

“To Me He Doth Not Stink”: Advocacy and Love

GAYLA M. SORENSON

Since I first learned how, I have loved to talk. Marilyn and Denise, my two older sisters, used to set the kitchen timer for five minutes, challenging me to go that long without saying a word. I never once made it the whole five minutes. Talking in the kitchen to your siblings, however, is very different from talking in this concert hall to a large and diverse audience. Accordingly, I am both excited and humbled by this opportunity to speak to you. But I want this experience to be much more than just my talking to you. I want this experience to be one in which the Spirit teaches and edifies, and I appreciate the music and the prayer that have helped set the tone for this to take place.

In addition to loving to talk—and in part because I love to talk—I love being a lawyer. As a junior in high school, I decided I wanted to be a lawyer for two reasons: First, I wanted to be different by going into a challenging profession in which not many women were employed—this was in the mid-seventies, when less than 20 percent of the attorneys in America were women.¹ Second, I wanted to be rich. I didn’t have any clearly formed ideas of what I would do with the money I made, but in my small hometown of Brownfield, Texas, having a swimming pool in your backyard was a pretty big deal, and I think that was my primary aspiration at the time.

As I found out more about being a lawyer, I learned of two outstanding attorneys: Rex E. Lee and Dallin H. Oaks. They were faithful members of the Church, and they had achieved very visible levels of professional excellence. They became my ideals. My choice of a major as a freshman at BYU was simplified when I discovered that they had both been accounting majors, so accounting was my choice as well.

I was in heaven when I discovered that two of then BYU president Dallin Oaks’s sons not only were in my BYU ward but were assigned to my family home evening group. I had visions of dazzling them and finding myself a member of President Oaks’s inner circle. However, my Texas twang dashed these hopes. Upon learning I had an academic scholarship, one of my freshman friends informed me that I must be a lot smarter than I sounded. I accepted that I was not going to dazzle anyone, and I am still waiting for an entrée to Elder Oaks’s inner circle. Nevertheless, I held on to my desire to emulate him by studying the law, and I absorbed the content, organization, and cadence of his talks.

Gayla M. Sorenson, dean of admissions for the BYU Law School, delivered this devotional address on August 8, 2017.

I was likewise thrilled my freshman year to be invited to a lunch hosted by none other than Rex E. Lee, who was then dean of the still new J. Reuben Clark Law School. It was a privilege to meet him, and I still remember his infectious smile and how he made me feel important. He encouraged me to study law and helped me begin to see the powerful advantages a legal education had to offer—advantages that went beyond proving myself in a challenging profession and getting rich.

One of these advantages became very compelling during my junior year of college. A well-known talk show host taped a show in Utah. He picked a controversial topic—one many people of faith would feel strongly about on moral grounds. When asked questions about why they objected to the position he took, however, many members of the audience were not able to clearly articulate their objections, even though very valid objections existed. As a result of hearing about these exchanges, I became even more committed to studying law so that I would be able to articulately and persuasively defend my positions on controversial topics.

Following my graduation from BYU—and despite having received an accounting job offer that could have satisfied my original two goals—I began my studies at J. Reuben Clark Law School. For me, law school was a fun, exciting, and meaningful experience from start to finish. I learned to think in new ways, and I met people who remain beloved friends to this day. I also discovered and refined my true passion: advocacy. For me it was not enough to defend a position and to be thought reasonable; my highs came when I persuaded someone to think about an issue or another person in a way they had not before.

It is on being an advocate that I want to focus today. I want to encourage your advocacy in public settings, advocacy that is directed toward authority figures, legal systems, and institutions. But I also want to encourage your advocacy in less visible ways.

Let me show you a picture of my two older sisters, Marilyn and Denise (yes, the ones who would later set the kitchen timer), and me. [A picture

of Gayla Sorenson as a baby was shown.] If you look closely at the picture, you will notice that my collar was pulled up a little. This is because I was still a little wobbly when it came to sitting up by myself, so my sisters were holding on to the back of my dress to keep me from falling. I have been the beneficiary of behind-the-scenes advocacy my entire life. It has been provided by family, friends, and professional associates in ways too numerous to mention. Today it is evidenced by the fact that my husband, my eighty-one-year-old mother, five of my six siblings (the missing sibling is with the U.S. State Department in Egypt and wishes he could be here), my brothers- and sisters-in-law, and several of my nieces and nephews have traveled approximately 15,000 combined miles to support me in person today. If you take nothing else away from my remarks, please think about those who advocate for your success in less visible ways and express your gratitude to them.

