Religious Freedom and the Common Good Religious Freedom Annual Review Brigham Young University Law School "Healing Cultural and Personal Divides: What Can Make a Difference?" June 21, 2018

I thought I should tell you a little bit about myself so you have some idea of the perspective I bring. Above all, my great desire is to be a disciple of Jesus Christ. I am an active and believing member of the LDS church. And I'm gay. My shorthand for all of this is that I'm a happy gay Mormon.

I read a book a few years ago about the biblical text of Job, and the author posed a question relating to Job's friends that I think bears upon our conversation today. He asked: "What is our moral responsibility to other people whom we believe to be wrong, but who desperately need our support and affection?"<sup>1</sup> Whatever direction we individually may be coming from on any of the critical issues of our time, if our desire is to heal cultural and personal divides, could we consider that our engagement in an issue creates a moral responsibility upon us toward those on another side?

In a modern revelation of comfort and promise given to Joseph Smith while a captive in Liberty Jail, counsel was given about the exercise of priesthood power. In sharing these words with you today, I am changing them slightly to more precisely target our discussion:

No power or influence can or ought to be maintained by virtue of [believing ourselves to be right], only by persuasion, by long-suffering, by gentleness and meekness, and by love unfeigned;

By kindness, and pure knowledge, which shall greatly enlarge the soul without hypocrisy, and without guile—

Reproving betimes with sharpness, when moved upon by the Holy Ghost; and then showing forth afterwards an increase of love toward him whom thou hast reproved, lest he esteem thee to be his enemy;

That he may know that thy faithfulness is stronger than the cords of death.<sup>2</sup>

Whatever our personal beliefs may be on the issues of our time, none of us need refrain from stating our case as honestly, as clearly, as thoughtfully and as respectfully as we can. But in so doing, can we accept that our words and actions create an obligation on us to engage with greater love toward those whose beliefs differ markedly from our own? Can we meet their urgent needs for support and affection, not expecting that they will change their views because of our love, rather that our hearts and theirs will be changed because we are unwilling to call a brother or sister our enemy or to have them see us in that light?

May I share a couple of personal experiences where I have been the beneficiary of the determination of others to meet my needs for support and affection even when they felt I was acting in error? It has been the great fortune of my life to associate with individuals who, having felt the love of God, have worked tirelessly and selflessly to share His love with many others around them, including me; they have lived the words of Grace Noll Crowell:

Because I have been blessed by thy great love, dear Lord, I'll share thy love again according to thy word. I shall give love to those in need; I'll show that love by word and deed: Thus shall my thanks be thanks indeed.<sup>3</sup>

Some of these wonderful people are the members of my own family. Through a lifetime of interactions with my parents, in particular, I have come to see intimations and reflections of the Divine.

When I returned from my service as a missionary of The Church of Jesus Christ of Latter-day Saints in Montréal, Québec, I was surprised to discover that I was still gay. I thought the deal I had made with God was that I would do my best to be an effective missionary, and He in turn would make me straight! I had been praying and fasting for years that I would never need to tell anyone that I was gay because with sufficient faith and righteous actions, my reward would be – at least as I now think of it – that somehow a new spirit would be put into my body. I hoped that doing all the "right" things would obligate the Lord to fix me.

At a certain point, I felt I had reached the end of the road in my efforts to persuade God to change me. And I reasoned that if I couldn't be gay and Mormon, then I would try to discover if I could be gay and happy. I asked to be excommunicated from the LDS church. I knew that step would be incredibly painful for my parents and family, that they would feel I was turning my back on everything they valued, on the one path they knew had led to their own happiness.

It was a difficult time at first. As they tried to understand this reality in my life, initially my parents blamed themselves. My father worried that his work travel had caused him to be away too frequently during my formative years. My mother worried that she had become too close to me. They asked if I had been abused (I had not). For some months, my parents, my four brothers and their wives would fast and pray that my life would be changed.

