

CONFERENCE REPORT  
2023 INTERNATIONAL J. REUBEN CLARK SOCIETY (JRCLS) RELIGIOUS LIBERTY  
FELLOWSHIP

October 6-7, 2023

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## **Overview**

The JRCLS Religious Liberty Fellowship educates law students and recent grads on the basics of religious liberty, equips them with religious liberty advocacy skills and practical know-how, and prepares them to implement changes in their local communities.

## **Student/Fellows' Experiences**

### Gavin Cranney

The J. Reuben Clark Law Society Religious Liberty Fellowship was such a personally enriching and developmental conference that it is challenging to justly inscribe my experience into only a few words. Nonetheless, I have attempted to encapsulate such an indescribably enriching experience into a clear and coherent summary that will hopefully demonstrate my immense gratitude for being able to attend, the tremendous benefits participation has brought forth, and my conviction that future BYUH students should also participate. To best accomplish this difficult task, I have categorized my main takeaways into three categories: professional development, personal development, and actualizing positive change in the religious freedom scene.

### *Professional Development*

It would be amiss to discuss professional development without first discussing the locale and venue of our conference. The conference was not just located in the heart of our nation's capital but also in the building of the premier religious liberty litigation organization—Becket. This fact was not inconsequential; as fellows, we had the opportunity to hear from and ask questions to practicing attorneys who have argued before the Supreme Court on behalf of religious liberty and tour their offices. This conference provided us the opportunity to interact and engage with lawyers, scholars, and individuals fervently engaged in the work of religious liberty. It was a fantastic opportunity to build connections, maintain existing ones, and represent the amazing programs, faculty, and students at BYUH. Some of my highlights include catching up with Paul Lambert, Religion Initiative Director at Wheatley Institute, whom we worked with at the 2022 Dare to Overcome conference and gaining valuable advice and guidance from law students. The law students were incredibly kind and sincerely committed to helping us navigate the complexities of law school. They never hesitated to provide us with information, contacts, or offer their already scarce personal time to help us in any way. An example of this includes Harvard Law student Joseph Kline, who offered to zoom in and answer any questions for our BYUH Pre Law Society.

One of the most professionally transformational experiences at this conference was the hour specifically allocated to discussing religious liberty careers with panelists, including attorneys,

professors, law clerks, and U.S. Senate counsel. During this session, the panelists disavowed a common myth that there is no career future in religious liberty law; they were emphatic that there are many opportunities for those who are passionate about it.

### *Personal Development*

My favorite part of the conference was not the formalized sessions but rather the informal and interpersonal relations we were able to cultivate and develop. My favorite experience was touring the National Mall, Arlington Cemetery, and eating dinner with conference organizer Tanner Bean. Through this, we had the opportunity to solemnly reflect upon the principles learned over the conference and apply them to our nation's history, as well as our role in cultivating a future more kind, tolerable, and just society—inclusive to all people irrespective of varying identities. While sometimes the legal field can be disillusioning, Tanner perfectly portrayed what it meant to be a good lawyer, modeling the various Christlike roles such as mediator, peacemaker, and advocate. It was an honor to be mentored by him, as well as the other conference organizers, who were so kind, smart, and truly passionate about helping people and championing for people's inherent natural rights. This conference truly motivated me to raise my ambitions further and become engaged and committed to standing up for others and making a positive impact in the world.

A mantra established early in the conference was the acknowledgment that this conference is like "drinking from a firehose", meaning that there is a never-ending flow of the most brilliant and accomplished individuals and an abundance of resources and information is provided. While there was surely a ton of information being provided, at no point during the conference did I feel overwhelmed or inadequate. Leading up to the conference, I was intimidated since we were the only three undergraduate students, the rest being law students from some of the most reputable schools in the country or working professionals. However, this feeling quickly dissipated as I realized how well I had been prepared to thrive, especially through the mentorship and classes of Jennifer Kajiyama Tinkham. This conference was so impactful because it did not merely expand my mind with new knowledge, but it also significantly expanded my self-efficacy. Through this conference, I realized that through my BYUH education, I am already capable and well-equipped to make a positive impact on religious freedom. It gave me the confidence and the courage to be proactive and reach new heights that I was previously apprehensive about trying.

### *Making an Impact on the Religious Liberty Scene*

An integral component of this conference was the condition that upon completion, we would carry out a project relevant to bolstering religious liberty in our communities. John, Val, and I plan to honor Hawaiian sacred sites and symbols in our own community of Lā'ie. Details of our plan include providing plaques of religiously significant Tikis and lobbying for natives' access to sacred sites for worship.

As a result of this conference, I have had the opportunity to join the rising generation subcommittee for the International Religious Freedom Initiative, where I am helping plan a religious liberty conference in Atlanta, as well as help lead the Oceanic Perspectives on Human Dignity Initiative and seek to channel this enthusiasm, I have ascertained into fulfilling my capacity as best as I can. Whenever possible, I try to radiate my optimism and communicate it to my fellow classmates, helping them understand their potential for a positive impact as well.

Once again, I am so grateful for being able to attend this conference and forthrightly admit that my writing does not do justice in describing the amazing benefits this conference has personally brought.