Now, in what I hope is true Elder Oaks fashion, I want to discuss three points about being an advocate: first, recognize that we are all called to be advocates; second, determine some key elements of what being an effective advocate means; and third, contemplate for whom and what we should advocate. I will then share some examples to illustrate these points.

Called to Be Advocates

We are advocates because Jesus Christ, our perfect Exemplar, is an advocate. In this dispensation He described Himself as an advocate on at least five occasions,² and prophets in other dispensations have also testified of this key role He plays.³ He has given us the instruction “For that which ye have seen me do even that shall ye do,”⁴ so as we are striving to emulate our Savior—to do what He does—we should be advocates. He has placed people in your life whom you are called to love and whose circumstances you are called to support or change. Both will require your advocacy.

While a law degree is not required to be an advocate—although it certainly does help develop that ability—I believe the major drop in the number of students enrolling in law school is evidence

that our society places less value on advocacy than it has in the past. As I read articles, follow social media threads, and engage in conversations, I find that those who disparage seem to far outnumber those who advocate. We need to change this imbalance by playing the role of advocate more and the role of critic less. Remember, Christ is our example, so civility must be paramount. There is no room for mocking, labeling, bullying, or belittling.

Being an advocate takes more skill and work than being a critic does. I have spent decades observing other advocates and trying to refine my own abilities as an advocate. Based on this, I would like to share a few key aspects of effective advocacy that I have come to value and that may help you increase the effectiveness of your own advocacy. These principles apply both in and out of the courtroom, and while they are often used in adversarial situations, they also apply when no direct conflict exists.

Appeal to Authority

Effective advocates present their case to the party who has authority to grant the relief sought. In lay terms, this means you should focus on persuading people who actually have the power to do what you ask. The Savior exemplifies this by being our Advocate with the Father; the Savior's pleading on our behalf is directed toward the ultimate Decision Maker. In the book *Making Your Case* by Antonin Scalia, a recently deceased justice on the United States Supreme Court, and Bryan A. Garner, the authors observed:

Nothing is accomplished by trying to persuade someone who lacks the authority to do what you're asking—whether it's a hotel clerk with no discretion to adjust your bill or a receptionist who cannot bind the company to the contract you propose. Persuasion directed to an inappropriate audience is ineffective.⁵

Too often I see energy expended on actions that are at best preaching to the choir and at worst throwing gasoline on a fire. Facebook posts read by an audience with no more power to effect change than the writer does are not effective

advocacy. While rallying others to your cause is sometimes an important part of advocacy, do not be distracted by thinking that this is your end goal. Whether working to help an individual do something she could not do for herself, promoting a cause, or changing an existing policy, effective advocates direct their energies toward those who have the authority to either finish the job or carry it to the next level.

Be Knowledgeable

Effective advocates are knowledgeable. Passionate support can be part of the equation, but passion without knowledge carries little weight. As an in-house attorney for Motorola, I often participated in selecting what we referred to as "outside counsel" to represent the company in high-stakes matters. We were very focused on choosing attorneys who knew the law exceptionally well in the area of concern, whether that area be litigating intellectual property rights, complying with environmental regulations, or investigating an alleged antitrust violation. In this way we could be confident that they had credibility with the decision maker. In addition, they would have the power to plead our case in the best possible light, advise us about the areas in which our position was weak, and help us strengthen our position.

Outside the legal field, I likewise repeatedly see the value of in-depth knowledge. For example, our daughter Mandi graduated from college with an emphasis in special education—long before she knew she would be the mother of two children with special needs. She has drawn on her formal education and has supplemented that knowledge with informal learning in order to become a powerful advocate for her own children and for other children with special needs. I have marveled as I have watched her advocate on their behalf for services and opportunities, and I have watched our grandchildren's potential blossom as a result.

