# **Reform Unjust Laws**

When laws are unjust — especially when they violate the human and civil rights of vulnerable or marginalized groups — all citizens have an obligation to work toward reformation of those laws, whether or not they are directly harmed by those unjust laws (see Alma 30:7).

#### GOALS

- 1. To value and believe that all people, including the marginalized and vulnerable, deserve full human and civil rights.
- 2. To boldly engage in the hard and continuous work of pushing against and reforming unjust systems, laws, and policies.
- 3. To build the Beloved Community as a bridge between our current political systems and the vision of Zion.

Members of Mormon Women for Ethical Government (MWEG) desire to work toward a more peaceful, just, and ethical world, one grounded firmly in a vision of Zion and a hope in Christ and His redemptive power. Zion will only be achieved when its people are of "one heart and one mind, . . . [with] no poor among them" (Moses 7:18).

Unity must be more than just peaceful coexistence. Zion must be a place of equality and security, "a sanctuary for all peoples, cultures, and tongues," where the vulnerable and marginalized are not only protected but cherished and celebrated.

A bridge is needed between our current political systems — which neither allow for the fullest exercise of agency nor protect everyone's dignity — and the vision of a perfect Zion. That bridge is the "Beloved Community," a term first coined by 19th-century

# **SCRIPTURE STUDY**

"And they began again to prosper and to wax great; . . . and there was great order in the land; and they had formed their laws according to equity and justice." — 3 Nephi 6:4

"[T]he Father of mercies, and the God of all comfort . . . comforteth us in all our tribulation, that we may be able to comfort them which are in any trouble." — 2 Corinthians 1:3-4

philosopher Josiah Royce and later popularized by Martin Luther King Jr. It is an idealized but achievable civic community, where citizens are motivated by love and work through nonviolent means within government systems to establish economic, social, and political justice — "an entirely different kind of culture, economy, and community."



To build this Beloved Community, this bridge toward Zion, we must forgo complacency and engage in the hard work of pushing against unjust laws — even when they do not harm us personally. Our countless individual and communal choices must be visionary, selfless, disciplined, and prayerful. Only

then can we work together to dismantle unjust laws or systems.

MWEG's views on the Beloved Community are explored in more depth in this piece by executive directors Jennifer Walker Thomas and Emma Petty Addams.

# **QUOTATIONS**

We are all implicated when we allow others to be mistreated.

— Bryan Stevenson, "Just Mercy: A Story of Justice and Redemption"

Many great thinkers and leaders have recognized the importance of reforming unjust laws, protecting the vulnerable and marginalized, and working toward a Beloved Community.

"Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly." (Martin Luther King Jr., "Letter from Birmingham Jail")

"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)

"[R]ecognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world." (United Nations' Universal Declaration of Human Rights)

"I have confidence in the women of this Church. They can be change-bringers. They aren't stuck merely with enduring graciously what happens to them — although there will be some of that. Nor are they limited simply to having a good attitude as change that they did not choose impacts them. They can make change happen. They can be bridgebuilders between the old and the new. They can see visions. They can dream dreams. They can make new realities." (Chieko Okazaki, Cat's Cradle, 1993, p. 101)

"[I]t was strictly contrary to the commands of God that there should be a law which should bring men on to unequal grounds." (Alma 30:7)

"Laws of the country must be obeyed, and laws must also reflect our willingness as Christians to help the poor and the needy, to be willing to mourn with them, to comfort



them, to pray with them, to generously share our means and possibilities with them, and certainly to be their friends." (Elder Dieter F. Uchtdorf, emphasis added)

"We need hope. Not a preference for optimism over pessimism, but rather an orientation of the spirit. The kind of hope that creates a willingness to position oneself in a hopeless place and be a witness, that allows one to believe in a better future, even in the face of abusive power. That kind of hope makes one strong." (Vaclav Havel in "Disturbing the Peace," as cited by Bryan Stevenson in "Just Mercy")

"And the second [great commandment] is like unto it, Thou shalt love thy neighbor as thyself." (Matt. 22:39)

"Love is the motive, but justice is the instrument." (Reinhold Niebuhr in "The Meaning of the Birmingham Tragedy," quoted in "Just Mercy")

# WHEN IS A LAW OR POLICY UNJUST?

How do we know when a law or policy is unjust? After explaining that "injustice anywhere is a threat to justice everywhere," Martin Luther King Jr. gave an extended answer in his "Letter from Birmingham Jail."

