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Carl Hawkins Tribute

Elder Bruce C. Hafen

I am honored to represent the law school community in paying tribute to Carl Hawkins, my mentor and my trusted friend of nearly forty years.

Carl's impact on those around him is best demonstrated by the role he played in the founding of the J. Reuben Clark Law School. In 1971, the whole idea of building a religious law school that would be taken seriously—let alone highly recognized—by the American legal profession seemed far-fetched. A new law school cannot be accredited until after the first class graduates—so how do you persuade premium students to risk their careers on an unknown school? What would the ABA's first accrediting visitors say, when many of them were already skeptical about mixing religion with legal education? How about the national law firms who would need to hire the graduates? And most important, because it was the predicate for all other questions, how do you persuade experienced LDS¹ law teachers to put their careers on the line in an unproven venture? In short, how could the law school establish deserved credibility? If that didn't happen in the beginning years, it might be impossible to secure it later on.

After announcing the creation of the Law School, the First Presidency of The Church of Jesus Christ of Latter-day Saints took two important steps: they selected Dallin H. Oaks, a faculty member at the University of Chicago Law School, to serve as BYU's president and Rex E. Lee, who would later serve as the U.S. Solicitor General in the Reagan Administration, to serve as the founding law school dean. But the equally significant task of selecting the first faculty remained.

A few months after Rex Lee's appointment, the situation grew tense. We were running out of time, and only one of the experienced LDS law teachers, Ed Kimball, had committed to come. Dean Lee and President Oaks had made personal visits to a number of potential faculty members, but all were waiting to see what one other man did: Carl Hawkins. Carl was a professor at the University of

1. Abbreviation for the Church of Jesus Christ of Latter-day Saints.

Michigan, one of the nation's finest law schools. He was the lay leader of the Ann Arbor congregations of The Church of Jesus Christ of Latter-day Saints, was the co-author of a well-known torts casebook, and was respected for both his competence and his personal integrity throughout U.S. legal education. Carl had said he wasn't about to leave all of that and take a chance on BYU.

Then one day, Dean Lee and I were in President Oaks' office with Academic Vice President Robert Thomas, discussing law school matters. President Oaks' secretary called to say that Carl was on the line. The president took the call and talked softly with Carl out of our hearing. When he hung up, he looked out the window of his office at Mt. Timpanogos and I saw tears in his eyes. Then he said to us, "Carl is coming!" We whooped and hollered as if Lancelot were coming to Camelot. Only years later did Carl tell me that his decision to leave Michigan and come to BYU was primarily the result of his most personal prayers.

From then on, everything else fell into place. Carl became our senior statesman and expert witness, attesting to all comers that the school met the highest professional standards. Within the faculty, nobody else was his match. When he spoke, all knew we were hearing the best thinking on any question. Everyone trusted him.

In the worlds of legal education and law practice, Carl's reputation and judgment blessed the Law School at the beginning and ever afterward—more than most people would know. In those crucial external worlds, personal trust and respect are essential—and they must be earned and maintained. Carl had won and kept that trust.

He was probably the most complete colleague of anyone who has been on the faculty. His teaching, scholarship, and professional service set the high-water mark. He simply wanted to be a good law teacher. However, when the school needed the leadership that only he could provide, he was willing to be the dean on two occasions when Rex Lee was asked to serve in the U.S. Justice Department. Carl gave all of his mind and his heart—and he had both a great mind and a great heart.

Carl's contribution in shaping the law school was best known to those involved in the school's founding. Those of us in that circle especially feel the impact of his loss. He was such a consummate professional that some might not have known that the deepest values in his life were his love for the Lord and for the people closest to

him. He was humane, charitable, and selfless. But he was—consistent with those qualities—so private and so modest that he didn't wear any of that on his sleeve. He never needed nor sought the spotlight. With dignity and decency, he just went to work, on whatever mattered most.

The life of Carl Hawkins puts into action the eloquent words of the prophet Micah: “He hath shewed thee, 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.” (Micah 6:8)

