of our mistake. We didn't do it to impress the client. We weren't sure how a disclosure and admission of malpractice would be viewed. We did it because it was the right thing to do.

I am not trying to beat my drum or to say, as Little Jack Horner, "What a good boy am I." I offer this only as an ordinary example of one of the endless opportunities to compromise one's integrity, *almost without knowing it*.

The Word of the Lord

From the dawning of time, one of the most fundamental commandments has been to tell the truth, live with honor, and do what you say you will do. In the same divine breath as "Thou shalt not kill," we have "Thou shalt not commit adultery," "Thou shalt not steal," and "Thou shalt not bear false witness against thy neighbour."⁴

Anciently, the swearing or taking of oaths was commonly employed in the ordinary interaction of people to attest to the truthfulness of a statement or one's intent to keep a promise. Such attestations were relied on with absolute assurance. We don't employ oaths in ordinary discourse today, but we routinely put people under oath in formal proceedings when presumably the stakes are higher. That is a pretty low standard for honesty. It implies you shouldn't lie under oath, but otherwise it is not so bad.

Christ taught a higher law:

Again, ye have heard that it hath been said by them of old time, Thou shalt not forswear thyself [meaning to not bear false witness, or perjure oneself], but shalt perform unto the Lord thine oaths:

But I say unto you, Swear not at all; neither by heaven; . . .

Nor by the earth; . . . neither by Jerusalem; . . .

Neither . . . by thy head. . . .

But let your communication be, Yea, yea; Nay, nay: for whatsoever is more than these cometh of evil.⁵

What is said under oath or otherwise should be the same. Your word, my word, should be enough, whatever the circumstances.

Nephi saw our day and described it with stunning detail. Among other things, he said:

And there shall also be many which shall say: Eat, drink, and be merry; nevertheless, fear God—he will justify in committing a little sin [small things evolve to big things]; yea, lie a little, take the advantage of one because of his words, dig a pit for thy neighbor; there is no harm in this [an apt description of how many live their lives and how some practice law]; and do all these things, for tomorrow we die; and if it so be that we are guilty, God will beat us with a few stripes, and at last we shall be saved in the kingdom of God.

Yea, and there shall be many which shall teach after this manner, false and vain and foolish doctrines, and shall be puffed up in their hearts, and shall seek deep to hide their counsels from the Lord; and their works shall be in the dark.⁶

In 1829 the Lord said of our day that Satan, “the father of lies,”⁷ would stir up the hearts of men, saying:

Deceive and lie in wait to catch, that ye may destroy; behold, this is no harm. And thus he flattereth them, and telleth them that it is no sin to lie that they may catch a man in a lie, that they may destroy him.

And thus he flattereth them, and leadeth them along until he draggeth their souls down to hell; and thus he causeth them to catch themselves in their own snare.⁸

I think the reason integrity looms so large in the grand scheme of things is because there can be no redemption without integrity. “No unclean thing can enter [the presence of God],”⁹ and repentance begins with honesty. You can’t be forgiven of sins for which you don’t repent, and you can’t repent of sins you cover or ignore. Repentance begins by owning, by acknowledging, our sins.

Who Is a Liar and Who Is Not?

Now, before we think we are all doomed and throw in the towel, I should say what I think the Lord means by “liars.” Not everyone and anyone who ever told a lie is swept into the same black bucket; otherwise, we are all doomed.

When the Lord speaks of liars, I think He is speaking of people who become dishonest because of their choices. Two bad things happen whenever we lie, shade the truth, or allow a falsehood to go unchallenged. First, the truth goes wanting, and second, we become more dishonest. That is the biggest problem. Dishonesty becomes more ingrained in your character, more a part of who you are.

You may live a life of deceit and later repent, but neither repentance nor forgiveness will make of you an honest person. Redemption will not instill in your soul that godly quality we call integrity. Character is forged one choice at a time and not because God forgives our sins, including our lies.

There is nothing of greater importance in all eternity than the Atonement of Jesus Christ, but obedience in the first place is a close second. Jesus Christ is not only the Redeemer; He is also the Way. He came not only to save us from our sins; He came to show us how to act and what to do in the first place. We can’t sit on our hands thinking all will be well in the end when we repent. That is “a false and vain and foolish” doctrine. We have to do our part now before “the night of darkness wherein there can be no labor performed.”¹⁰

Frivolous Claims, Delays, and Misrepresentations

I am grateful and take pride in being a member of a profession that collectively promotes and expects its members to embrace the values reflected in the *Model Rules of Professional Conduct*, not as an aspiration, rather as a minimum standard, a baseline course of conduct.

Rule 3.1 states in part: “A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis in law and fact for doing so that is not frivolous.”¹¹

Rule 3.2 provides: “A lawyer shall make reasonable efforts to expedite litigation consistent with the interests of the client.”¹²

Rule 1.2(d) states: “A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent.”¹³

Frivolous claims, protracted litigation, and misrepresentation happen a lot, not always with the lawyer as instigator but certainly as facilitator.

When I returned to our firm after our mission, it quickly became apparent that the firm had acquired a toxic client, involving approximately 20 different matters, mostly litigation. Most of the cases were for debts he failed or refused to pay. His cases consumed a large portion of the firm's time, involving multiple attorneys. He paid the firm intermittently but was never current and owed \$400,000 in delinquent fees. That should not have been surprising; you have to assume if you represent a snake, you may get bit as well. He was fundamentally dishonest.

One can honorably defend the interests of a snake or monster because even snakes and monsters are entitled to a fair hearing and rights guaranteed under the Constitution, but it is wrong to represent clients who use the legal system to delay, avoid, or subvert their obligations under the law by wearing down opposing parties with the costs and burdens of protracted litigation. You can't serve both God and mammon.¹⁴ You need to know when to walk away and have the will to do it.

We began the painful process of withdrawing as counsel and ending our representation. The argument against withdrawal was that we would never collect what he owed us if we withdrew and writing off an account of that dimension posed a mortal threat to the viability of our small firm.

However, it was unlikely he would pay in full even if we continued, and worse, we would likely sell our souls in the process. As others have said, if you find yourself in a hole, the first thing you should do is stop digging. So, we stopped digging, and although we never collected those fees, we eventually got out of the hole, hopefully with some measure of honor still intact.

Honesty Toward the Tribunal and the Integrity of Evidence

Our judicial system is grounded in part on the foundation of two propositions. The first is that people generally tell the truth, especially under oath, and the second is that they will be punished if they don't. If both propositions fail, the whole system is threatened.

As I have already said, over the course of 30 years I have observed a dramatic and disturbing rise in people's willingness to lie, even under oath. Equally disturbing, I rarely witnessed consequences when they did. Better said, I never witnessed adverse consequences when people lied under oath or withheld or altered evidence. Never.

I recall one case in the late 1980s that was a judicial foreclosure of a mechanic's lien. There was an issue regarding ownership and the title to the property, which turned on a deed signed by the property owner. During the course of the trial, I proved beyond any doubt that the owner was lying about the conveyance and had altered and backdated the deed to his advantage.

The judge didn't raise even an eyebrow or shrug a shoulder. We prevailed on the claim and collected the judgment before the owner filed bankruptcy, but other than that, there was no consequence for his perjury and alteration of the deed.

Regrettably, that scenario is not unusual. If people are amoral and if there is little to no downside to lying, then lying becomes merely a tool of the trade, a tactic.

IN THE END, ALL
THAT REMAINS
IS CHARACTER,
KNOWLEDGE, AND
RELATIONSHIPS.

I represented a man in an adversarial proceeding in bankruptcy to avoid the discharge of a debt incurred by false pretenses. My client lived in another state, and although we didn't meet face-to-face, we spoke frequently by phone. He always bemoaned the default: how upset he was about it and how bad life was because of it. He was down and out and obsessed with this claim.