"How does one determine whether a law is just or unjust? . . . Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. It gives the segregator a false sense of superiority and the segregated a false sense of inferiority."

King believed in "a personal God, who's concerned about us, who is our Father." This sense of divine companionship says, "[W]e are not lost in a universe fighting for goodness and for justice and love all by ourselves." God had "personality" — and "human personality" was a reflection of Him. So to degrade, distort, and damage human dignity and worth — human personality — was, through injustice, to fight against God himself.

"An unjust law is a code that a numerical or power majority group compels a minority group to obey but does not make binding on itself. This is **difference made legal**. By the same token, a just law is a code that a majority compels a minority to follow and that it is willing to follow itself. This is **sameness made legal**." (Letter from Birmingham Jail)



The hypocrisy of inflicting a law on the minority that the majority will not itself endure is, in King's words, "difference made legal." Proverbs tells us the danger of this, warning that a "hypocrite with his mouth destroyeth his neighbour."

"Let me give another explanation. A law is unjust if it is inflicted on a minority that, as a result of being denied the right to vote, had no part in enacting or devising the law. Who can say that the legislature of Alabama which set up that state's segregation laws was democratically elected? Throughout Alabama all sorts of devious methods are used to prevent Negroes from becoming registered voters, and there are some counties in which, even though Negroes constitute a majority of the population, not a single Negro is registered. Can any law enacted under such circumstances be considered democratically structured?" (Letter from Birmingham Jail)

The 5th and 14th Amendments ensure equal protection from the government, which should treat each individual in like manner as others in similar conditions and circumstances. The concept of "one person, one vote" thus proceeds from the Constitution. King rightly questioned whether democratic legitimacy can exist in a state where some do not receive the "unhampered right to vote."

King's concerns remain resonant today as citizens are faced with modern barriers to exercising their right to vote — including voter purges, polling place closures, restricted voting hours, election disinformation, and political violence.

### What do you think?

- What are the effects of just laws? Of unjust laws? Why is there a moral obligation to fix unjust
- Why would God command that laws must not bring people "on to unequal grounds" (Alma 30:7)? Why is this important to him?
- King emphasized the importance of the "unhampered right to vote" in creating just laws, codes, and policies. Are there any ways voting could be less "hampered" in your community?
- Unless we listen to and believe those saying they are being harmed, we will not recognize all unjust laws and policies. How do we listen better?
- Unjust laws and policies can seem entrenched. How can we live up to our obligation to reform such laws?

# **HOW TO REFORM UNJUST LAWS & POLICIES**

Somebody has to stand when other people are sitting. Somebody has to speak when other people are quiet. Bryan Stevenson



As we strive to be like Jesus Christ, our desire to fight injustice deepens: "We then approach others with compassion and try to alleviate unfairness where we find it," Elder Dale G. Renlund of the Quorum of the Twelve Apostles has said. President Dallin H. Oaks <u>has advocated</u> for using "peaceful means to change"

laws we feel are unjust. He further explains that "in a democratic society we always have the opportunity and the duty to persist peacefully until the next election" (emphasis added).

The longer unjust laws are allowed to remain in place, the more they corrupt our society and the harder they are to remove. When we are vigilant, responsive, and engage early, we reduce human suffering and make it less likely that our society will arrive at points of moral crisis where dramatic action is required.

