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IS GOOD TO ME

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*Thoughts on Humility, Gratitude, and Happiness*

Gratitude and humility will give you the clearer vision you need as you search out [life's] opportunities. And the process itself can bring you great happiness if you bring to it a grateful and humble heart.

The Honorable  
Judge Kent A. Jordan

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ean Rasband, members of the faculty, distinguished guests, family, friends, and—most important—members of the class of 2016, I am delighted to be here and feel deeply the honor of spending a few minutes speaking with you today.

I am excited for the opportunity because I actually have a little experience doing something like this. A few months after I became a judge, I found a message slip in my office saying that someone from Baylor had called and that they wanted me to be their graduation speaker. I was puzzled since I didn't recall knowing anyone at Baylor, and it is, after all, a major university and I was just a newly minted judge. "But hey," I thought, "why not? I might be a little nervous, but I can do that. How hard could it be?"

I noticed it was a local number, and I figured it must be a local Baylor alum who was setting this up. "Isn't that nice," I said to myself.

So I called the number and discovered that I was being invited to speak at the Baylor Women's Correctional Facility just outside of Wilmington, Delaware, for their high school graduation exercises. It was an institution I had previously been unaware of.

It was a memorable event, not only for the marvelously humbling thing it was to have my pretensions so quickly deflated but also for the great experience it was to meet the five young women who had managed to take high school courses while incarcerated and fulfill the requirements for their graduation. They were women who had seen difficult days, but they were happy and grateful on that day, and so was I.

Humility, gratitude, and happiness just happen to be the things I want to mull over a bit with you today. They are topics that might tend to platitudes, so I will try to avoid that, but I can't make any promises. Some of what I say will surely seem like a celebration of the obvious—like a priceless headline I saw once that said, "Federal Agents Raid Gun Shop, Find Weapons." But stick with me. Some things are worth hearing more than once.

#### THE SLIPPERY VIRTUE OF HUMILITY

*The following address was delivered at the BYU Law School convocation on April 22, 2016.*

Let us start with humility. This priceless virtue is, of course, the slipperiest of all. It has often been said that as soon as you think you have it, you have lost it. You are going into a profession that is not known for its humility, and, having graduated from this wonderful institution, you are going into this profession with a foundation of success that, frankly, may make being humble a little bit harder. I hope you have someone in your life to keep you grounded. You might need somebody to tell you what was once told me—that I should be a more modest fellow because I have so much to be modest about.

I have had plenty of experience with being brought down to earth, and it has often occurred almost immediately after my ego took flight. I have a little sign in my office that says,



*Like Calvin, you will probably find that some of the best reminders about humility come from your close friends and family.*

“Your Excellency of Dignity and Power.” That is what a pro se criminal defendant called me once. I kind of liked it—felt like it fit. Sadly, by the end of the same hearing in which he had awarded me that exalted title, it was clear that I was going to have to send him away for a competency evaluation. I keep that sign around to remind me that the more extravagant the praise, the more likely it is that there may be some problem with the source.

Come-downs are not just for judges though. Life will teach pretty much everyone that it is not the swelling of the head that hurts so much as the sudden shrinkage afterward.

In one of my favorite Calvin and Hobbes comics, Calvin says to Hobbes, “People think it must be fun to be a super genius, but they don’t realize how hard it is to put up with all the idiots in the world.”

And Hobbes responds, “Isn’t your pants zipper supposed to be in the front?”

Like Calvin, you will probably find that some of the best reminders about humility come from your close friends and family.

Anyone with a spouse knows this. When I first became a judge, my wife, Michelle, came downtown to go to some event with me, and as we were walking down the street, a lawyer walked by and said, “Hello, your Honor.”

Michelle stopped dead in her tracks, looked at me, and burst out laughing. “That guy just called you ‘your Honor’! Ha-ha-ha!” It took her a while to recover. That is

the kind of support I have always longed for. If she had been there for the “Your Excellency of Dignity and Power” moment, she would have had to be taken out on a stretcher.

But her gentle skepticism is a great help. After a rough day in court once, I told her, “I think everyone hates me.”