One day, in a moment of madness, and without any forethought, I said, "You know what? All of this doesn't matter very much." That is obviously not what a client wants to hear from his lawyer, nor is it something a lawyer would say while in full possession of his senses. But I thought I knew him well enough that I could get away with it. I then said, "Tell me about your family." He happily and proudly told me about his seven daughters, and the emotion of the litigation drained away.

"LOVE MERCY"

Let's talk about "love mercy."

After I returned to the practice of law following our mission, my perspective on the law had changed, which leads me to **OBSERVATION NUMBER TWO**: there is so much wrangling and haggling over stuff that doesn't matter. John summed it up in five words when he said, "And the world passeth away."¹⁵ It is all smoke and mirrors. In the end, all that remains is character, knowledge, and relationships. What does it profit a man if he gains the whole world and loses his soul in the process?¹⁶



The Lord said:

Lay not up for yourselves treasures upon earth, where moth and rust doth corrupt, and where thieves break through and steal:

But lay up for yourselves treasures in heaven, where neither moth nor rust doth corrupt, and where thieves do not break through nor steal:

For where your treasure is, there will your heart be also.¹⁷

I knew his family was his treasure; he just needed reminding. You may say, “That’s not the role of a lawyer.” And you may be right. But Rule 2.1, titled “Advisor,” does say:

In representing a client, a lawyer shall exercise independent professional judgment and render candid advice. In rendering advice, a lawyer may refer not only to law but to other

considerations such as moral, economic, social and political factors, that may be relevant to the client’s situation.¹⁸

I wasn’t acting in the capacity of his legal counselor or therapist, rather as a friend. He stopped worrying so much, and we prevailed in getting not only a nondischargeable judgment but full payment as well. We remain friends today.

The Lawyer as Problem Solver

This brings me to **OBSERVATION NUMBER THREE**: the practice of law has become more business and less profession, and that is a tragedy. Although many occupations have appropriated the term “profession,” there really are only three: the clergy, doctors, and lawyers. They are supposed to occupy a special position in society. They are more about service than making money.

As a young law student, I had the privilege of interviewing with David K. Watkiss for a position with the firm Watkiss & Campbell in Salt Lake City. He said, “It is a sacred privilege to be a lawyer, to help people solve some of the great problems in their lives they can’t solve on their own.” That is the mindset of a professional.

I am grateful for partners who focused on the financial statements, but I was always more interested in the case management report. I believed if we focused on representing our clients well, we would get by financially and maybe even prosper. For us it was generally “[g]ive us this day our daily bread.”¹⁹ Every payday was a miracle. But we always had sufficient to meet our needs.

Lawyers can be problem solvers, yes, and even peacemakers. Finding solutions at minimal cost may at first blush appear to be to the financial disadvantage of the lawyer, but such a lawyer will never lack for clients, and the bottom line should never be the ultimate goal anyway.

Wringing a case dry for the sake of enrichment is wrong. In his famous condemnation of unrighteous lawyers, Mormon said, “Now the object of these lawyers was to get gain; and they got gain according to their employ.”²⁰

Abraham Lincoln encouraged mediation and compromise over litigation. “Discourage litigation,” he said. “As a peacemaker the lawyer has a superior opportunity of being a good man.” He counseled lawyers to “[p]ersuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often the real loser—in fees, expenses, and waste of time.” While recognizing that this would lessen the business revenue that lawyers received from litigation, he concluded, “There will still be business enough.”²¹

I wish the role of problem-solving were more clearly set forth in the *Model Rules of Professional Conduct*.

“WALK HUMBLY WITH THY GOD”

Finally, “walk humbly with thy God.” This admonition is more than to be humble; it is also to walk with God.

Humility

As for humility, a journal entry I made several years ago must suffice:

This past weekend I presided at a conference. After one of the sessions a young man introduced himself to me as a trial lawyer. He knew I had practiced law and asked if it is possible to be a successful lawyer and a disciple of Christ. To him those are separate roads that may occasionally cross but ultimately lead in different directions. He referred to two dimensions of the practice of law he deems to be incompatible with gospel or Christian principles. The first is the hostility, rancor, bitterness, and antagonism that are products of the adversarial system. He thinks that you cannot really function effectively in a nasty system without being nasty. The second dimension is the expectation or need to compromise, cut corners, and outright lie in order to succeed.

I said success in the law and discipleship are not mutually exclusive, although many lawyers act as though they are. Zealous advocacy should not be construed as acrimonious or hostile advocacy. While acrimony and hostility often are by-products of the clash of opposing views and interests, they are not necessary tools of the trade. You can work in a hostile environment without being hostile. You can act with respect and dignity toward those who may not deserve it; you can sidestep or ignore affronts, even turn the other cheek, without weakening your case or cause. I refuse to believe that you have to be nasty to work within a nasty system. You can be a gentleman in the middle of a mud fight. You will get splattered, true enough, but you don't have to throw the mud yourself in order to win or to represent your client well.

I explained, however, that such an approach to the law is not the best way to grow the practice, satisfy clients, or fill the coffers. People are fickle. Most people loathe the mad-dog lawyer, but they want him to be their lawyer when their interests are at stake. The guy they want to be their attorney is the last guy they would want to marry their sister. The lawyer who acts with decorum may be perceived as weak and ineffective, but there are things more important than conforming to the expectations of others.

We also talked about the many opportunities to compromise, to shade or misrepresent the truth. I said those opportunities surfaced every day. I shared one example of a client who wanted me to not produce an addendum to a contract about which the opposing counsel and parties were unaware. The addendum adversely modified the obligations or rights of my client. I didn't draw a line in the sand but merely proposed another approach that included the disclosure of the addendum and how to deal with the consequences. The client got the message that while I was willing to vigorously represent his interests, I was unwilling to compromise the truth or act unethically in the process. I knew I risked an unhappy client, but there are things more important than happy clients.

Later another man approached who is also a lawyer but is one who represents everything good and uplifting in the gospel, the personification of everything the first man doubts you can be as a successful lawyer.

The grinding and grating of the law make some arrogant, abrasive, and argumentative while others are polished smooth, compassionate, incisive, persuasive, decent, and humble. What makes the difference?



At the end of the day, the questions won't be How much money did you make? or How successful were you as a lawyer? Rather, they will be What good did you do? and Who are you? Those are the questions. Who are you, and who are you in process of becoming?

Walking with God

OBSERVATION NUMBER FOUR: we tend to forget God. We think too categorically. Religion is not just another facet of life, but rather it is life. It shouldn't color only a part, but rather the whole.

To paraphrase a verse from section 121 of the Doctrine and Covenants, “[w]e have learned by sad experience that it is the nature and disposition of almost all men, as soon as they get a little [success],” they immediately assume credit and forget God.²²

I have long been haunted by the fact that Moses was precluded from crossing over Jordan and entering the promised land with Israel only because on one occasion he assumed credit for bringing water forth out of the rock at Meribah-Kadesh when it was God who had produced the water.²³ I am grateful to have had partners who allowed

prayer to begin our weekly management meeting. We didn't do that so much to give thanks as to remember God, from whom all blessings flow. On Mount Sinai, God delivered 10 commandments, the most basic of God's laws given to His children. The first is the most fundamental of all: "Thou shalt have no other gods before me."²⁴

This central principle is that only God can sustain us; provide for us; and prosper, prepare, protect, preserve, sanctify, and exalt us, and that He will do so if we remember and obey Him. More than anything else, it was this central principle that God endeavored to impress on the children of Israel throughout the entire history of the Old Testament.

That principle—to have no other gods before Him—was reintroduced in the gospel of Jesus Christ as the first principle of the gospel: "First, Faith in the Lord Jesus Christ."²⁵

Do you exercise faith first in Christ? What God do you worship? Here is how you can tell: *Your God is the standard by which you make choices.* It is the standard by which you decide what to think, see, hear, say, and do.

