

5-1-2010

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Recommended Citation

Frederick Mark Gedicks, ?????? ????????, 2010 BYU L. RE v. 339.

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Michael Goldsmith

*Frederick Mark Gedicks**

The most fitting way to begin an essay in memory of Michael Goldsmith would be to tell one of his jokes, because Michael had a terrific sense of humor. The trouble is that, as I thought of all of the jokes that Michael had told me over the many years that we knew each other, I couldn't actually remember one that I could safely tell in public, let alone in print. He did send a lot of them through his BYU Law School email account, however, so it makes me smile to think that somewhere in the vast reaches of the BYU server, these jokes are sitting there, like time bombs waiting to go off, which is its own kind of joke.

The first and by far the most important thing to remember about Michael was his love and care for his family. Two of his sisters spoke at the funeral service in Albany, and it was immediately evident how much they loved their brother, and how good he had been to them and to their mother.

Michael was also devoted to his children, Austen and Jillian, and made tremendous sacrifices to be their father. For years after they moved back to Philadelphia following Michael's divorce, he would fly back to visit them several times a month. He found a place to stay and eventually bought a second house in Philadelphia, so that when he visited he could be with them in a home and not a hotel room. He was determined not to become an absentee dad, but to remain a real and constant presence in their lives despite the geographic distance, and he succeeded.

And, of course, anyone who was around Michael for more than five minutes knew that he was crazy about his wife, Carolyn. Relationships can be hard, and sometimes people don't appreciate how fortunate they are to be loved. That was not Michael's problem; he knew how blessed he was to have Carolyn.

One of the things I admired most about Michael was his courage and character in the face of loss. All of us experience pain and

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disappointment in life, but Michael had more than his share. His father died when he was in college. He was separated from his children when they were very young. He had financial reversals. He almost died from a brain aneurism in the 1990s, which left him in a coma and required months of physical and mental therapy to recover. Several years later his third sister was hit by a car and killed in an accident that shouldn't have happened. And then, barely a year after he married Carolyn and was as happy as he had been in a long time, he was diagnosed with ALS.

If anyone was ever entitled to be angry at God and bitter about life, it was Michael. But he was the opposite of angry and bitter. That's not to say that he didn't sometimes get mad at his situation. Michael was not naive or dismissive about the cruelties that life had served up to him, but his anger at those cruelties was fleeting. He was always on to the next thing, always looking forward, always focused on what he could do, and not on what he couldn't.

Inspiration is an overused word, but there is no other word to describe his courage in the face of ALS. This is the cruelest of diseases. There are no ups to compensate for the downs; there is not even a remote chance of recovery to cling to. Every day is the best things will ever be, and if the next day is not worse, then the day after that certainly will be. It is a relentless, constant, inevitable downward spiral. As Michael himself said, "It robs you of every shred of hope."

Those of us who have never suffered from such a condition can hardly appreciate how much courage it takes to carry on in the face of it every day. Some people can't. In the months after his diagnosis, Michael told me that a medical professional had suggested that he move to Oregon, where assisted suicide is legal. That's not the choice Michael made; he chose to fight, even knowing that it was hopeless.

Michael was devastated by his diagnosis, as any of us would have been. But how many of us, having received such awful news, would have thought almost immediately that they might use it to make something important happen? Michael did not wallow in his misfortune; he figured out the things he could still do, and he did them. He lobbied the members of Utah's congressional delegation to overturn the Bush administration's restrictions on stem cell research, which is one of the few lines of ALS research that shows some promise. Not all of these conversations were pleasant, but he

persisted. He wrote letters and op-eds., and he wrote his now-famous “My Turn” essay in *Newsweek* about Lou Gehrig, ALS, and Major League Baseball.

How that essay came about says so much about Michael. Carolyn told me that Michael was reading *Newsweek* one evening, and abruptly declared that he was going to publish his own *Newsweek* essay about Lou Gehrig and ALS. “Michael,” Carolyn said, “be realistic. They must get thousands of submissions every week.” On top of that was the complete absurdity that a mere fan could get the folks in charge of Major League Baseball to do anything, much less coordinate a national commemoration of Gehrig and a fund-raising effort for ALS on a few months notice. These are the custodians of a game whose rules have barely changed in a hundred years, and who still haven’t sorted out their differences on the designated hitter rule, thirty-six years after the fact. This is not, shall we say, a group that’s in the habit of moving very far or very fast.

Michael was not deterred, and we know now what happened because he was not. It’s an old cliché that the most difficult limits to overcome are the ones we impose on ourselves, but Michael’s life is a testament to what one can accomplish if he removes those limits, casts aside the fear of failure, and simply does what can be done.

Finally, a memorial at BYU for Michael would not be complete without a few words about the utter bizarreness of his even working here. Michael loved Utah, he loved the outdoors, he loved to ski, and he especially loved being a Jew at a Mormon school. He used to joke that this was the only place in the world where he could be both a Jew and a Gentile. More seriously, he spoke frequently about the extraordinary support he received from all the deans he worked with, about how he was accepted on the faculty right from the start despite his obvious differences, about how much he loved his students at BYU. Even in his last months this summer, as he lost his voice and his mobility and was literally dying, he was hard at work trying to find some technology that would enable him to keep teaching and working at the job he loved.

Michael knew a lot more about LDS teachings and beliefs than one might have imagined. One day ten or fifteen years ago he stuck his head into my office and told me that he wanted me to give him the LDS missionary lessons. This rendered me speechless, as he knew it would, and then he laughed and said he had absolutely no interest in converting, but he was seeing an LDS woman and needed to

figure out what in the world she was talking about every time they went out. So every Friday afternoon for the next month he would drop by my office, tell me a couple of jokes that I am certain have never been told at the beginning of any other Mormon missionary lesson, and then we would spend an hour or two talking about Mormonism: The First Vision, the Book of Mormon, the pre-existence, the three degrees of glory, polygamy, blacks and the priesthood, ward basketball, green Jello—if you can think of it, we probably talked about it. He was bemused by some of our peculiarities, but always respectful, and even understanding, because he, too, knew what it is like to have a faith that could be different and unpopular. Michael was a stranger in a strange land, who nevertheless made himself at home.

One of the ironies of death is that it teaches us something about the person who dies, even when we thought we knew that person pretty well. Michael's sister Edna said at the funeral that their mother taught them to always look for the good in everyone. Michael's mother was born in Austria, and lived there through most of the 1930s before she immigrated to Palestine just after the Anschluss and barely ahead of the Holocaust. As Edna said, their mother grew up "with darkness all around her," and yet, she taught her children to look for the best in people.

This is how I will remember Michael. None of us is perfect, and Michael wasn't either, but he was a generous man who loved his family deeply, who fought hard for the things he believed in, and who looked for the good in people and in life. And because he looked for the good, he nearly always found it. We would all be fortunate to live our lives so well.