What does it look like to **persist peacefully** to reform unjust laws and policies? How can we engage in **creative activism**, as Martin Luther King III has described it? Some possibilities include:

#### INCREASING AWARENESS

- Designing billboards and banners, leafleting, skywriting, and earthwriting
- Creating art, music, and poetry to raise consciousness
- Participating in mock elections
- Accepting awards or honors or refusing such on principle
- Wearing of symbols or displaying of flags or other symbols
- Self-educating, including attending educational events, watching shows, reading books, listening to podcasts
- Teaching family and friends
- Hosting an online discussion with friends

#### TAKING ACTION

- Becoming a <u>principled voter</u>
- Speaking up when you see injustice, acting as a voice of dissent
- Contacting legislators
- Donating time, energy, and money to organizations working for change including humanitarian outreach
- Participating in boycotts, embargos, sanctions, or stockholder campaigns
- Attending vigils, teach-ins, or peaceful protests
- Organizing key influencers within your community to prevent and mitigate both threats and acts of political violence
- Running for election
- Civil disobedience



#### HARNESSING FAITH

- Praying
- **Fasting**
- Worshiping both with your own congregations and others
- Upholding efforts to strengthen religious freedom
- Standing in uncomfortable places in support of the vulnerable and marginalized

Some of these ideas are taken from The King Center and the Albert Einstein Institution, which both offer extensive lists and suggestions for nonviolent and peaceful efforts.

#### PURSUING LEGAL REMEDIES

- Advancing voter referendum and ballot initiatives
- Bringing lawsuits. Think of the changes because of Brown v. Board of Education, for example. Disability rights activists worked through many, many lawsuits to get deserved rights into law.
- Working directly with legislators to change legislation
- Advocating for changes to the Constitution. In the early 1970s, thousands of high school students wrote letters and signed petitions advocating for the lowering of the voting age to 18. The 26th Amendment is the legal remedy to this issue.
- Peaceful protest

# WHAT DOES FIGHTING INJUSTICE LOOK LIKE?

# **ALICE KASAI** (1916-2007)

Alice Kasai was a civil rights leader in Utah. She "devoted her life to empowering, mentoring, and advocating for the rights of Japanese Americans and other disenfranchised groups. Despite experiencing firsthand the injustices of racial bigotry, Alice remained patriotic, optimistic, and relentless in her lifelong activism on behalf of Japanese Americans as well as minority and women's rights on a broader scale." She explained her activism: "When you see the need to speak out, you just do it."

During WWII, when her husband was placed in a Japanese internment camp, Alice acted, becoming the first woman president of the Japanese American Citizens League (JACL) in Salt Lake City. After the war, she and her husband continued to lobby for citizenship and other civil rights for Japanese immigrants as well as for fair housing, employment, education, and



other minority rights. She led many advocacy groups and volunteered with the PTA for 40 years, addressing educational challenges faced by immigrant and minority children.

### **JUDY HEUMANN** (1947-2023)

Judith "Judy" Heumann was an internationally recognized disability rights activist, widely regarded as "the mother" of the disability rights movement. As a toddler, Judy contracted polio and required a wheelchair for mobility. At age 5, she was denied the right to attend school because she was considered a "fire hazard." Later, Judy was denied her teaching license by the same school district. After passing her oral and written exams, she was failed on her medical exam because she could not walk. Judy sued the New York Board of Education, and Judge Constance Baker Motley (the first Black female federal judge) strongly suggested the board reconsider. They did, and Judy went on to become the first wheelchair user to teach in the state of New York.

She was a leader in the historic Section 504 sit-in of 1977 and instrumental in the development and implementation of other disability rights legislation, including the Individuals with Disabilities Education Act, the Americans with Disabilities Act, and the UN Convention on the Rights of Persons with Disabilities, all of which have been integral in advancing the inclusion of disabled people in the U.S. and around the world.

# THE UTAH COMPROMISE

In 2015, the Utah Senate passed legislation that combined non-discrimination protections for LGBTQ+ people in employment and housing with religious liberty protections. This legislation was the result of years of strategic work among peacemakers who engaged in difficult dialogue to build relationships and trust. Key leaders with diverse interests shared ownership in the resulting compromise. The legislative wins were narrow, representing common ground between diverse entities. Compromise requires trade-offs and carve-outs to respect the interests of others. Over time, relationships forged helped not only to pass the laws that institutionalized protections but to create a culture shift.

Advocating strategically through building relationships and being willing to compromise proved a successful way to lasting change.