Earn Trust

In persuading the person with power, substantive knowledge is important. However, I have often observed situations in which the point was

not carried by the most intelligent attorney in the room but by the attorney who had gained the trust of those who needed to be persuaded. This characteristic was highlighted by Scalia and Garner, who noted that there is a “human proclivity to be more receptive to argument from a person who is both trusted and liked.”⁶

Moreover, while a general reputation as trustworthy is valuable, to be an effective advocate you must specifically earn the trust of those whom you are seeking to persuade. Trust must be earned, and it is not easily given. In too many cases I see individuals spend their energy insulting and criticizing from afar those who disagree with them rather than working to earn their trust. How can you earn someone’s trust?

One way to earn the trust of those you are seeking to persuade is to get to know them. In a 2010 editorial in the *New York Times*, Senator Evan Bayh reflected on the changes that had occurred in Washington, DC, since the time his father had served as a senator from Indiana. He recounted:

*When I was a boy, members of Congress from both parties, along with their families, would routinely visit our home for dinner or the holidays. This type of social interaction hardly ever happens today, and we are the poorer for it. It is much harder to demonize someone when you know his family or have visited his home.*⁷

Or as the beloved but fictional attorney Atticus Finch put it, “You never really understand a person until you consider things from his point of view— . . . until you climb into his skin and walk around in it.”⁸ Dialogue is enhanced and understanding is increased when underlying relationships are strengthened.

Another key way to earn trust is to be respectful. Rex Lee exemplified effective advocacy, and, as described by his son, he analogized effective advocacy to having “a conversation about an important topic with a friend—not just any friend, but one that is respected and looked up to.”⁹ Showing respect is of critical importance when dealing with those who have the ultimate authority to grant your request, but it can be of equal

importance in dealing with those who have different points of view.

Acknowledge the Opposing View

A final key way to gain trust is to acknowledge the strengths of the opposing point of view. Good advocates do not try to defend the indefensible.¹⁰ When the other side has valid arguments, Scalia and Garner advised:

*Boldly proclaim your acceptance of them—thereby demonstrating your fairness, your generosity, and your confidence in the strength of your case, and burnishing your image as an eminently reasonable advocate.*¹¹

Effective advocates can still ably represent their client’s strengths while conceding that the other point of view is not entirely devoid of merit, and their credibility is significantly enhanced as a result.

For Whom and What to Advocate

I hope that I have persuaded you to be an advocate and that you are realizing you have the ability to become a powerful advocate, especially if you come to law school! However, you may well be wondering for whom and for what you should advocate. As much as it pains me to admit, I cannot answer this question for you. However, I can share two guiding principles.

First, never forget that you are advocating for individual children of God. It is easy to become so caught up in the larger cause that we forget the individuals for whom we are advocating. Lani Guinier is a well-known civil rights attorney who became the first tenured professor at Harvard Law School who was a woman of color. In her memoirs she observed with regret that as the civil rights movement unfolded, she and her fellow advocates became so caught up in “developing legal doctrine and establishing legal precedent”¹² that they “distanced [themselves] from the very people on whose behalf [they had] brought the cases in the first place.”¹³

Constant reminders are necessary to avoid this pitfall. Elder Oaks has represented and led large

institutions, and he keeps the picture *Forgotten Man*, by Maynard Dixon, in his office as a constant reminder of the importance of the individual.

The fundamental reminder, of course, is the example of our Savior. His advocacy is provided on an individual basis. For example, the Savior told the Prophet Joseph and a small group of elders, “Lift up your hearts and be glad, for I am in your midst, and am *your* advocate with the Father.”¹⁴ He told Parley P. Pratt, Oliver Cowdery, Peter Whitmer Jr., and Ziba Peterson that He was “*their* advocate with the Father.”¹⁵ He is an advocate, not in some abstract, theoretical sense but on a very personal and individualized basis.

Second, be willing to accept the clients God sends your way, no matter how imperfect they may be. This I am sure about: they will come—inconveniently, surprisingly, and interruptingly, but they will come. As the Savior stated in His great Intercessory Prayer, “I pray . . . for them *which thou hast given me.*”¹⁶

Let me illustrate how this has worked in my life. At one point in my career I did volunteer work in the juvenile courts. I was serving as a court-appointed attorney, which means I represented anyone the court gave me to represent. Sometimes I found my clients easy to advocate for right from the start; other times, not so much. I had committed to accept those court appointments, however, and in every case I found it easier to advocate for my clients after I had truly gotten to know them and their stories.