If you make decisions based on what is easiest, you worship the god of comfort and ease. That god will give you what he has to offer: hollow comfort and empty ease, and no more.

If you make decisions based on recognition, acceptance and praise of others, and winning at any cost, you worship the great god of popularity. That god will give to you all that he has to offer: fleeting popularity, but no more.

If you make decisions based on what will generate the greatest monetary gain and possessions, you worship the god of wealth. That god may give you a little of what he has to offer: fleeting wealth and possessions, but no more.

If you make decisions based on what you want to do and what best satisfies your desires, you worship the god of self. This god will grant you self-indulgence, and no more.

If you make decisions based on walking the line between right and wrong, weak and strong, light and dark, you worship the great god of mediocrity, walking with the crowd.

If you make decisions based on what Jesus did and what He would do, then you worship Him; you exercise faith in Jesus Christ. He will

give to you all that He and the Father have to offer: a character like His that will endure throughout eternity; peace, glory, dominions, power, infinite capacity, knowledge, light, and intelligence; a fullness of joy; the continuation of family and posterity throughout eternity; and every other good thing in this life and in eternity.

C O N C L U S I O N

I began by referencing Amulek's troubling statement that "the foundation of the destruction of this people is beginning to be laid by the unrighteousness of your lawyers and your judges"²⁶ and wondering why that would be the case.

Lawyers and judges are at the crossroads of conflict at all levels in society. They are the crew who run the fiery furnace of conflict resolution. They are where emotions and temptations run high. They make decisions that affect not only the litigants before the court but sometimes millions of people for years and decades to come, including unborn children who will never draw breath.

There is no group better positioned to have a more significant influence on society, whether positively or negatively, than lawyers and judges. If lawyers and judges individually and as a group were honest, fair, and civil; if they did to others as they would be done by; if they did what they said they would do; if they worked to find solutions more than compensation; if they said, "No, I won't go there; find someone else"; if their God were the God of Israel, the impact on society would be profound.

I have painted a fairly bleak picture of society and the law. Only he who is without sin should cast the first stone,²⁷ so I throw no stone. This, rather, is an invitation to say, "Let us make a difference." In the darkness, there is no reason for despair. You be the light. "Let your light so shine before men, that they may see your good works, and glorify your Father which is in heaven"²⁸—always, everywhere. Let it be said of you not that you are a great lawyer, rather that you are a good person, a disciple of Jesus Christ. cm

N O T E S

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- 2 3 Nephi 27:27.
- 3 Alma 10:27.
- 4 Exodus 20:13-16.
- 5 Matthew 5:33-37.
- 6 2 Nephi 28:8-9; emphasis added.
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- 8 Doctrine and Covenants 10:25-26; emphasis added.
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- 10 Alma 34:33.
- 11 Rule 3.1: Meritorious Claims and Contentions, American Bar Association, *Model Rules of Professional Conduct* (1983).
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- 13 Rule 1.2: Scope of Representation & Allocation of Authority Between Client & Lawyer, paragraph (d), *Model Rules of Professional Conduct*.
- 14 See Matthew 6:24; Luke 16:13; 3 Nephi 13:24.
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- 17 Matthew 6:19-21.
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- 22 Doctrine and Covenants 121:39.
- 23 See Numbers 20:10-12; Deuteronomy 3:25-26; 32:51-52.
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- 25 Articles of Faith 1:4.
- 26 Alma 10:27.
- 27 See John 8:7.
- 28 Matthew 5:16.

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STOP
THE
SPREAD



SOCIAL
DISTANCING
IN
PLACE



by **Michael O. Leavitt**

Founder of Leavitt Partners,
Former Governor of Utah,
Former Administrator of the
Environmental Protection
Agency, and Former US Secretary
of Health and Human Services

THE Economics OF Goodness

COVID-19 AND ITS IMPLICATIONS FOR

RELIGIOUS GROUPS, INDIVIDUALS, AND SOCIETY

A number of years ago I was invited by a global corporation to participate in a daylong meeting. The subject was the future. It was attended by leading economists and futurists and a handful of corporate leaders. Candidly, I felt a little awkward even being there. The meeting was held on the top floor of a building overlooking New York Harbor. The Statue of Liberty was in the distance.

ILLUSTRATIONS BY LUCY KIRK

The moderator started the meeting by describing a hypothetical scenario. “Pretend,” he said, “that the year is 2015.” (This was in 1999.) He said, “Think as though you are looking back over the last 15 years. What would the most surprising thing be that happened during that period of time?” One of the participants began to respond with some smart thoughts about the future. A banker spoke of the paperless currency systems that would begin to emerge. An oil executive talked about tensions in the Middle East. A technologist began to talk about faraway reaches of digitalization.

I was feeling this growing pressure that I needed something cogent to say. But in the final analysis, diversion seemed like the best strategy for me in that setting. So I said this: “Since we are all reflecting on the future, I am going to tell you who won the 2015 Nobel Prize in Economics. The big surprise is not who won. The big surprise is that the Nobel Prize in Economics was not won by an economist; it was won by a sociologist who advanced a new economic theory called the economics of goodness.

“It is a simple but a powerful idea. Every nation or state has economic assets that produce wealth. It may be minerals. It may be a seaport. It could be a favorable climate. But there is a universal asset according to this economics of goodness that has immense value, and it is inherent in any community that will use it. It is the power to simply do the right thing, voluntarily.

“Let me illustrate,” I said. “Imagine the economic heft of a nation or a state or a community free of drug or substance abuse. Healthcare costs would plummet, worker productivity would skyrocket, families that had been torn apart by abuse and financial hardship wrought by substance abuse would remain together. Social welfare roles would fall, there would be fewer children who

needed protective care, there would be less violence, and society would build and maintain fewer prisons. Imagine the power of a nation that was able to invest all of those resources in education or in investment or in research. Such a place would prosper.”

For a moment, there was silence. And then a surprise. One of the participants practically shouted at me, “What do you mean by ‘goodness?’” He said, “You’re turning this into some kind of religious discussion.”

Before I could respond, a very well-known economist beat me to it. “Not true,” he said. “I’m an atheist. And this isn’t about religion. It is about human behavior and the predictability of its consequences. People who work hard do better than slackers. Those who are honest get in less trouble than those who cheat. People who are kind have more friends than those who are cruel. Communities where people serve one another and care for each other are safer than those where that’s not true.” I have to say that may be the first time I ever said amen to an atheist.

But the economics of goodness applies to individuals as well as nations. People who work hard, who are honest, and who are reliable have a better chance of success than those who don’t do those things.

There is an interesting postscript to the story. As I said, that happened in 1999. It got to be 2015. I started thinking, *I wonder who actually won the Nobel Prize in 2015?* Well, it turns out it was not a sociologist—I got that wrong—nor was it awarded for the economics of goodness. The prize was awarded to esteemed Princeton economist Angus Deaton. However, his contribution is certainly in the neighborhood. Dr. Deaton was recognized with the Nobel Prize for his analysis of consumption, poverty, and welfare. In essence, Dr. Deaton was awarded the Nobel Prize in Economics for demonstrating, empirically, that human behavior and economics are linked.

The economics of goodness is not a new idea. And it is not simply about money. Willingly doing the right thing produces superior outcomes.

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The economics of goodness applies to individuals as well as nations. People who work hard, who are honest, and who are reliable have a better chance of success than those who don’t do those things.

Facing Pandemic Disease

Currently, communities throughout the world are struggling to prevail over COVID-19. We are all learning about pandemic disease. It is not so new to me.