### Valerie Joy Agustin

The J. Reuben Clark fellowship has been an avenue for me to learn more about the relationship between law and religious freedom, get some ideas on the possible projects to implement, and learn from the different career paths of law students. As an international student, I did not realize the crucial role of religious freedom in our community. In addition, while the sessions are ongoing, I remember some of the practices done in our country that could be a violation of religious freedom. For example, most Church members in the Philippines have no choice but to miss the sacrament meeting or attend for a few hours at Church, or else they will lose their jobs. The discussions by Kayla Toney, an associate counsel at First Liberty Institute, expanded my horizon on how important religious freedom is in this world as she discussed Supreme Court cases. Recognizing that cases involving religious liberty are equally significant as criminal matters has become evident to me. Also, the tour at the Beckett gave me a feeling of how important the work they are doing in promoting rights and establishing peace among the people. Without the lawyers who defended each client, people would be oppressed in school and the workforce.

One of the exciting parts of the fellowship was the hypothetical exercises and presentation of action plans that allowed me to express my ideas and learn from my colleagues. As we decided to present some of the projects we will be doing like the recognition of Hawaiian Religion and practices. Also, I was inspired to contact some fellows for future collaborations as they offered help and assistance. It will be an excellent opportunity to connect with students from Harvard and different law schools as they have more resources for producing quality research and projects. Upon listening to their proposals, I had a more precise understanding that each of us can contribute to advocating for religious freedom, and our small actions can impact the community we live in. For example, I am thinking of doing religious freedom projects on campus, such as publishing a journal or producing a video that will help each student realize that there are issues of religious freedom in their country that they can be involved with.

Moreover, interacting with different law students and learning about their career paths and life experiences has given me a glimpse into the options and life of a law student. I had the opportunity to have a roommate who is around fifty years old with ten kids, and is in law school. She shared her struggles and mentioned that it takes sacrifices and compromise to go to law school, but it is worth the work. I also learned how to balance family and work. Also, I met Joseph Kline, one of the students from Harvard. He freely offers some assistance if we need anything in the future. I mentioned that I was interested in learning about federalism, and he mentioned a Filipino judge named Hon. Patrick J. Bumatay and he is willing to connect me to this judge. Also, I am grateful to have met Kelsey Flores, who works in the Harvard Law Clinic and showed support and interest in our project. She gave her phone number to me in case we have inquiries or we need any support. Overall, the connections I have established have reaffirmed my commitment to pursuing a legal education and bolstered my confidence in my

ability to initiate and collaborate on projects. Most importantly, the fellowship illuminates the ways the rule of law can be a powerful force in advancing the cause of religious liberty.

## **Summary Reports**

### *JRCLS Conference Report*

#### **Introduction**

The speakers dwell on issues and initiatives related to religious liberty. Ben Fleshman discussed the Free Exercise Clause and the Religious Freedom Restoration Act (RFRA) and explained it through different Supreme Court cases, how the judges ruled, and for what reasons. Besides that, the discussion delved into the intriguing subject of various scrutiny tests and their impact on the judicial decision-making process. In addition, Paul Lambert shared the importance of businesses in addressing faith and belief in the workplace. Some are the initiatives made by companies and principles surrounding inclusivity.

#### **Foundations of Religious Liberty: The Free Exercise Clause and RFRA**

##### **Ben Fleshman, Counsel, Becket**

Ben Fleshman provided explanations for the Free Exercise Clause and the Religious Freedom Restoration Act (RFRA) while also touching upon notable Supreme Court cases, including *Sherbert v. Verner* from 1963 and *Gonzalez v. O Centro Espirita Beneficente Uniao do Vegetal* from 2006. After deliberating the Supreme Court cases, we examined the present situation and delved into the function of strict scrutiny. *Sherbert v. Verner* (1963) was about a Seventh-Day Adventist employee who was fired because she could not work on Saturdays due to church meetings. However, the big issue was that she was denied employee benefits. Interestingly, the Supreme Court applied the scrutiny test to favor *Sherbert*. In addition, the case of *Gonzalez v. O Centro Espirita Beneficente Uniao do Vegetal* (2006) was used to discuss the applicability of RFRA. The case involved the customs stopping the shipment of hoasca in the US boundaries and threatened the church to be subjected under the Controlled Substance Act. In the discussion, the strict scrutiny emphasized that courts must look beyond the interests of banning and other factors, such as the possible effects if they apply specific exemptions.

#### **Religious Pluralism in Business**

##### **Paul Lambert, Director, Wheatley Institute Religion Initiative**

During the discussion, Paul Lambert presented some reasons for companies, the importance, and the initiatives already done in the workplace. He mentioned that most companies have shifted their lenses and considered the employees' physical, mental, and social stability. However, they realized the necessity to include the spiritual health of the employees. Also, he presented some of the familiar companies that have been part of the initiatives: the US Fortune 500, Global 500, and Outside Fortune 500. Some of the familiar companies were Dell, Google, SAP and Qualtrics. To provide additional context on why companies prioritize inclusivity, he presented a video

showcasing Google's efforts to create a sense of belonging among their employees. Moreover, Mr. Lambert mentioned that being inclusive and having a policy regarding faith and belief can lead to positive outcomes. Also, it is crucial to make efficient use of available resources by consulting with the Human Resources department and ensuring that information is conveyed in an effective manner. Mr. Lambert states, "Faith and Belief should be part of a larger emphasis on valuing all individuals for who they are." Lastly, he asked what a person or an organization can do to foster an environment that respects faith and belief in the workplace.