# UTAH FAIR DISTRICTING LITIGATION

In 2022, MWEG put this principle in action by joining in a lawsuit challenging the repeal of Proposition 4 and the resulting congressional map drawn by the Utah State Legislature in 2021.

In 2018 Utah voters passed Proposition 4, creating a neutral and fair redistricting process. However, the Legislature repealed Prop 4 and nullified its key provisions. MWEG sought



redress through the courts on behalf of members in Utah's four congressional districts who were denied access to representative government; the lawsuit reflected MWEG's deep commitment to peacemaking.

In July 2024 the Utah Supreme Court issued a unanimous decision, upholding MWEG's position that the Legislature does not have the authority to repeal a citizen-led ballot proposition that alters or reforms the government without a compelling interest. As of October 2024, the case has been remanded back to the Utah district court to apply the Utah Supreme Court's ruling.

# **OBLIGATIONS**

Mahatma Gandhi said, "We mean to convert by our suffering." The leader of India's nonviolent independence movement knew that when humans recognize the pains and injustices faced by others, we are "converted" — moved to alleviate such suffering and to remove such injustices. This conversion is essential to peacemaking.

MWEG's fourth Principle of Peacemaking declares: "Peacemaking views human suffering as sacred." While suffering is an inevitable part of mortal existence, injustice — often the source of suffering — need not be. Suffering may be redemptive when we allow it to draw us closer to God and to each other, but injustice drives us apart. Peacemaking requires that we be willing both to suffer voluntarily for just causes and to alleviate others' suffering wherever possible by working for the reformation of unjust laws, practices, and policies. For those to whom we cannot provide relief, we bear witness to their suffering, mourn with them in solidarity, and persistently shine a light on the injustices that cause that suffering (see 2 Corinthians 1:3-5 and Mosiah 18:8-9).

As we struggle with our reactions to another's suffering and injustice, we must avoid these reflexes: placing blame (looking for reasons why this person has caused their own pain); ignoring (looking away; it's too much to bear); fixing hastily (seeking quick solutions but failing to invite ideas from those affected); or **giving up** (stating the problem is too complex and entrenched, so nothing can be done). Resisting these instincts, a more nuanced and compassionate path begins to emerge — marked by the covenants and promises we make at baptism:

"And now, as ye are desirous to come into the fold of God, and to be called his people, and are willing to bear one another's burdens, that they may be light; Yea, and are willing to mourn with those that mourn; yea, and comfort those that stand in need of comfort." (Mosiah 18:8-9)



Bearing another's burden implies action: to reach over and take up a portion. This action can take many forms, such as studying, educating others, and trying to effect change within groups and institutions. Such efforts are best accomplished with input and guidance from those who are most affected by

injustice. When done prayerfully and in the spirit of keeping our covenants, the Lord will both guide and amplify our efforts. He will open doors we cannot unlock on our own, and he will inspire us to do what will have the greatest impact. With the Spirit as our guide, we also realize that in the face of injustice, peace is not necessarily the absence of conflict (Matthew 10:34). Working publicly toward justice may be uncomfortable, even very uncomfortable, but it is part of emulating the Savior himself.

As we seek to overcome injustice by relieving suffering, mourning in solidarity, bearing witness to that suffering, and persistently shining light on injustice, those of us who are citizens can recognize the power that citizenship affords us. We can leverage that power to ensure our government systems serve the greatest number of people. Harnessing the potential of strategic, nonviolent resistance, we can mitigate political violence in the immediate term and quell its effects down the road. In doing so, we may need to forego some of our own comfort to ensure unjust laws, policies, and practices get changed, even when they do not impact us directly.

### What do you think?

- Have you had a moment in your life when witnessing human suffering "converted" or changed you? What made it move you so?
- Why is reforming unjust laws an **obligation** to members of a democracy?
- When have you seen these in action? How can you better join these efforts?
  - Relieving and bearing witness to suffering
  - Mourning in solidarity
  - Persistently shining a light on injustices

Much of the writing above draws closely upon this piece (also found in "The Little Purple Book") by Emma Petty Addams.