Unexpectedly in my life, the subject of pandemics played an important role in my career. About four months into my service as the secretary of Health and Human Services in the United States, I was invited to attend an emergency meeting with the Centers for Disease Control and Prevention, the agency within the United States that tracks infectious disease. It was explained to me that scientists around the world were concerned about the emergence of an influenza virus with what they referred to as pandemic potential. The scientific name was H5N1. They explained that the virus was actually carried by birds and that it had mutated sufficiently so that this bird virus had now infected people. Sixty percent of the people who got the virus died. The worry was that the virus might mutate further and begin to transmit itself from person to person instead of just bird to person. And when that happened, if it went person to person, it would qualify as a pandemic because it would spread across the earth.

Before that meeting, I have to say I am not sure I had given the idea of pandemic disease much thought. And my questions to them that day might have reflected that, because the next morning a young colleague of mine came into my office carrying a book named *The Great Influenza*, a history of pandemic disease and particularly a history of the pandemic of 1918, the last pandemic that was anywhere near the scale of what we are dealing with with COVID-19.

As he set it on my desk, he said, “You need to understand this.”

The following weekend I began to read the book. Reading the book generated in me an awareness of disease and what a profound shaper of history it is.

At that time, it was my job to assess the readiness of the United States in such a situation. It was clear to me that the United States was not prepared, nor were any other countries around the world. As this H5N1 virus continued to spread, our government appropriated billions of dollars. I spent much of the next three years leading a focused effort to develop a pandemic response plan. Fortunately, the H5N1 virus did not become a pandemic, but the experience caused me to study pandemics throughout history. I became intimately acquainted with the way pandemics unfold and the way they reshape the economies and the sociology and even the politics of the world—something that we are now all experiencing firsthand.

While there are many similarities between COVID-19 and other world-changing pandemics in the past, one difference that we should all recognize is the existence of the communication technology that we have today. In 1918, during the last global pandemic of this proportion, the world did not have the capacity to communicate instantly like we do today. Consequently, there has never been a civilization as capable of taking action during a pandemic as the one that we live in.

For at least the last century, the idea that we would practice what we now all know to be social distancing has been a well-established practice in preventing the spread of disease. But modern communication has allowed countries all over the world to deploy social distancing at a scale that has never been undertaken before. Across the world countries have gone into conditions ranging from lockdown to simple isolation. Schools have been closed; churches, businesses, and governments have been shut down; travel has been stopped; traditions have been set aside—not just for a few days but for months. What has occurred is unprecedented in health history. Nations have done this because history has taught them that, if they allow the spread of this virus to happen in an uninterrupted way, the virus will take hundreds of millions of lives across the globe.



Dealing with Pandemic Side Effects

While there is hope and optimism that modern science will develop a vaccine or other medical solutions, right now social distancing—which we are all practicing by virtue of our holding this meeting the way we are today—is the only medical intervention that we have. The good news is that it appears our social distancing tactics are effective. While still devastating, millions of lives have likely been saved by this quite remarkable and unprecedented action.

The hard news is that the medical intervention of social distancing is like most medical interventions: it has side effects. Like most of you, I know someone who has a chronic condition that creates a lot of pain. Their doctor has provided a medical intervention—medicine for the pain. But the medicine comes with a warning: Use this too long or use too much of it, and there can be side effects that have the potential to be equally harmful to the condition being treated. The cost could be just as high, but in a different way. In other words, there is a limit to how much of this intervention you can use.

While COVID-19 is a chronic situation, social distancing is the equivalent of a medical intervention. And like other medical interventions, it has to come with a warning: You can only do this for so long or you can only use this so much because the side effects can be harmful, just like the virus, but in a different way. We are living with the side effects of social distancing now: Millions of jobs have been lost. Economies have plummeted. Months of isolation have started to take a psychological toll on people and their families. Food supplies in our just-in-time economy have begun to fray. And we all feel this. While we are grateful for the technology that allows us to come together like this, we are getting Zoom fatigue.

This is particularly true for those who are most vulnerable. I have parents who are squarely in the population that we all know now to be most at risk. My father is 91; my mother is 88. And while they both have health limitations, they are able to live full and fulfilling lives—very active lives. But as a family, we have done all we can to protect them. I have become

what they refer to as the social distancing police. It is because I love them. It is because I want them to be safe. But the side effects are taking over; they are a little tired of this.

My father called me on the phone. “Mike,” he said, “I just want you to know I swam the moat.” He didn’t have to explain; I knew exactly what he meant. He couldn’t take it anymore, and he had left the house to go to the office. He wanted to have a little change in scene. But it was a symbol to me: we are all feeling like we want to swim the moat.

But coronavirus is still with us; COVID-19 is still a grave threat. As countries all over the world open up, it is clear that biology is still going to play out and that we are only at the beginning of this. It is very likely that we will begin and continue to see flare-ups, and the flare-ups will become hotspots. It is a reminder that most pandemics have a second or a third wave that is even more virulent than the first. So we have this dilemma: the medical intervention that we have—and that we have practiced before and that has worked—has side effects. And those side effects have been devastating. Most people just don’t see how we can lock down like we did before.

Up to this point, our medical countermeasures have been group behaviors to a large degree orchestrated by government action. Businesses, schools, and churches, as I have said, have closed. Travel has been stopped. Events have been canceled. These are all group behaviors. We are moving rapidly now into a period in which these group behaviors are going to be less possible to sustain. A combination of economic limits and

human impatience will begin to limit them. We are trying to learn what we can do safely and what we can’t. I have had the experience of walking across a frozen lake. I recall having stepped onto the ice not knowing how thin or thick it was, walking a few steps, and listening for cracking sounds. When I couldn’t hear cracking, I moved forward. We are all going through the health equivalent of that right now.

A political debate has emerged between those who support opening up and those who would be more restrained. It is happening in every jurisdiction and in every country throughout the world in one form or another. People see this differently. They have different priorities. They have different circumstances. They have different tolerances for risk. A person who is 90 and has a lung condition sees it much differently than a 25-year-old. This demonstrates why it is difficult in many jurisdictions for this to simply be a one-size-fits-all approach.

We are now beginning to rely on individual behaviors to combat this pandemic. I am talking about whether people are willing to comport to a handful of very simple behaviors that we have all learned before—behaviors like washing our hands. These are simple things that will create an ability for us to be safe, and we have the ability to communicate them widely and ubiquitously, a capacity that wasn’t there before. So will we wash our hands frequently? Are we willing to stand at a distance and limit our interactions with others as much as possible? We now know much more about the way the virus is spread. Are we willing to wear a face covering in certain situations? Will we individually and collectively begin to govern our activities in ways that will produce good outcomes? That is the question—will we? It is clear that individuals, families, and entities in nations that succeed at these practices will have better outcomes than those that don’t. These outcomes will be reflected in their health, their happiness, and yes, their economic well-being. The economics of goodness will play out here too.

For at least the last century, the idea that we would practice what we now all know to be social distancing has been a well-established practice in preventing the spread of disease.

Reshaping Character and Changing Hearts

This conference is a review of the status of religious freedom around the world. It would be important for me to provide a reminder that governments are designed in a way as to compel group behaviors. Whether in the case of a pandemic or any other human endeavor, the use of secular laws to change individual behaviors will always have side effects and unintended consequences. Governments change behavior by edict. Communities of faith, however, attempt to change behavior by changing hearts. When a heart changes, nations change. While a nation may be defined by geographic borders, it is measured by the aggregation of what is in people's hearts.

The COVID-19 pandemic, like other pandemics, has revealed some of our civilization's greatest flaws. It has heightened awareness of social inequities that exist. The suffering and death that have disproportionately been present are based often on economic status or on race. This is not a physiological phenomenon; it is a sociological phenomenon. COVID-19 is affecting these cohorts differently because they have less access to health care and nutrition.

In recent days we have seen sad examples in which the force of law has been used in ways that are simply wrong. Once again, there are evident racial minorities that are falling victim in vast disproportion. We see inequities and hardship inflicted upon LGBT communities. These are events that simply reflect on us as a society. We have to ask, Are these events simply a reflection of institutions that have gone wrong? Or do they reflect a flaw in our collective character?