“Don’t be ridiculous,” she answered. “Not everyone has met you yet.”

**“THINK THAT YE MAY BE MISTAKEN”**

There are some very practical reasons for you, especially as lawyers, to actively cultivate humility. One is that a humble mind is an open mind, and an open mind is key to doing justice and preserving freedom. And we are in the justice and freedom business. Judge Learned Hand famously said, “The spirit of liberty is the spirit which is not too sure that it is right; the spirit of liberty is the spirit which seeks to understand the minds of other men and women.”

In fact, Judge Hand said that the basis of his overall judicial philosophy was captured in Oliver Cromwell’s plea to the Scots just before meeting them in the Battle of Dunbar. Said Cromwell, “I beseech ye in the bowels of Christ, think that ye may be mistaken.” Judge Hand understood the value of a healthy dose of humility, and you should endeavor to do likewise.

This is especially true because humility can open our eyes not only to mistakes but also to possibilities we simply would not otherwise consider. Not many law school graduation audiences would appreciate, as I hope this one might, an excursion into the scriptures, but I think that a great example of humility is the lawyer Zeezrom, who shows up in the early chapters of the book of Alma in the Book of Mormon. Zeezrom is one of my heroes. He doesn’t appear with a white hat, though, as you probably know. Quite the contrary.

When we first meet him, we are told that “Zeezrom was a man who was expert in the devices of the devil, that he might destroy that which was good” (Alma 11:21). And how did he go about destroying good things? By using the skills he had developed as a lawyer.

The lawyers in Nephite society “were hired or appointed by the people to administer the law at their times of trials” and “were learned in all the arts and cunning of the people; and this was to enable them that they might be skillful in their profession” (Alma 10:14-15).

Zeezrom was “one of the most expert among them, having much business to do among the people” (Alma 10:31). He was, in short, a first-rate trial attorney with a good book of business, and he knew how to cross-examine a witness. So when he undertook to cross-examine the newly called missionary Amulek, who was assisting Alma in trying to get the people of Ammonihah to repent, both he and his audience may have felt that this would be an entertaining bit of slicing and dicing.

But Zeezrom was in for a major surprise, indeed a life-changing surprise. His aim was to

*question [Amulek], that by . . . cunning devices [Zeezrom] might catch [him] in [his] words [and] find witness against [him and so] deliver [him] to their judges that [Amulek] might be judged according to the law, and . . . slain or cast into prison, according to the crime which [Zeezrom] could make appear or witness against [him]. [Alma 10:13]*

If we read the 11th chapter of Alma, we see Zeezrom try to hang Amulek on a proposition, using some deliberate verbal misdirection based on Amulek's assertion that the Son of God would not save people *in* their sins. Zeezrom twists that to imply that Amulek had said that the Son of God would not save people *from* the consequences of sin (*see* Alma 11:32–35). Despite that, and though Amulek was new to the ministry, he had the eloquence and insight that comes from the Holy Ghost, and he withstood the cross-examination in a way that caused Zeezrom to realize—maybe for the first time in his life—that perhaps he was mistaken about a great many things.

Once that idea took hold, it seems that a humility came with it that allowed Zeezrom's mind to open up to a whole range of ideas that had never found purchase there before.

*And it came to pass that Zeezrom was astonished at the words which had been spoken [both by Amulek and by Alma]; and he also knew concerning the blindness of the minds, which he had caused among the people by his lying words; and his soul began to be harrowed up under a consciousness of his own guilt. [Alma 14:6]*

With his guilt-ridden but now open mind, Zeezrom had a lot of questions for Alma and Amulek, but this time they were not “dig a pit for thy neighbor” (2 Nephi 28:8) cross-examination-style questions; they were instead the humble questions of someone actually trying to learn, as he “began to inquire of them diligently, that he might know more concerning the kingdom of God” (Alma 12:8).