In like manner, God has given me a family comprising unique individuals. He has given me visiting teachers and young women. And He has given me hundreds of applicants to BYU Law. Some of these clients have been easy to advocate for right from the start; others, not so much. However, there has never been a case in which I did not find it easier to advocate for these individuals after I had truly gotten to know them and their stories.

God does not give us perfect clients, but, thankfully, our Savior does not advocate for us because we are perfect but rather because He “knoweth the weakness of man.”¹⁷ As you seek to answer the specifics of “who?” for yourself, start with those people God places in your life.

God will also prepare you for what you should advocate for. As Eva M. Witesman recently pointed out in her devotional remarks:

*God knows you, and even though you may not yet know His plans, He knows the end from the beginning. He is preparing and qualifying you for the work He wants you to do.*¹⁸

You may end up advocating on behalf of disabled children or displaced families or individuals whose civil rights have been violated or elderly grandparents who need care. When God sends a client your way, He will have provided you with the opportunity to prepare to advocate for what your client truly needs. And when we are unsure what to advocate for, we can again take instruction from the example of Jesus Christ. As our Advocate, He pleads with the Father that we will be kept from evil, that we will develop unity, and that we will know we are loved.¹⁹ We will never go wrong when we advocate for these results.

Examples of Advocacy

To illustrate these principles, I would like to share two examples of advocacy from the scriptures.

In the book of Numbers we find the account of the five daughters of Zelophehad.²⁰ Their father had died, and they had no brothers. Under the existing inheritance laws, they would not receive any of their father’s land because they were women. But they did not sit around and complain to each other, nor did they simply whine about this injustice to their neighbors. Instead, they pled their case before Moses—someone in authority who had the power to grant their request. They were knowledgeable about the applicable laws, pointing out to Moses that their father had not violated any of the laws that would have required a forfeiture of the land and noting that the effect of the current law would result in their father’s name being “done away from among his family.”²¹ Acknowledging the concerns of others about preserving tribal lands, they agreed to marry within their own tribe.

Moses was persuaded by their effective advocacy, and the result was a change in the

inheritance laws, benefiting not only these women but future generations of Jewish women who might otherwise have seen their families' lands go to more distant relatives.

In the Book of Mormon the missionary Ammon became part of the household of King Lamoni and his unfortunately nameless wife, simply referred to as “the queen,” who was the star advocate of this story.²² Upon being taught the wonders of the Savior’s Atonement by Ammon, Lamoni fell to the earth “as if he were dead.”²³ He continued in this state for two days and two nights, and a great deal of lamenting took place.

After this length of time, certain members of King Lamoni’s constituency decided it was time “to take his body and lay it in a sepulchre.”²⁴ Fortunately, the queen recognized it was time to advocate for her husband. She realized Ammon had the power to help her husband, and she called for him. She showed Ammon respect by acknowledging that he was a prophet and could do mighty works in the name of God. She gained credibility by acknowledging the opposing point of view, but she also skillfully made the best of her client’s position when she stated, “Others say that he is dead and that he stinketh, and that he ought to be placed in the sepulchre; but as for myself, to me he doth not stink.”²⁵

Her advocacy was effective; Ammon responded to her request to examine Lamoni, and he promised that on the next day the king would rise again. The queen did not have a perfect client—to some people he literally stunk—but she was his advocate, and Lamoni was not buried alive.

In closing, I want to share a poignant example of advocacy from my own life. I did not get married until I was forty-six years old. I had reached the age when I thought that if I ever did get married, it would be a marriage of convenience—to someone I was comfortable with, nothing more, nothing less. Some close friends—Lois Jean Spencer, who is here today, and Marcie Lenio—introduced me to one of their other close friends who was a widower: Ferril Sorenson, a kind, faithful, wonderful man. They advocated for him with me and for me with him, and they were

very effective advocates! We fell in love with each other—an all-encompassing love, nothing “convenient” about it.

We got married, and, as I continue to say, life became much better, but it did not become easier. I was working outside Philadelphia and Ferril was working outside San Francisco. Commuting coast to coast; merging two households; realizing I was no longer the only one whose opinion mattered with respect to setting the thermostat; figuring out my roles as wife, mother, and grandmother; and so forth was fun but demanding.