These events have caused me to reflect on the status of my heart, and I suspect they have caused you to reflect on yours as well. How do we fix these things? Is there a need for government action? Yes, but governments have not proven to be particularly good at repairing character or changing individual behaviors. Reshaping character is about changing hearts. As a public official, it became very clear to me that people respond more rapidly to requests and suggestions from those to whom they pay devotion, tithes, and offerings than from entities that demand their taxes. Governments are increasingly willing to adopt laws that either deliberately limit religious freedom or create a side effect with the same outcome. The economics of goodness will exact a profound price when this occurs.

Those who are attending this meeting are guardians of religious freedom around the world. And I thank you for that. Let us all keep that stewardship. Our aspiration for a healthy and prosperous society depends on it. [cm](#)



Will we wash our hands frequently? Are we willing to stand at a distance and limit our interactions with others as much as possible? . . . The economics of goodness will play out here too.



Whenever my extended family planned to get together, my brother and I knew it was time to prepare for war. The enemies were my brother-in-law and my dad. The battlefield was politics. They were on one side of the ideological divide, and we were on the other. A few days before the family function, we would review casualties from the last discussion, formulate new war plans, gird up our loins like Book of Mormon warriors, and ready ourselves for battle. War was inevitable in those days.

While the dinner or event would start peacefully enough, conversations tended to veer into politics as if we were opposing magnets, helpless

Abandoning the Art of War

Three Ways to Improve Political Discussions with Family, Friends, and Just About Anyone

before some invisible, powerful pull. A light liberal jab here or a slight conservative uppercut there, and suddenly we would find ourselves, inescapably, brawling over some political issue like cowboys in a chaotic

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bar scene from an old Western. These battles raged for years, but in spite of the fervor and passion in which we engaged, there is not a single issue we debated in which one side changed the other side's mind. In fact, I finally realized that discussing politics was making me like them less, so we called a truce—no more discussing politics—and we have (mostly) avoided political discussions ever since.

While this truce of avoiding political discussions with my dad and my brother-in-law has enabled us to preserve our relationships, I am bothered that we weren't able to engage productively on political issues. It strikes me as slightly depressing that we were so incapable of talking about difficult issues that we had to abandon discussing them completely. Even more disheartening is my sense that our failure in these efforts

is in no way unique—that many (if not most) family members, friends, and coworkers in the United States also really struggle to engage productively with each other on political issues.

This divisiveness in our country has been festering for a long time and seems only to be getting worse. In the early 2000s, one social commentator attributed the growing political divisiveness at the time to the rise of the internet and specialized media outlets in which we can immerse ourselves in facts and narratives that reinforce our preexisting worldviews. Websites, radio stations, and cable news programs allow us to silo ourselves into like-minded cliques:

You get to choose your own reality. You get to believe what makes you feel good. You can ignore inconvenient facts so rigorously that your picture of the world is one big distortion.

And if you can give your foes a collective name—liberals, fundamentalists or neocons—you can rob them of their individual humanity. All inhibitions are removed. You can say anything about them. You get to feed off their villainy and luxuriate in your own contrasting virtue.¹

His assessment has become only more apt over the years.

Of course, we don't need to agree with each other on political issues. Healthy debate about the best way to approach difficult issues often brings clarity, and in a pluralistic society, we cannot expect everyone to share the same views. But we *should* expect that we can at least discuss political issues with people who disagree with us and that we can understand and respect

each other, regardless of our differences.

Many have lamented the lack of civility in political discourse. While I, too, would appreciate seeing more civil discussions, I tend to think that the solution to unproductive political dialogue lies elsewhere. Speaking with greater civility might mean views are exchanged more politely, but I believe we need a more transformational remedy that involves the true exchange of ideas with those who differ with us. Specifically, there are three simple focal points that would significantly change the way we engage in political discussions.

FOCAL POINT 1: Switch Your Goal from Changing Someone's Mind to Creating Mutual Understanding

When was the last time someone changed your mind on a major, important political issue during a heated exchange? This rarely happens. Political opinions are typically formed over many years from a wide range of influences (e.g., family, friends, religion, education, life experiences), and they tend to connect deeply to our inner sense of identity. But for some reason we think that if we present others with just a few more facts on Facebook or email one more website link or emphasize our point a little more loudly, we will change their minds.

Rather than wasting time and energy (and potentially ruining a relationship) trying to change someone's mind, we should focus on seeking mutual understanding. When a political discussion begins, before getting to substance, make a verbally explicit goal with the other person that your objective will be to understand each other

as deeply and fully as possible. Once we have unburdened each other of the heavy, onerous task of changing minds, we will likely experience an openness and freedom that we rarely experience in political discussions. Paradoxically, we will often find that our ability to change someone's mind increases significantly when we stop making changing their mind our goal.

FOCAL POINT 2: Become a First-Class Listener

Chances are you have a hard time listening to those with whom you disagree. Most of us do. But listening is a superpower that almost everyone is capable of developing. Unfortunately, rather than listening during difficult political discussions, we are usually just waiting our turn (often with a very visible degree of impatience) to tell the other person how wrong she is. We sense this dynamic in our political debates, so our guard is up. We feel an urge to argue our point even more vehemently, bracing for the counterattack that will inevitably follow. We are afraid that if we stop and listen, the other side will think that we agree with them or, worse, that they have won because we haven't yet rebutted their point.

Effective listeners are able to see through this fallacy. We can listen without agreeing. We can seek to fully understand the other side's perspective without "losing" the argument. In fact, as dedicated listeners, we stop seeing the discussion in terms of winning or losing, because our primary concern is genuine understanding. And then the magic happens: most often we will find that once the other side feels sincerely understood, it opens up the space for them to truly listen to us.

Becoming a better listener requires intention, effort, and practice. Here are two powerful ways to improve your listening skills:

1 CULTIVATE MINDFULNESS

Mindfulness is the practice of quieting our minds. Left unchecked, our minds typically wander in a dozen different directions. All in one moment, we might think about what we want to say next, what we wish we would have said earlier, what we plan to have for dinner, what we need to have done at work by tomorrow, and so on. A mind

Once we have
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racing in so many directions is typically unsuited to paying attention to what is being said by the other person in the moment. Cultivating mindfulness allows us to slow down, become aware of our thoughts, and be more fully present in the current moment. In a compelling essay, "The Art of Listening," author Brenda Ueland advocates as follows:

Try to learn tranquility, to live in the present a part of the time every day. Sometimes say to yourself: "Now. What is happening now? This friend is talking. I am

quiet. *There is endless time. I hear it, every word.* Then suddenly you begin to hear not only what people are saying, but what they are trying to say, and you sense the whole truth about them.²

One of the best ways to become more mindful is through meditation. Meditation is a simple exercise with rich benefits, and it is especially helpful in improving our listening ability. There are many online resources, including a number of quality apps, that can help you get started and learn the basics of meditating.³

Think of yourself as a journalist interviewing the other person. You want to find out as much about their position as you can. If you approach the discussion from a position of genuine curiosity, it can help prevent you from feeling and acting defensively—and when we act defensively, others tend to act defensively. Leo Tolstoy wrote that “the most important person is always the person with whom you are, who is right before you.”⁴ Commit to seeing the person in front of you as the most important person in the world right now. As we adopt

is by having the courage to be vulnerable. Admitting that we don’t have all the answers or that we are unsure about certain aspects of an issue is not weakness; rather, it is the type of humility that is born of strength and invites the other side to reciprocate.

A simple but effective tool to facilitate this kind of vulnerability is inviting the other person to join you in responding to the following two questions: (1) What concerns do you have about your position? and (2) What good can you find in the other side’s position?⁵ Our willingness to approach a political conversation this way signals an openness to learning. It usually works best if you lead by example, answering the questions before asking your counterpart to do so.