This is what makes Zeezrom a hero to me: he got humble enough to learn and to change. We read that “Alma baptized Zeezrom unto the Lord; and he began from that time forth to preach unto the people” (Alma 15:12). We don't learn what happened to him professionally, though we know he must have lost his great book of business, because his hometown crowd “cast him out from among them” (Alma 14:7). We also know that he became a great missionary, because when Alma later launched an effort to reintroduce the gospel to another hardened community, one of the few people he selected to take with him was Zeezrom (*see* Alma 31:6). We can imagine that the rhetorical skills and sharp intellect that Zeezrom had honed in his profession were even more powerful when they were turned to worthy purposes and were magnified by the Lord than when they were set on selfish and destructive ends.

Later, when we read that there was a city named Zeezrom (*see* Alma 56:14), I like to think that it was in honor of this powerful advocate and that he had figured out how to be a great lawyer within the bounds of gospel principles, which absolutely can be done. For Zeezrom, as I will bet is true for almost all of us, the great change began with the humility to respectfully consider something new.

#### THE THINGS THAT MATTER MOST

Because humility naturally involves a respectful attitude, it is not incidental that humble people also tend to be more civil and gentle in their interactions with others, which is a very helpful thing in the rough and tumble world of legal practice. As a young man, George Washington had a little book of rules for himself that included this one: “Use no Reproachful Language against any one neither Curse nor Revile.” If you choose to follow young George, you will certainly run across adversaries who will test your resolve in this regard, but remembering your own slip-ups and giving others the benefit of the doubt will help you moderate your responses.

Humility will bless you and others by helping you avoid taking offense. I urge you to take to heart these words of wisdom reportedly from Brigham Young: “He who takes offense when no offense was intended is a fool, and he who takes offense when offense was intended is usually a fool.” Let humility be your safeguard against that pitfall.

Another excellent reason to work on having a humble heart is that it helps keep our priorities straight. I am not going to pretend that figuring out how to balance the demands of work and personal relationships—especially family relationships—is easy, but humility brings a perspective that can help.

Sometimes people will ask me, “What do you think is the most important part of your job?” And in one way the answer to that question is easy: it is my relationships with my law clerks.

Though the court on which I serve gets to address some very significant issues, almost no one is going to remember for long what we decide in any given case, much less how we articulate what we decide. We write on sand, and a few kicks from some other court or simply the breeze of passing time will wipe away the things we have written. But I like to hope that I will have some lasting impression for good on my clerks—some influence that may benefit them as they accomplish the good and important things they surely will do in their lives. And what goes for my clerks is, of course, true to an even higher degree of my hopes for my family. As you already know or will soon discover, “No other success [in life] can compensate for failure in the home” (David O. McKay). Remember that when you are writing on your sand.

In that same vein—and speaking of sand—I love Percy Bysshe Shelley’s poem “Ozymandias.” It’s probably in every English poetry anthology, so you may have had to read it in high school. I would like to remind you of it again. It says:

*I met a traveller from an antique land  
Who said: “Two vast and trunkless legs of stone  
Stand in the desert. Near them, on the sand,  
Half sunk, a shattered visage lies, whose frown  
And wrinkled lip and sneer of cold command  
Tell that its sculptor well those passions read  
Which yet survive, stamped on these lifeless things,  
The hand that mocked them and the heart that fed.  
And on the pedestal these words appear:  
‘My name is Ozymandias, king of kings:  
Look on my works, ye Mighty, and despair!’  
Nothing beside remains. Round the decay  
Of that colossal wreck, boundless and bare,  
The lone and level sands stretch far away.”*

If a pharaoh’s fallen statue makes for a pathetic sight, think how much sorrier it is to get all high and mighty about writing a good brief or bringing in a big fee. It is not that those things are unimportant or that you can’t take real pleasure in your successes, but soon enough the lone and level sands will stretch far away from whatever little monuments we may make for ourselves at work. Humility can be a helpful, steadying influence to regulate our ambitions and direct our energies toward the things that matter most.

#### A WANT OF THANKFULNESS

The last reason I want to mention for why we should work at humility is the one that leads to the topic of gratitude. Humility is an essential ingredient of real gratitude. Pride is an inward focus and tends to get us thinking so much about what we want that we are blinded to the good around us, to the wonderful things right there in our lives.

