

A photograph of a waterfall with autumn leaves floating in the water. The water is a vibrant blue, and the surrounding rocks are dark brown. Several yellow, orange, and red leaves are scattered throughout the scene, some floating on the surface and others partially submerged. The waterfall flows from the top center towards the bottom right.

Utah Bar® JOURNAL

Volume 33 No. 6
Nov/Dec 2020

Appreciating Differences Through Personal Connection

by Keith A. Call

The recent passing of Justice Ruth Bader Ginsberg gives us all pause to reflect on her numerous contributions. She left a legacy far greater than just her judicial opinions. In an age of ideological polarization and high levels of social contention, she somehow mastered the art of vigorously promoting her views while, at the same time, reaching across ideological divides to make personal, meaningful connections, never losing sight that another person's views do not make him or her a bad person. Her deep and genuine friendship with her ideological nemesis, Antonin Scalia, is an example for us all.

It is reported that Justice Ginsberg and Justice Scalia, with their spouses, began a tradition of spending New Year's Eve together in the 1980s. "Evenings began with champagne and opera playing in the Ginsburgs' Watergate apartment; dinner was prepared by Justice Ginsburg's husband, Marty, who some years served venison or boar from [Justice Scalia's] post-Christmas hunting trip." Eugene Scalia, *What We Can Learn from Ginsburg's Friendship with My Father, Antonin Scalia*, WASH. POST, (Sept. 9, 2020), https://www.washingtonpost.com/opinions/eugene-scalia-rbg-friendship-oped/2020/09/19/35f7580c-faaa-11ea-a275-1a2c2d36e1f1_story.html.

Making personal connections helps us see the "human" behind "humanity." I do not mean to say we should not fight for things we believe in. But we must also practice listening and understanding, and at least *respecting* that other viewpoints almost always have *some* underlying validity. As Justice Scalia's son commented about the relationship between Justice Ginsburg and Justice Scalia, "This appreciation for differences was as integral to the justices' friendship as the similarities." *Id.* Indeed, the welcomed debate and differences made their friendship all the more meaningful. Sometimes our eyes can be opened best by those who see things from another angle.

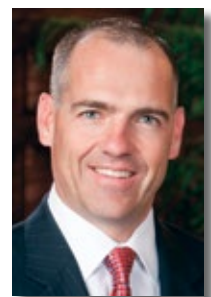
Another example comes from my daughter's experience while working at a residential treatment facility for troubled teens located in Utah County. She was trained on how to use physical restraints on any resident who became a danger to herself or to others. Unfortunately, she had to rely on her training one day

when she forcibly restrained a teenage girl to prevent her from seriously harming herself. Sometime later, after leaving the residence, this girl made contact with my daughter and they became social media friends. The girl profusely thanked my daughter for restraining her. If my daughter had not done so, the girl says she would have punched my daughter and then, "Who knows what would have happened?"

My daughter took great comfort and satisfaction in doing a hard thing – using physical force – to save another person from harm. That is, until she read Paris Hilton's account of being forced to live in a Utah County residential treatment center when she was a teen. Ms. Hilton reported experiencing severe mental, emotional and physical abuse while at the school. *See, e.g.,* Alicia Rancilio, *Paris Hilton Says She 'Feels Free' after Documentary about Time at Utah Boarding School* (Sept. 14, 2020), KSL.COM, <https://www.ksl.com/article/50017099/paris-hilton-says-she-feels-free-after-documentary-about-time-at-utah-boarding-school>. While it is impossible to compare Ms. Hilton's experience with my daughter's training and experience, Ms. Hilton's reports of physical abuse as a young resident certainly gave my daughter a new perspective and pause to at least think about the possible differences – and similarities – between "physical restraint" vs. "physical abuse."

Another example comes from my own life. When I was a kid, I had no affinity or interest whatsoever in Asian culture. It seemed weird and totally unrelatable to my life in Heber, Utah (especially back in the 1970s and 1980s before Heber became cool). Then, when I was nineteen, I accepted an assignment to serve as a missionary for The Church of Jesus Christ of Latter-Day Saints in, of all places,

KEITH A. CALL is a shareholder at Snow, Christensen & Martineau. His practice includes professional liability defense, IP and technology litigation, and general commercial litigation.



Osaka, Japan. At first, the culture still seemed weird. Eating raw fish was weird. Wearing surgical masks in public was weird (and common, even in the 1980s). And it was wildly strange to me to learn about Shintoism, Japan's predominant religion, and its various historical myths and beliefs that, to my young mind, seemed completely absurd. And then, I remember vividly, having a Japanese person tell me how wildly absurd it was to believe that God and Jesus appeared to a young fourteen-year-old boy in upstate New York (a personal conviction I hold dear).

This was eye opening for me. I came to understand much more fully that, what I thought was a wildly absurd belief (or at least tradition) for someone else, could be matched by someone else's perception that my sincere belief is wildly absurd. I quickly became much more appreciative and respectful for Shintoism and its many beautiful and uplifting teachings – not to mention gaining a fondness for sushi and, more recently, greater understanding about mask-wearing.

My first draft of this article started with a provocative political quiz. I reviewed the Democratic and Republican national party

platforms and formulated questions that would convince all you Democrats that you are really Republicans and all you Republicans that you are really Democrats. It was long and clumsy so I left the quiz off. However, the point is that if we will take time to really understand and consider the core values that underlie political agendas, I believe we will almost always find vast swaths of ideas and principles that make some sense and have great value.

We should all take many lessons from RBG. Without conceding our passion for causes we believe are just, I hope individuals in our community – especially lawyers – can find ways to have a lot more human-to-human connection with those who do not look or think exactly like we do. And perhaps we could combine that with a little less shouting from anonymous mobs or the mental safety of social media. Such personal connections will not only enrich our personal lives but will undoubtedly lead us to greater ideological understanding and mutual tolerance. I know that for me, it was a personal connection with many individual Japanese people that made it impossible for me not to fall in love with Japanese food, culture, traditions, and ways of thinking.