Another approach is to invite the other person to be on the same team. This doesn’t mean switching political parties; rather, take a political issue and treat it as a joint problem to solve. If you don’t have all the right facts, find them together. By getting on the same team, you mitigate the adversarial pitfall that leads to so much impasse in political discussion.

There is a helpful activity I sometimes use in class in which I have two students stand facing each other. I instruct them to put their palms against the other person’s palms, and then I tell one student to start pushing against the other student. I tell the other student that she shouldn’t fall backward. What naturally happens is that the student getting pushed starts pushing back. But once one stops pushing, the other can stop pushing. When we join each other in a search for mutual understanding of a political issue, we effectively

stop pushing against each other, opening space for each other to listen and to discuss without defensiveness.

I recently called my dad and engaged in a political discussion with him following the three focal points discussed above. It had been a long time since we had talked about politics, and he was understandably a bit wary about my motives. But after assuring him of my aim to seek mutual understanding, we had a very productive conversation. Unburdened of the need to change his mind, I was able to listen with curiosity and really dig deeply to understand his perspective. Because I wasn’t pushing, he didn’t feel a need to push, and we opened up space for him to listen to me too. The scars from previous political battles haven’t faded entirely, so I could sense we were both cautiously optimistic about this new chapter, but I am excited to be able to engage in a broader range of topics that have been off limits for us and to see how we might better understand each other through this process and strengthen our relationship.

NOTES

- 1 David Brooks, “The Era of Distortion,” *Opinion, New York Times*, Jan. 6, 2004.
- 2 Brenda Ueland, “Tell Me More,” in Ueland, *Strength to Your Sword Arm: Selected Writings* (Duluth, Minnesota: Holy Cow! Press, 1993), 210.
- 3 For example, Insight Timer, Calm, and Headspace are among the most popular meditation apps.
- 4 Leo Tolstoy, “Three Questions,” in *What Men Live By and Other Tales* (1885).
- 5 Adapted from Francis Kipling, in an interview with Krista Tippett, “Francis Kipling: What Is Good in the Position of the Other,” *On Being* podcast, Jan. 20, 2011.

unburdened each other onerous task of changing minds, likely experience an openness that we rarely in political discussions.

2 BECOME VERY CURIOUS

Internally navigate to a place of genuine curiosity about what the other person thinks and why. Dig deeply. When someone expresses a viewpoint with which we disagree, our natural reaction is often to formulate a rebuttal and start pushing back. Acknowledge that impulse in your mind, but instead of acting on it, sit with it (this is a form of mindfulness, discussed in the previous section). As you do, you will usually find that it dissipates, which allows you space to be really curious.

that perspective, our curiosity will increase, and our desire to understand them will follow.

FOCAL POINT 3: Have the Courage to Be Vulnerable and Invite Joint Problem-Solving

Too often when discussing politics we get so caught up in how right we are and how wrong the other side is that we begin seeing others as political enemies to be beat rather than fellow sisters or brothers who, like us, are also just trying their best to figure things out. One way to engage more effectively



BY NICOLE BOYD

Three BYU Law alumni—Beth Parker, '06, Clifford Parkinson, '10, and Alisa Lee, '00—anxiously waited as more than 40 planes loaded with 11,000 pounds of desperately needed supplies took off from the Salt Lake City International Airport on the morning of Wednesday, June 3, 2020, headed to help the people of the Navajo Nation.

"It's the willingness of all of our partners and volunteers to help that made it possible to mobilize this expansive relief effort so quickly," says Parker.

Parker and Parkinson work at the same firm; they met Lee when all three were asked to be part of the Indian Child Welfare Act subcommittee of the Utah State Bar Indian Law Section. During a routine meeting, the group decided they needed to help Utah's tribal communities dealing with COVID-19. Hours later, Utah Tribal COVID-19 Relief (UTCR) was born.

"It's a grassroots organization that began as a small idea, and now it has expanded into this unified effort with partners from Vernal to St. George," says

What Leadership Looks Like

BYU Law Alumni Lead Navajo Nation COVID-19 Relief Efforts

Parker. In less than two months, the group partnered with more than a dozen private and state entities to help Utah's eight federally recognized tribes, raising more than \$30,000 in addition to the donated supplies. The ongoing task of organizing collections, as well as making and executing distribution plans, has involved many volunteers.

"One of our first Zoom calls with all of our partners had about 30 people on; I was literally in tears to see the overwhelming response," Parker says. "People just jumped in and said, 'We'll do this,' and 'We'll do that,' taking time out of their professional and personal lives to make hard things happen. It's been overwhelming and humbling."

Parker's passion for addressing inequities in Native American federal policy is a family legacy started by her grandfather Douglas Parker, who was the first professor at

the J. Reuben Clark Law School to teach federal Indian law back in 1975. Parker says, "If you understand Native American history, helping tribal communities becomes a moral responsibility. How can you not help once you know?"

Parker's desire to help native peoples intensified the day she walked into Larry Echo Hawk's class as a 2L student. The former United States assistant secretary for Indian Affairs soon became a mentor and friend, even helping Parker get her first job specializing in Indian law. Years later BYU Law School called her to ask if she would temporarily teach the federal Indian law class her grandfather started, an opportunity that was pivotal in setting the trajectory of her career. She said yes.

"Something really poignant was inviting my grandfather in as a guest lecturer on one of the first days of my class," Parker

says. "It's something that we really bonded over, grandfather and granddaughter both teaching the same course."

Helping Where It Is Needed Most

At first glance, it is not obvious why this rolling desert landscape—covering 27,000 square miles that include parts of Arizona, New Mexico, and Utah—should be the scene of the highest per capita COVID-19 infection rates in the nation. It is only on closer inspection that doctors see the makings of a perfect virus-spreading storm.

"A lot of homes, in addition to not having electricity, don't have running water. How can you wash your hands to avoid spreading germs without water?" explains Parkinson.

While Parkinson's professional involvement with tribal law is relatively new, he says he has always felt sympathy for

the plight of Native Americans: "These are our neighbors, and there's no reason why they should be suffering this way."

The reservation has just over 170,000 residents, 60 percent of whom don't have electricity and 30 percent of whom lack access to clean running water. Health officials say that these challenges make it almost impossible to keep the virus in check.

"We hope to help them more easily practice the COVID-19 pandemic lifestyle that many have the privilege of being able to practice. It's a nuisance for us, but it's an impossibility for them," says Parkinson.

The first trailer load of supplies rolled out in late May to the Confederated Tribes of the Goshute Reservation in Ibapah, Utah. The next delivery hauled 7,000 pounds of goods to the Navajo Nation, including desperately needed water. But the air delivery was crucial to get supplies to remote areas of the reservation, including Navajo Mountain, where pilots had to land on a dirt runway, carefully avoiding livestock.

As the Indian Child Welfare program administrator for Utah's Department of Child and Family Services, Lee is familiar with life on tribal lands. She is a member of the Paiute Tribe, whose reservation, Fort Independence, is located in eastern California. Ancestors on her maternal side have been in that same valley for generations. A convert to The Church of Jesus Christ of Latter-day Saints at nine years old, Lee's mother instilled in her daughter a love of Native American history and culture and encouraged her to attend BYU Law, in part because Larry Echo Hawk taught there.

"How do you serve your community? That's what I

learned from [Larry Echo Hawk]," Lee says. "He asked us to use our skills, use our talents, and use our tools to not just get an education but to give back."

Lee is currently the vice chair of her Paiute Tribe at Fort Independence, where she travels once a month to oversee tribal business. She said her tribe is fortunate to be on solid footing compared to many of the Utah tribal communities.

"[These communities] already had this structural racism in place, this lack of opportunities, these inequities, and then when you have a public health disaster, it just exacerbates and lays bare how the inequities affect this vulnerable population," says Lee.

