



FEEL VERY PRIVILEGED TO BE WITH YOU ON THIS OCCASION. IT SEEMS HARD TO BELIEVE THAT IT HAS BEEN 20 YEARS SINCE THE FIRST GRADUATION, WHICH OCCURRED JUST A FEW MONTHS AFTER THE MIDPOINT OF MY SERVICE AS PRESIDENT OF BRIGHAM YOUNG UNIVERSITY. AT THAT TIME,

this Law School was a struggling infant. Now it is a mature and highly respected adult in the congregation of legal education.

I believe you will understand my desire to increase the personal warmth of this occasion by stirring the coals of nostalgia. It was 23 years ago this August when a group of hopeful Church authorities, educators, and students gathered for the ceremony opening this law school. President Marion G. Romney of the First Presidency presided. President Ezra Taft Benson of the Quorum of the Twelve, Commissioner Neal A. Maxwell of the Church Educational System, BYU President Emeritus Ernest L. Wilkinson, Dean Rex E. Lee, about eight initial members of the faculty, and 136 members of the charter class were also present.

For historical purposes, I quote from my remarks on that occasion:

We are frequently asked why Brigham Young University is establishing a law school at this time. We have all heard reasons suggested, and many of us have contributed a few. Some of these suggestions are speculative, some reasoned, and some have the ring of authority. But the most important fact to be noted on this subject is that the trustees of Brigham Young University, whom we sustain as inspired leaders, have decided that Brigham Young University should have a law school at this time. I have received a confirmation of the divine wisdom of that decision, and I am quite content with that. The special mission of this law school and its graduates will unfold in time. [Addresses at the Ceremony Opening the J. Reuben Clark Law School, BYU, August 27, 1973, pp. 4–5]

After 20 years, we have fewer doubts about the special mission of the Law School. Nevertheless, we are keenly aware

that this special mission is still unfolding and that each new graduating class adds its own illumination toward understanding and its own momentum toward achieving that mission.

So much for nostalgia. Now to the business at hand.

I have a whole file full of trite expressions tailored to a graduation. You will be glad to know that I left that file untouched in my preparation and will try to leave its contents unaccessed in my recollection. I wish, instead, to speak candidly to these law graduates about one important aspect of their transition from law studies to the professional period that follows.

I enrolled in law school 42 years ago this fall. (Forty-two years! It seems I just can't stay away from nostalgia!) At that time, I had the good fortune to have my introductory law class from Professor Karl N. Llewellyn, then one of America's best known and most highly honored law teachers. He had all of his beginning students read his book, *The Bramble Bush* (New York: Oceana Publications, 1951). Much of this small book was incomprehensible to entering law students, but as our experience deepened, we came to see that most of it was valuable. On the first reading of *The Bramble Bush*, the only thing I thought I understood was this poem that appeared facing the title page.

*There was a man in our town
and he was wondrous wise:
he jumped into a bramble bush
and scratched out both his eyes—
and when he saw that he was blind,
with all his might and main
he jumped into another one
and scratched them in again.*

This address was
given at the
J. Reuben Clark
Law School
Convocation,
April 26, 1996.

For Professor Llewellyn, the study of law was the first bramble bush, a painful experience that would gouge out the normal eyes of the student. But his book offered hope. Those who persisted in their reading found this passage on pages 105–106:

So, gentlemen, the prospect: the thicket of thorns. The subtleties of the case method to disentangle. . . . Details, unnumbered, shifting, sharp, disordered, unchartable, jagged. And all of this that goes on in class but an excuse to start you on a wilderness of other matters that you need. The thicket presses in, the great hooked spikes rip clothes and hide and eyes. High sun, no path, no light, thirst and the thorns.—I fear there is no cure. No cure for law but more law. No vision save at the cost of plunging deeper. But men do say that if you stand these thousand vicious gaffs, if you fight through to the next bush, the gashing there brings sight.

By now, your three years of law study have given you what Llewellyn called “the gashing” of that second bramble bush, which has brought you your legal vision. At least that is the conventional wisdom and the expectation of those who preside over the teaching of the law in the law schools and in the law firms and agency apprenticeships for which most of you are now destined.

We all know that graduation is a time of transition from formal education to the further learning and compensated employment for which you have been prepared. But graduation marks another transition, too. It is of this other transition that I wish to speak, because what I have to say you may not hear from those who will tutor you in your further education in the law.

You need another kind of tutoring—we might even say another kind of gouging—to restore some of the vision you lost in the legal introduction Llewellyn called the first bramble bush. You need some special efforts because the loss of this kind of vision was not restored in your legal studies.

In the study of the law, you have become proficient in learning and reasoning from rules and in determining facts. The vision necessary for this kind

of learning and skill is necessary to make you serviceable in your profession. But in the process, you may have been desensitized or at least have become neglectful of another dimension of life—the realm of feelings. You should now reenter that realm. Hence the title of these remarks: “Reenter the Realm of Feelings.”

The law doesn’t do much with feelings. A feeling is rarely actionable or even admissible. Yet, even in the realm of the law, feelings are often more important than facts or rules. Lawyers who fail to get reintroduced to the realm of feelings are not likely to succeed in the practice of law. More important, they are almost certain to fail in the fundamentals of life that are more important than law or anything else.

If you think I have overstated that point, tell me what fact or rule motivated you married graduates in your choice of the companion who is more dear to you than anything else. I judge that in making that choice you proceeded on feelings. If you reflect on the most important decisions you have made in your life, you will probably conclude that most of them, though preceded by a careful study of the facts and the rules, were most immediately motivated by feelings.

Take account of your feelings at this moment. You feel relieved to be graduating. You feel grateful to your parents and to your spouse, and yes, to your teachers and to the Law School. You feel apprehensive but determined about what lies ahead. All of those feelings are under-

standable and appropriate, and all of them should be acted upon.

There will be other feelings. In the months and years ahead, feelings of responsibility should stir you to action. Feelings of inadequacy should press you to careful preparation.

There will be other occasions when you need to be guided by your feelings. If you cultivate the sensitive spiritual receptor that we all have and are intended to use, a feeling of doubt or foreboding will warn you away from ethical or moral pitfalls. If you stray from the prescribed path, a feeling of guilt will move you to repentance. I hope you never neglect your spiritual life to the point that you suffer the result mentioned in the scriptures that describe persons who were “past feeling” the “still small voice” (1 Nephi 17:45).

But there is more. Feelings of love and concern should cause you to give needed attention to those you love. You should always be ready to act upon a generous or even an extrarational impulse when you “feel that it is right” (D&C 9:8). Finally, feelings of reverence and love for the Lord will discipline your thoughts and actions in ways necessary to qualify you for the promised blessings of heaven.

In these and countless other ways, your feelings will guide you if you will allow it.

On this day when a ceremony certifies your mastery of facts and rules, it is appropriate for an older friend to remind some certified masters of facts and rules that they are now emerging from the exclusive sovereignty of those important professional factors and reentering a realm where they must also be accountable to their feelings and the feelings of others.

I hope that you will make a good transition from law school to the world of work. Since this is of even greater importance, I pray that you will also make a good transition from the artificial environment of legal studies into the realm where feelings are controlling in much that is vital. I invoke the blessings of heaven upon you in that essential transition and in all that is to follow.

Elder Dallin H. Oaks is a member of the Council of the Twelve of The Church of Jesus Christ of Latter-day Saints.