A judge I met from the South told me a great story once that illustrates this point, and he told it with a Southern accent, which made it twice as entertaining. He said that he bought

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can be a helpful, steadying influence to regulate our ambitions and direct our energies toward the things that matter most.

his daughter one of those little turtles that you get in pet stores. She just loved it, had a name for it, loved to feed it, and loved to play with it. They got a special plastic bowl for it with a little island it could crawl on with a fake palm tree, and she would get the turtle out and watch it crawl around.

Everything was good for a while, but then one day she came running to her dad, crying that her turtle had died. He went, and sure enough he saw the turtle lying unresponsive on the floor. His heart broke for his little girl.

He told her that they would get another one just like it, but even though she was small, his daughter understood that life is unique and there really wasn't another turtle just like hers.

So he changed tactics and tried to distract her from her grief. He said, "Since your turtle has died, we'll give it a funeral."

And she asked, "What's that?"

He thought for a second and said, "Well, it's sort of a party."

"Like a birthday party?" she asked, brightening up.

"Yes," he said. "Yes, it's like a birthday party."

"Will there be balloons and cake?"

"Oh yes, there will be balloons and cake."

"And ice cream?"

"Certainly."

She was getting pretty excited by this time. "Can we have a pony ride?"

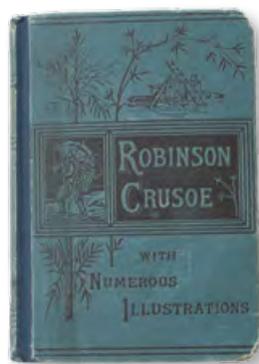
He was so happy that she was happy that he immediately agreed to the pony.

Then something unexpected happened. The turtle moved. They both saw it. It moved again, and then it started to crawl.

And this fellow's little girl looked up at him and said sweetly, "Daddy, let's kill it."

Now that child had a gratitude problem. She had begun to imagine something she wanted, so what she actually had suddenly didn't seem good enough.

This is a problem for many of us. It's an ancient affliction really. My wife once read *Robinson Crusoe* and found a wonderful quote that she posted for our teenagers to see. You will remember that, in the novel, Crusoe is shipwrecked and has to learn to get along on an island without the comforts of home. He is the original Gilligan. At one point he reflects on his daily situation and writes:



*I frequently sat down to meat with thankfulness, and admired the hand of God's providence, which had thus spread my table in the wilderness. I learned to look more upon the bright side of my condition, and less upon the dark side, and to consider what I enjoyed rather than what I wanted; and this gave me sometimes such secret comforts, that I cannot express them; and which I take notice of here, to put those discontented people in mind of it, who cannot enjoy comfortably what God has given them, because they see and covet something that He has not given them. All our discontents about what we want appeared to me to spring from the want of thankfulness for what we have.*

I am perfectly aware that this is a mindset that may not come naturally, especially in a society accustomed to abundance and in a culture that values sarcasm and cynicism, but it is really true that we can decide to be grateful. It is a mental frame of reference that we can, with practice, adopt, and we will be a great deal better off if we do. Gratitude doesn't just help us enjoy what is good in our lives; it actually opens our eyes so that we can see the good things in the first place—like a live turtle.

Does this have anything to do with you and your future? Yes indeed, because without gratitude, one of the things you may well miss are the opportunities that are staring you right in the face. "The race is not [always] to the swift, nor the battle to the strong" (Ecclesiastes 9:11), but, Damon Runyon added, that's the way to bet. And I would also add that sometimes the win goes to the person with the wit to see and be grateful for the chances presented. You have big things to do. Exactly what those things are is for you to discover, but I assure you that the opportunities are there, and God, your Father in Heaven, has already been helping to prepare you for your future roles and responsibilities.

Gratitude and humility will give you the clearer vision you need as you search out those opportunities. And the process itself can bring you great happiness if you bring to it a grateful and humble heart.