The Navajo Department of Health keeps a daily running total of deaths and positive cases. By the beginning of June, there were 6,110 positive cases and 277 deaths. To try and get ahead of those numbers, tribal leaders issued one of the strictest lockdown laws in the nation, requiring residents to stay home from Friday until Monday morning.

"They knew their communities were vulnerable, they knew their communities were underserved, and they knew their healthcare facilities were underfunded, so they mobilized early to try and meet that challenge," explains Lee.

Now that the groundwork is laid to get help where it is needed most, the group said they plan to keep the organization going through the COVID-19 crisis and well into the future.

"The government is never going to be enough, whether it's tribal, federal, or state," Lee says.

"It's never going to be enough to meet the underserved population's needs. It takes our communities to mobilize."

Seeking Permanent Solutions

Another BYU Law alum, Oliver Whaley, '17, has been directly involved in that mobilization. Whaley is the executive director of the Navajo Nation Environmental Protection Agency (NNEPA) and part of Navajo Nation president Jonathan Nez's executive cabinet. He assists in planning and executing public health orders relating to COVID-19. "It's a unique challenge given the limited amount of resources that we have, the broad land base, and the resource exploitation that's taken place here on Navajo land," Whaley says.

Established in 1972, the NNEPA has responsibilities that include protecting human health, welfare, and the environment. They have recently teamed up with Northern Arizona University to test wastewater, looking for the virus. Whaley's hometown of Kayenta, Arizona, was the first hotspot for positive COVID-19 cases. He says, "We found traces of the virus in the wastewater. Luckily it was in the influent, coming in, not the effluent. So at least we know our treatment centers are working."

Now the agency is working on creating more water access points, drilling new wells and checking existing wells for contamination. "We are also teaching people how to maintain and sanitize their tanks and haul water safely so they don't take it home and contaminate themselves," Whaley says.

Whaley was born on the Navajo Nation reservation. He left to pursue his undergraduate degree at BYU and his master's degree at Southern Utah University. While at SUU, he felt guided to seek a profession in law.

"I felt inspired that this was a step I should take," says Whaley. "I said a prayer before I took the LSAT and said, 'Lord, I feel like I'm supposed to do this. I'm going to do the best I can, and you're going to have to fill in the gaps.'"

After graduating from BYU Law and spending some time in private practice, Whaley found himself drawn back to the cause of his people. "For me and for a lot of young native people, we're always told to get educated and come back to help your people," he says. "I remember driving into Window Rock, [Arizona,] at night. I just had this feeling it was time to come back." Whaley passed the Navajo Nation Bar Association bar exam, and for the past two and a half years he has used his skills and his degree to help his people. He hopes to use funding from the CARES Act to create more permanent solutions for the Navajo Nation's water crisis, like building pipelines.

Whaley acknowledges that some days it is harder than others to keep a positive attitude. Whaley's middle name, Baahozho, means "someone who possesses inner happiness." "I was told I was a happy baby, but my name is also a reminder to myself to always be happy," he says. "Every Monday morning you've got to put your shield on, get your sword, put your helmet on, and go in to work. But the whole intent of going to law school and coming back was to fight those battles. It's a privilege and a blessing."

To learn more about the history of the Navajo Nation, visit their official website at navajo-nsn.gov. For more information about how to support UTCR's efforts, visit indianlaw.utahbar.org/covid-19-tribal-relief-fund.html.

Organized According to the Laws of Man to Do the Work of God

How Legal Missions Are Furthering the Work of the Church

BY RACHEL EDWARDS

With a focus on enabling “individuals and families to do the work of salvation and exaltation,”¹ The Church of Jesus Christ of Latter-day Saints has grown to include over 30,000 congregations in more than 160 countries and territories and gospel resources and programs in over 110 languages. One thing is certain: it is “a gigantic and complex” organization, as Marshall Tanner, an attorney with the Church’s Office of General Counsel (OGC), puts it. What may be less obvious is that every aspect of the Church’s organization and function is affected by the law and by the law’s variation from country to country.

For nearly 30 years Elder Lance B. Wickman, emeritus general authority and general counsel for the Church, has presided over the legal work of the Church. “Virtually everything the Church does is touched by law,” he says. “To the extent that our missionaries can’t enter a country, to the extent that we can’t print and distribute literature, to the extent that our people can’t

meet, to the extent that we can’t pay our tithes and offerings, to the extent that we can’t build buildings and acquire property for that purpose, we really don’t have a church.”

Much of this behind-the-scenes legal work is facilitated by seasoned attorneys hired as area legal counsel (ALC) or called as full-time senior missionaries known as associate area legal counsel (AALC). Each ALC is given responsibility for a specific area of the world and, with the help of the AALC, oversees, guides, and consults with local attorneys and law firms on legal matters ranging from real estate projects to immigration matters to corporate maintenance for various Church legal entities.

Bill Atkin, associate general counsel for the Church, has overseen the international legal affairs of the Church since 1996. “We started with five ALC, each hired to manage an enormous territory,” he recalls. Today there are ALC and AALC in 17 areas around the globe—and Atkin reports that there is an ongoing need for this type of missionary service.



Guided by an Unseen Hand

In 2013, when M. Steven and Kathryn (Kate) Andersen began preparing for senior missionary service, neither was aware of the option of serving a legal mission. “We never knew there was such a thing until a few months before our calling,” Steve recalls. “A friend in our ward who was connected through marriage to Dic Johnson, the ALC in Central America at that time, mentioned that there was a need for an AALC there.” That same day, Steve was on the phone with Johnson, and by the end of that conversation, Steve and Kate felt it was the perfect type of missionary service for them. Over the next several weeks, the couple met

with Elder Wickman and Atkin to discuss the particulars. They received their official call in February 2013 to the Central America Area Office, which oversees Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama. By May 2013 they were living and serving in Guatemala City.

Both Steve and Kate graduated from Brigham Young University in 1972 and then moved to San Francisco, California, where Steve attended UC Hastings College of Law. Following his graduation in 1975, the family moved to San Diego, California, and Steve spent the next 38 years as a trial attorney, building and maintaining a private practice in business and real estate litigation. Kate volunteered extensively in the community and in the schools their five daughters attended. Steve officially retired in 2012, and soon after, the couple began pursuing

Michael and Christine Van Wagenen

AALC, ASIA AREA OFFICE, HONG KONG, CHINA, 2014–16

“To help further the Lord’s work by living among and serving people in Asia was a great blessing,” Michael Van Wagenen says. “We had the opportunity



to live our covenants in a deeper way.” Michael was in-house counsel for A&K Railroad Materials Inc., and Christine was a homemaker, owner of a cooking school, and a Welfare Square service missionary. “We like to share with anyone who will listen about the marvelous experience we had on our mission,” says Christine, who piloted a self-reliance program in a local branch and served in the family history and humanitarian aid departments in the Asia Area Office. “There was real work to be done. We witnessed miracles every day.”

a senior missionary opportunity for the Church. "I always had the desire to serve a senior mission and assumed that we would," Kate says, "although the way the opportunity and assignment came was unexpected."

Atkin says that the ogc and area presidency make it a priority to find meaningful assignments for non-attorney spouses of AALC: "This is a mission for both spouses, and we want both to have a great experience." Kate served as facilitator of one of the first international Pathway cohorts and taught English at Funval, a school established by a former mission president to teach English and marketable skills to native Spanish-speaking returned missionaries. "Both the Pathway and Funval opportunities were particularly gratifying to me," Kate says. "Witnessing young people gain greater knowledge, faith, hope, and confidence in

making their way in the world and witnessing their gratitude for opportunities that came to them brought me great joy."