Ferril’s youngest son, Travis, was still living at home, but he was planning to move out a couple of months after we got married, so I set my expectations accordingly. I was fond of Travis, but going from living alone to living with a husband was enough of an adjustment, and I didn’t really have the desire or the energy to adjust to living with a twenty-one-year-old male at the same time.

Travis left in June as anticipated, and I wished him well while feeling a little more like the home in California was now *my* home. Then, in late August, Ferril let me know that because of some unfortunate circumstances, Travis was moving back in with us.

I was not happy about this at all, so I called my parents, expecting their complete sympathy. I explained the situation to them and how inconvenient it was going to be for me, how unfair this was when I was trying to adjust to married life, and how this would impinge on my precious time with Ferril. Clearly this was all about me.

The response I got from my parents was not sympathetic consolation. They became zealous advocates for Travis. They knew I had the power to make Travis’s return positive or negative, so they advocated for the positive approach. They had gained my trust through years of interactions, so I was favorably inclined to hear what they had to say. They conceded there was some merit to my position (not much, but some)—acknowledging that this might not be the most convenient situation for me—but they focused on helping me see Travis in a different light. They pointed out how difficult this must be for him, how he probably

wasn't any more excited about moving back in than I was, and how he was having to adjust to having a stepmother while still intensely missing his own mom. They helped me see how important it was that Travis feel loved.

Because of their advocacy, I genuinely welcomed Travis back into our home. I am sure I didn't always show love to him perfectly, but I was much more loving than I would have been without my parents' advocacy on his behalf. His living with us for the next year and a half became a great blessing in my life, and the love we share now is priceless to me.

God will guide us as we develop our advocacy skills, and He will provide us with opportunities to be advocates for His children. He will place some of us in situations to advocate to the highest legal authority in the land for changes that will benefit His children for generations. He will place others of us in situations where we can persuasively declare on behalf of one of our brothers or sisters, "To me he doth not stink." And I can virtually guarantee that He will enable each of us to advocate for one another within our families. Whatever the specific realm we may be advocating in, if we promote unity and invite others to love one another, we can be sure we are advocating in a way that is pleasing to Him.

I testify of these principles in the name of our Savior Jesus Christ, our Advocate with the Father, amen.

Notes

1. See U.S. Equal Employment Opportunity Commission, *Diversity in Law Firms* (Washington, DC: EEOC, 2003), 8.
2. See D&C 29:5; 32:3; 45:3; 62:1; 110:4.
3. See Hebrews 7:25, 9:24; 1 John 2:1; 2 Nephi 2:9; Mosiah 15:8; Moroni 7:28.

4. 3 Nephi 27:21.

5. Antonin Scalia and Bryan A. Garner, *Making Your Case: The Art of Persuading Judges* (St. Paul, Minnesota: Thomson/West, 2008), 3.

6. Scalia and Garner, *Making Your Case*, xxiii.

7. Evan Bayh, "Why I'm Leaving the Senate," *New York Times*, Opinion Pages, 20 February 2010, nytimes.com/2010/02/21/opinion/21bayh.html.

8. Harper Lee, *To Kill a Mockingbird* (New York: Warner Books, 1982), 30.

9. Thomas Rex Lee, "Tribute to the Honorable Rex E. Lee Solicitor General of the United States 1981–85," *Journal of Appellate Practice and Process* 3, no. 2 (fall 2001): 559.

10. See Scalia and Garner, *Making Your Case*, 20.

11. Scalia and Garner, *Making Your Case*, 21.

12. Lani Guinier, *Lift Every Voice: Turning a Civil Rights Setback into a New Vision of Social Justice* (New York: Simon and Schuster, 1998), 222; quoted in Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2012), 225.

13. Guinier, *Lift Every Voice*, 221; quoted in Alexander, *The New Jim Crow*, 226.

14. D&C 29:5; emphasis added.

15. D&C 32:3; emphasis added.

16. John 17:9; emphasis added.

17. D&C 62:1.

18. Eva M. Witesman, "Women and Education: 'A Future Only God Could See for You,'" BYU devotional address, 27 June 2017.

19. See John 17:15, 21, 23.

20. See Numbers 27:1–11; see also chapter 36.

21. Numbers 27:4.

22. See Alma 17–19.

23. Alma 18:43.

24. Alma 19:1.

25. Alma 19:5.