#### "THE LORD IS GOOD TO ME"

Let me close with a personal story that comes from the stage of my life that corresponds to where you sit right now. In my final year of law school long, long ago, I set an academic goal for myself. I had worked hard and had had reasonably good success in my legal studies, but I wanted to reach a little higher and gain some extra ground on my grade point average. I thought it would be important for future career prospects. So I set the goal and planned my life around it. It wasn't that I forgot my wonderful wife and our beautiful little daughter nor the impending arrival of my first son. I was just very focused on this one goal.

Throughout the first semester of my third year things were on track, but in the second semester I took a class that involved a joint project, one in which I would be relying in part on the efforts of a fellow student. He was a good guy, but he was not as motivated as I was feeling—at least that was my perception at the time—and the grade that we got was not what I needed for my goal.

I was sure that the unsatisfactory outcome was this other fellow's fault (he may have been thinking the same thing about me), and I became genuinely angry at the disappointing result of the last semester of my law school career. I fell just short of my goal. Looking back on it now, it seems impossibly silly, but at the time I was consumed with a sense of failure and disappointment.

With my negative mindset, I thought that all the big plans I had for professional success were down the tubes. And, in that frame of mind, I let myself get angry with God too. The "How could this happen to me?" thoughts began. I had tried to be faithful in my Church responsibilities, to be a good husband and father, and to work hard and prayerfully for three years, but I had failed to hit the mark.

My graduation ceremony was a few days off, and I decided that I really didn't want to go. I did not feel like celebrating at all. My dear Michelle tried to get me to see things straight, but I was blinded by discouragement. When I was finally jarred out of my self-pity, I think it may have been an answer to her righteous prayers more than my own bitter remonstrances to God.

It came by way of a truly unexpected source: a child's phonograph record that I played for my two-year-old daughter one afternoon to try to entertain her while I sulked.

Somehow or other we had come into possession of a soundtrack recording for an old Disney animated short about Johnny Appleseed. You might have seen it, or your parents might remember it. In it, the Johnny Appleseed character sings a little song:

*The Lord is good to me,  
And so I thank the Lord,  
For giving me the things I need,  
The sun, the rain, and the appleseed.  
Oh, the Lord is good to me.*



Now, no one is going to mistake that for great poetry, and even though I had heard that record over and over and over again (because that's what little kids want when they find something they like), for some reason—and I believe the reason was the Holy Ghost—those words hit me that day like a two-by-four. It was sudden and powerful. It is probably fair to say that “never did any [Disney song] come with more power to the heart of man than this did at this time to mine” (Joseph Smith—History 1:12). I was not looking for or expecting a profound spiritual experience that afternoon—and certainly not one courtesy of a Walt Disney cartoon. But I got one anyway.

I saw, as if for the first time, what had been right before my eyes throughout this minor, manufactured crisis: the Lord really was good to me! I was sealed in marriage to the woman I loved, and she loved me. I had a sweet, healthy daughter. I had, by then, a precious newborn son. I had a loving and supportive extended family. I had good health and had received a good education and had a good job lined up. And, not least, I had been blessed with a testimony of the restored gospel of Jesus Christ. The bounties of my life, which to even a casual observer would have been glaringly obvious all along, were suddenly obvious to me too, and I was flooded with a sense of gratitude and humility—and no small amount of shame for my self-absorbed ill-humor.

I have never forgotten that moment on the eve of my law school graduation. From time to time, when things have not worked out just as I have hoped and planned, that little song has come back to my mind, and the sense of gratitude and humility has returned with it. I have had more than my share of happiness, and I know it.

Here is why I am telling you this: because the Lord has already been good to you too, and I suspect you know it. He will continue to open the right doors, in His own due time, for you and your families, according to His great plan of happiness. Throughout your lives, I hope you will be quicker to see that and appreciate that than I was.

That is my sincere prayer for you as I wish you all success and Godspeed. Congratulations, class of 2016. [cm](#)

*The Honorable Judge Kent A. Jordan, of the United States Court of Appeals for the Third Circuit, received his undergraduate degree in economics from Brigham Young University and his law degree from Georgetown University Law Center.*