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## Ralph Gants: Judge and Mensch

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*Former Governor of Massachusetts*

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# RALPH GANTS: JUDGE AND MENSCH

DEVAL PATRICK\*

To all the families who loved him—the Gants/Ramirez family, the Harvard Law School family, the court family, and the family of friends and fellow fighters for justice—I share your present sadness in losing Ralph D. Gants too soon, and your lasting joy in knowing him at all.

Upon learning that I had nominated Ralph to the Massachusetts Supreme Judicial Court (SJC), a member of the Governor’s Council, the body of officials who must confirm judicial appointments to our courts, famously remarked, “Ralph Gants is a mensch, and the court needs a mensch.”

I love that remark, but that was not what I set out to do when I nominated Ralph. What I thought the court needed was someone who knew how cases were actually tried, who knew what it was like to review evidence and resolve credibility, and who knew what the human dynamics of a courtroom were and how they affected outcomes. I wanted someone who would see, hear, and seek to understand the vulnerable, whether they be the litigant or the witness; those unfamiliar and even a little intimidated by the surroundings, language, and customs of a courtroom; or the nervous, awkward, and inexperienced counsel. We have the good fortune of having a wealth of legal scholarship in the Commonwealth generally and on our SJC in particular. I wanted someone who would understand how to harness that brilliance and guide the court to opinions that were actually instructive to lower courts and lawyers, in plain language. I was looking for *that*.

I did not realize that I had a chance to get a mensch until I met Ralph. This came at the end of an arduous vetting process, after the judicial nominating commission, the joint bar committee and the governor’s legal counsel had grilled the candidates and made their recommendation as to why Ralph fit the internal objectives I had set out. When we sat together, we talked about being a trial court judge, about being an appellate judge, and about the discipline and restraint required to apply the law fairly to the facts. We also talked about real life. We talked about real people who, in every case, are in court because every other institution of our society has failed them. We discussed how a judge could never expect to fix every injustice, but could do justice in the matter before them.

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\* Deval Patrick is the former Governor of Massachusetts. He appointed the late Chief Justice Ralph D. Gants to the Massachusetts Supreme Judicial Court. This article is adapted from remarks at an October 27, 2020 memorial service for the late Chief Justice.

That is when I knew I had the chance to appoint a mensch.

For a long time now, it has seemed to me that American jurisprudence has been on a course of reasoning justice right out of the law. Time after time, the American judiciary has stacked up precedent in favor of power and privilege—in civil rights cases, in voting rights cases, and in cases where we could choose to elevate human dignity, or limit the intrusion of the state into intimate personal decisions, but fail to do so. The mighty are affirmed and the meek are left behind. The law and the courts cannot always fix that. Knowing that they are often the last resort, however, courts can resolve to give everyone a fair chance.

That was Chief Justice Gants, as a judge and as a person. His insistence on seeing the meek and on hearing the frightened and the outcast was his way of bringing justice back into the courts and into the world. His accomplishments speak to that. His emphasis on reforming mandatory minimum sentencing, on addressing the rental crisis, and on routing structural racism out of the judicial system all speak to that. Without a doubt, others will remember, honor, and celebrate the many personal and private examples of that same instinct, that same “mensch-iness” of Chief Justice Gants.

Bryan Stevenson is one of the best observers of the remarkable character of the United States of America. He has written and spoken about how our founding ideals of equality, opportunity, and fair play—our civic aspirations—are the source of our greatness. That’s why he wrote, “in America the opposite of poverty is not wealth; it’s justice.”

That is the example that Ralph gave us. I was honored to have elevated him to the job that suited that mission and his own perfectly. I hope and pray we honor that legacy with the most fitting tribute of all—by living it.