Atkin has worked with more than 200 AALC and says that, for many, the Church is their most intellectually challenging client. "Laws are not written for Church projects," he says. "The parliaments of the world have not enacted laws to anticipate what the Church would like to do." Atkin believes an unseen hand guides the work done by ALC and AALC. "We don't always know the legal issues an area will face but often find that we have assigned the perfect attorneys for those particular issues," Atkin explains. "We look for good attorneys who can use their legal skills to identify issues and work with outside counsel to resolve them locally."

Steve believes it was no coincidence he and Kate were sent to Guatemala. "An issue

came up early in my service as AALC that lasted until the end of our mission," he says. "It was a complex legal matter tied to the Quetzaltenango Guatemala Temple, the second temple built by the Church in Guatemala." This particular matter had been brewing for several years, occupying the attention of not only the ogc but the Presiding Bishopric's Office and the Quorum of the Twelve Apostles. Steve was asked to work on the project, and, after a deep dive into case records and several months of meetings and discussions with each of the parties involved, he was inspired with a solution that was acceptable to all. "I derive enormous satisfaction from the fact that there was a specific project in Guatemala that needed my skill set and to which I could dedicate so much time and energy and have it come out the positive way that it did," Steve says.

Eric clerked for Judge J. Clifford Wallace of the US Court of Appeals for the Ninth Circuit and Justice Lewis Franklin Powell Jr. of the US Supreme Court. Eric later worked for Vinson & Elkins LLP in the firm's Washington, DC, and London, England, offices before accepting a teaching position in 1984 with the University of Iowa Law School, where he eventually became associate dean. Catherine earned a teaching certificate and divided her time between caring for her family, community service, and teaching.

Shortly before Eric and Catherine retired, they began looking into opportunities for senior missionary service. In June 2017 they received a call to the Pacific Area Office in Auckland, New Zealand, where they assisted the ALC on legal matters in Australia, New Zealand, French Polynesia, Papua New Guinea, Fiji, Kiribati, Samoa, and Tonga.

Prior to arriving in Auckland, Catherine had planned to do humanitarian aid work for the Church in New Zealand. Once there, she found that her legal skills were needed. "The Pacific Area ALC, Douglas Matsumori, told me that he needed another lawyer," she remembers. As AALC, both Eric and Catherine carried a full legal load, with Catherine focusing primarily on compliance issues and Eric on contract work. In spite of their busy work week, Catherine made time weekly to do temple work in the Hamilton New Zealand Temple, and Eric explored a unique family connection to the area. His paternal grandfather, Blane Steed, and a second great-grandfather, Thomas Joseph Steed, both served missions in New Zealand.

Mark and Barbara Taylor

AALC, WEST AFRICA AREA OFFICE, ACCRA, GHANA, 2012-14

"Our experience in a corporate law environment turned out to be extremely relevant to the legal work we did for the Church," says Mark Taylor, '79. Mark and Barbara both worked as legal counsel for State Farm Insurance prior to receiving their call to serve as AALC. The centerpiece of their missionary service was facilitating the first seminar for the BYU International Center for Law and Religion Studies in Ghana. "We had experience in setting up legal conferences, and our skill set meshed with what needed to be done," Barbara says. "The conference is still happening each year, and it's growing." The Taylors say they came to know through AALC missionary service that the Lord leads and guides His work. Barbara says, "We realized that everything in our lives prior to that point had been preparing us for this type of service."



Pioneering the Activities of the Church

Like his older brother Steve, Eric G. Andersen, '77, pursued a career in law. During his first year at BYU Law he met Catherine Hardy, '76, one of 12 women in BYU Law's first graduating class and one of the first 100 women admitted to the Utah State Bar. The two married, and after graduation, Catherine worked for BYU's Office of General Counsel and

Gary and Elisabeth Smith

AALC, EUROPE EAST AREA OFFICE, MOSCOW, RUSSIA, 2014–16

Gary and Elisabeth Smith practiced law together in Southern California for most of their married lives; however, their experience as AALC brought them even closer together as a couple. “We often felt the strength and lift of the Spirit from diligently doing the job we were called to do,” Elisabeth shares. Gary had specialized in securities and exchange litigation; Elisabeth had negotiated commercial leases and transactional contracts, working part-time or full-time as the needs of their family changed. The couple relates that while serving in Moscow, they often felt the hand of the Lord guiding them. “There were times when we felt prompted by the Spirit to know exactly what to say or do when faced with an impasse,” says Elisabeth. “The legal work of the Church can be very complex; it takes prayers, miracles, and hard work to keep the Church alive in many countries of the world.”



Paraphrasing Doctrine and Covenants 44:4–5, which he views as a lodestar for his assignment as general counsel, Elder Wickman says, “God gives to the elders of the Church power to organize according to the laws of man in order that His people would be able to obey His laws, that the enemy may not have power over them. The work of ogc is to pioneer the activities of the Church with the institutions and agencies of government, and in this endeavor, the law stands as a bulwark between an ordered civilized society and a society governed by power.”

“AALC are incredibly helpful in managing the legal affairs of the Church,” says Richard Page, ‘82, ALC for the Europe Area and former ALC for the Europe East and Asia Areas. “The ALC can’t do it all themselves. Working with the AALC is like having a small, close-knit law firm of

extraordinarily committed and gifted colleagues with whom you can counsel and solve problems.” Page notes that AALC come from a variety of practice backgrounds—small firms, boutique firms, general practitioners, government lawyers, judges, senior in-house

counsel, and big-firm transactional and litigation attorneys. “AALC are seasoned lawyers from all walks of life who come with a wealth of experience and judgment,” Page says. And their contributions often extend beyond legal matters. “AALC have developed sound business judgment over their careers and become seasoned advisors to various departments of the Church in the areas to which they are called,” he says. Tanner agrees: “I have been amazed so often with our AALC. They are all capable lawyers who have lived worthy of getting divine guidance that they need.”

A Need for AALC Missionaries

Reflecting on his time as an AALC, Steve says, “There was hardly any area of the law that I was not involved with. It was unique, interesting, and challenging work. It was satisfying to put to service for the Church skills that I had learned in my profession.” Kate came to recognize the crucial need for talented ALC employees and AALC missionaries. “We had no idea, prior to our mission, what it takes to run the Church internationally,”

she says. “The Church must navigate beyond reproach the varieties and complexities of legal systems around the world. To build temples and chapels, provide welfare relief, and establish and maintain harmonious relationships with governments is a seemingly insurmountable challenge, but one that can be accomplished with inspiration, requisite skill, and finesse.”

Eric and Catherine look back fondly on the opportunity they had to work as AALC and highly recommend this type of missionary service to other couples. “Those who have legal training should be aware that this is a need the Church has—it can be very rewarding to bring some of your background to bear on forwarding the work,” says Eric. “We felt that in spite of the obstacles we faced and the inadequacies we brought, we were helped and blessed to be able to make a contribution.”

NOTE

- 1 “The Purpose of the Church,” *General Handbook: Serving in The Church of Jesus Christ of Latter-day Saints* (Salt Lake City: The Church of Jesus Christ of Latter-day Saints, 2020), 1:3.

Timothy and Joyce Cory

AALC, ASIA AREA OFFICE, HONG KONG, CHINA, 2016–18

“Legal affairs are often adversarial, but that isn’t the way the Lord conducts His kingdom,” says Timothy Cory. “The temporal affairs of the Church are administered in accordance with the principles of the gospel.” Timothy practiced law in Las Vegas, Nevada, specializing in debtor and creditor rights, business restructuring, and international real estate transactions. Joyce worked at BYU before devoting herself to raising the couple’s three children. In Hong Kong she taught self-reliance classes to female domestic workers who traveled to China to find work. “It was fulfilling to teach skills that would enable these women to return to their families instead of working abroad,” Joyce says. Regarding their service, Timothy says, “There are members of the Church in countries throughout Asia where the Church is in its infancy and is striving to become better established. We were privileged to participate in that striving.”



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