Over time, though, as my parents continued to pray and to study, as they sought guidance and inspiration, they deepened their understanding of the character of the Savior, and in the revelation my parents received for their stewardship of their family, they felt to pursue a direction that brought them peace by bringing them closer to Him.

About two years after I came out, we were having a week-long family reunion in a large cabin in a canyon near my parents' home. One night, after putting the grandchildren to bed, my brothers, their wives and I gathered in my parents' room. We began with prayer, and then my father spoke of his desire that we would remain loyal to one another and united as a family.

My mother said, "I'm ashamed to say it, but when you boys were younger, I thought we had it all the answers. But life happens, and I realize that no family is perfect." She then turned to my brothers and their wives and said, "The lesson your children will learn from the way our family treats their Uncle Tom is that nothing they can ever do will take them outside the circle of our family's love."

That evening set the stage for how we would engage with one another for years to come. My parents came to measure the success of their stewardship not by whether all five sons were doing all the right things from the perspective of church activity; rather, they defined their success by the love and unity of their family, and by their own efforts to live in accord with the divine guidance they received. I think it was very much the kind of circumstance that Jesus contemplated in his message to the Nephites:

And ye see that I have commanded that none of you should go away, but rather have commanded that ye should come unto me, that ye might feel and see...<sup>4</sup>

Over the course of more than two decades, my parents found many concrete ways to demonstrate their determination that I, and later my partner, would be included in every family activity. I knew they loved me without an agenda, their love was not a mechanism to cause me to do what they desired, and even righteously desired for my own best good. I also knew they were sincerely interested in my life and fully enjoyed any time we were able to spend together. I am reminded of the words of Elder Jeffrey R. Holland a few years ago, when he related the story of another son and that young man's parents: "And, I must say, this son's sexual orientation did not somehow miraculously change—no one assumed it would. But little by little, his heart changed."<sup>5</sup>

My parents came to deeply and intimately understand the kind of charity of which the late President Thomas S. Monson spoke, when he said:

I have in mind the charity that manifests itself when we are tolerant of others and lenient toward their actions, the kind of charity that forgives, the kind of charity that is patient.

I have in mind the charity that impels us to be sympathetic, compassionate and merciful, not only in times of sickness and affliction and distress but also in times of weak.

There is a serious need for the charity that gives attention to those who are unnoticed, hope to those who are discouraged, aid to those who are afflicted. True charity is love in action.<sup>6</sup>

What is our moral responsibility to other people with whom we disagree? Along my journey I have learned that respect is more easily given after it has been received – if I wanted my brothers and sisters-in-law to be involved in the things that mattered in my life, I needed to do the same in theirs. I wouldn't wait for them to act first: I wanted them to be an active and engaged part of my life so I reached out again and again, making it as easy as possible for them to reach back.

I have thus come to feel that a frequent focus on "fairness" is likely the least interesting way to occupy my time, or perhaps it comes a close second to comparing scars, to seeing whose trauma has yielded the deepest wounds. None of us will emerge from this life unscathed, and in the end the measure of who we have become will not be that we have had heartbreaks, it will be our broken and thus changed hearts: how our experiences, our learning from hard knocks and soft embraces, will have caused us to choose over and over again, to follow the two great commandments of the law.<sup>7</sup>

There is no better example of ignoring unfairness, of doing good to those who treated Him poorly, than the life of Jesus, with Whose stripes we are healed.<sup>8</sup> I think of the inspired words of my friend Karen Davidson:

Tho craven friends betray thee, They feel thy love's embrace; The very foes who slay thee Have access to thy grace.<sup>9</sup> In Luke we read of "a certain lawyer"<sup>10</sup>, who, "willing to justify himself, said unto Jesus, And who is my neighbour?"<sup>11</sup> May I share what is perhaps a modern-day equivalent of Christ's parable of the Good Samaritan? Three years ago, after I had returned to active membership in the LDS church and the relationship with my longtime partner had ended, I received an email from a man who had been one of the closest friends to me and to my former partner, in which he said to me:

You are now my life's great mystery. Why you would break [your partner's] heart and give up your manhood for this horrible, wretched, hateful crowd mystifies me. They have no respect for you or me or any gay person whatsoever. They make that clear at every juncture. Why can't you just let go? It couldn't be clearer that [your church doesn't] want gay people.<sup>12</sup>

I wondered how to respond and spent a couple days crafting what I hoped would be a persuasive declaration of my certainty in Christ, my earnest desire to be His disciple, to follow the direction of prophets and apostles, as well as the hope I find in continuing revelation, that God will "yet reveal many great and important things".<sup>13</sup> After I sent my message, his response included this phrase: "you've traveled to a place [I] will never understand. When you get to the kingdom of heaven business, you lose [me] completely and absolutely."<sup>14</sup> Despite this lack of shared comprehension and the painful feeling that we had become strangers to one another, over the intervening years, my friend has never stopped reaching out, never flagged in his love, never ceased caring for my welfare and happiness. So, I ask you, as Jesus' asked the lawyer when He concluded the parable, "Which now of these, thinkest thou, was neighbor"<sup>15</sup>: the one who used careful words to explain his testimony of Christ or the one who worked tirelessly over a period of years to engage with and care for someone whose motivations he no longer understood?

The unique experiences of our individual lives cause us to see the world in a particular way. And yet, in order to be truly of one heart with those around us, to love our neighbors deeply and in spite of their flaws and weaknesses as we hope they will love us, regardless of any unkindness or contempt they may have shown us, we have to be willing to perceive the world in new ways, to open our minds and our hearts and finally our arms. If we would heal cultural and personal divides, rather than retreating into the comfortable circle of those who exactly share our views, we have to be willing to engage again and again with those who see things very differently, to be vulnerable and uncomfortable, relentless in the search for understanding and common ground.

If our concern is for healing, then our imperative is for consistent engagement. Only through persistent demonstration of genuine empathy can we rise above a conversation of contention, to one centered on sharing where each of us finds meaning in life, our sources of peace and of joy. Especially in situations where the stakes are so very small, such as who combines flour, sugar, butter and eggs, or who is allowed to purchase the result of those efforts, instances where one short moment of simple graciousness on either side can change the course of conflict.

I think we also have to acknowledge that healing works best in an environment where new wounds are not constantly created, and when we feel we must take a stand, we provide open, honest communication about our reasoning and willingly receive candid feedback regarding the impact of our actions on others. Healing the divide doesn't require that we all suddenly agree, but as we come to know those who see these issues from a different vantagepoint, where continued discordant perspectives exist, our efforts can at least provide the hope of creating relationships with goodwill, where an opportunity exists to identify shared purpose. A couple of years ago, National Public Radio aired an appreciation upon the death of Justice Antonin Scalia. In that broadcast, notice was paid to the unusual friendship between Justice Scalia and Justice Ruth Bader Ginsburg. I quote from their observations:

During their time together on the United States Supreme Court, Justice Scalia, a staunch conservative, and Justice Ginsburg, a staunch liberal, rarely found themselves on the same side of controversial issues. But in an era when political divisions drive many in Washington apart on a personal level, their disagreements remained intellectual.

"We were best buddies," Ginsburg wrote after Scalia died on Saturday.<sup>16</sup>

In conclusion, I would like to share with you a portion of the dedicatory prayer of the Salt Lake Temple. As you know, we hold our Sabbath services in meetinghouses, and a temple is where other ordinances are performed: when we're there, our great desire is to link ourselves to the entire family of God, to bind our hearts to all who have gone before and all who will come after us. Unusually in our church, the dedicatory prayer is written before it is given, traditionally by the president of the church, who seeks inspiration in creating it, and who then personally reads it at one or more dedications sessions. The Salt Lake Temple was dedicated on April 6, 1893 by President Wilford Woodruff. Near the end of the prayer, he said the following:

"O God, the Eternal Father, Thou knowest all things. Thou seest the course Thy people have been led to take in political matters. They have, in many instances, joined the two great national parties. Campaigns have been entered upon, elections have been held, and much party feeling has been engendered. Many things have been said and done which have wounded the feelings of the humble and the meek, and which have been a cause of offense. We beseech Thee, in Thine infinite mercy and goodness, to forgive Thy people wherein they have sinned in this direction. Show them, O Father, their faults and their errors, that they may see the same in the light of Thy Holy Spirit, and repent truly and sincerely, and cultivate that spirit of affection and love which Thou art desirous that all the children of men should entertain one for another, and which Thy Saints, above all others, should cherish. Enable Thy people hereafter to avoid bitterness and strife, and to refrain from words and acts in political discussions that shall create feeling and grieve Thy Holy Spirit."<sup>17</sup>

I find it hard to imagine a more serious and clear instruction to us as we seek to heal cultural and personal divides, to recognize and act on our moral responsibility toward brothers and sisters with whom we may disagree on issues relating to religious freedom. Stephen Sondheim's word evoke this desired course of action:

"We'll find a new way of living We'll find a way of forgiving Hold my hand and we're halfway there Somehow Someday Somewhere"<sup>18</sup> My hope – indeed, my prayer – is that this "somewhere" and "someday" may be here and now, that each of us will leave here determined that the better angels of our nature will be firmly in command of our responses to all those who need our support and affection, regardless of how differently we may view the issues of our time.

Thank you.

<sup>&</sup>lt;sup>1</sup> Michael Austin, *Re-reading Job: Understanding the Ancient World's Greatest Poem*, Greg Kofford Books, Salt Lake City, 2014, page 14

<sup>&</sup>lt;sup>2</sup> Doctrine and Covenants 121:41-44

<sup>&</sup>lt;sup>3</sup> Grace Noll Crowell, "Because I Have Been Given Much, Hymns, 219

<sup>&</sup>lt;sup>4</sup> 3 Nephi 18:25

<sup>&</sup>lt;sup>5</sup> Elder Jeffrey R. Holland, "Behold Thy Mother", October 2015 General Conference

<sup>&</sup>lt;sup>6</sup> President Thomas S. Monson, "Charity Never Faileth", General Relief Society Meeting, October 2010

<sup>&</sup>lt;sup>7</sup> Matthew 22:36-40

<sup>&</sup>lt;sup>8</sup> Isaiah 53:5 "But he was wounded for our transgressions, he was bruised for our iniquities: the chastisement of our peace was upon him; and with his stripes we are healed."

<sup>&</sup>lt;sup>9</sup> Karen Lynn Davidson, "O Savior, Thou Who Wearest a Crown", Hymns, 197

<sup>&</sup>lt;sup>10</sup> Luke 10:25

<sup>&</sup>lt;sup>11</sup> Luke 10:29

<sup>&</sup>lt;sup>12</sup> Name withheld, e-mail to author, July 28, 2015

<sup>&</sup>lt;sup>13</sup> Pearl of Great Price, Articles of Faith 1:9

<sup>&</sup>lt;sup>14</sup> Name withheld, e-mail to author, July 30, 2015

<sup>&</sup>lt;sup>15</sup> Luke 10:36

<sup>&</sup>lt;sup>16</sup> "Ginsburg and Scalia: 'Best Buddies'", All Things Considered, National Public Radio, February 15, 2016

<sup>&</sup>lt;sup>17</sup> "Dedicatory Prayer: Salt Lake Temple, April 6, 1893", Families & Individuals/Temples, LDS.org

<sup>&</sup>lt;sup>18</sup> Bernstein, Leonard, Jerome Robbins, Arthur Laurents, Stephen Sondheim, Sid Ramin, Irwin Kostal, Charlie Harmon, and David Israel. *West Side Story*. New York: Jalni Publications, 1994. Musical score.