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Remembering Ralph

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REMEMBERING RALPH

SCOTT GILBERT*
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LARRY TU***

INTRODUCTION

The late Chief Justice of the Massachusetts Supreme Judicial Court, Ralph D. Gants, was many things: a brilliant judge, a devoted criminal justice reformer, and a staunch leader on access to justice issues. But beyond these roles, Ralph was also a great friend to many, including to the three of us, his college and law school classmates. Our shared memories of his friendship remind us of Ralph's qualities, contributions, and legacy as a friend. At the Boston College Law School Symposium in Ralph's honor, we collectively presented our memories, incorporating pictures of those days, which the *Law Review* has kindly reprinted here and in the supplement to his remembrance. Of special meaning to us is the repeated image of us as a foursome, which we ceremonially took at each important reunion, here in our 20s, 40s, and 60s. Just weeks ago, we gathered again, but as a trio, to lift our glasses to Ralph, wishing so much that he could have been there. This is what we remember.

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* Senior Vice President (Chief Risk and Compliance Officer; Chief Information Officer), Marsh McLennan (2005–20); Counsel, Litigation and Legal Policy; Senior Compliance Counsel, GE (1992–2004); Assistant U.S. Attorney, S.D.N.Y. (1986–92); Associate, Schulte Roth and Zabel (1982–86); Law Clerk, U.S. District Judge Vincent L. Broderick, S.D.N.Y. (1980–81). At the April 9, 2021 Boston College Law Review Symposium in Honor of Chief Justice Ralph D. Gants, Scott Gilbert, Larry Tu, and Harold Hongju Koh shared personal recollections of their four-decade long friendship with Ralph. This Article provides a slightly edited and abbreviated version of those remarks. In addition to being college and law school classmates with Ralph, Scott and Larry lived with him in law school, and Harold shared an apartment with him in Washington, D.C. at the start of their legal careers. Their close lifelong friendships continued over the decades that followed.

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I. SCOTT GILBERT

Even as a young first year student at Harvard Law School, Ralph had a very clear idea about where he was headed. For Ralph, justice was his destiny. It is not in the least surprising to me that Ralph went on to become the Chief Justice of the Massachusetts Supreme Judicial Court (SJC), beloved by his colleagues and members of the Bar, courageous and committed, a consistent champion of justice for all. At his core, he was committed to fairness, to ethical behavior, to racial and economic equality, and to fundamental decency in the interactions among people. Even then we knew.

He was brilliant, a gifted writer, and incredibly hardworking. He was also balanced, funny, and kind, with an unerring moral compass that always pointed true north. In my life, I have never met anyone else whose fundamental spirit was so perfectly aligned with the work that he undertook in the course of his life. He was meant to be a judge and to use the power of that position to make the world a better place.

Harold, Ralph, and I were in the Class of 1980 at Harvard Law School. Larry—a year behind us—roomed with Ralph and me in a ground floor apartment in a triple decker on Wright Street, not far from Massachusetts Avenue. We all became great friends. The atmosphere was studious, but playful. Ralph was close to his parents, Gus and Helaine, and to his brother, Fred. We were fortunate to get to know them through their occasional visits.

Ralph's fundamental decency, his commitment to doing the right thing, his sense of fairness, his courage, his gentleness—not to mention his love of baseball—all came from the way he was raised. One story in particular sticks in my mind. Ralph had a significant stutter, and he told us that conquering it was one of the great challenges of his life. Because he worked hard as a child to overcome his stutter, his mother helped him to understand and manage it. She told him: "Ralph, your brain is just working a lot faster than your mouth."

There was a certain geekiness about Ralph. In the Harvard Law School first-year class orientation handbook, Ralph introduced himself to his classmates with the following entry: "Always anxious to talk baseball, Bellow, or Criminology. Assiduously attempting alliteration." I teased him about that for decades. The only thing more amusing was the arch comment from one of the members of our study group—a former English major—who pointed out that the sequence of three words beginning with vowels was actually assonance, not alliteration. Well, that is what it was like to be a 1L at Harvard Law School in the late 1970s.

Ralph loved sports. He was quite a good athlete himself. He had played baseball and soccer in high school. In law school, he was a disciplined runner who ran the Boston Marathon. A group of us went to cheer him on. We all remember him wrapped up in one of those silver blankets at the end, and then walking backwards for a week because his calves were out of commission.



Much has been written about Ralph's love of the Red Sox. Ralph was always the first to rise in the morning at 7 Wright Street. He began the day by

reading the sports page while consuming a bowl of cereal. As he ingested the account of the latest Red Sox game and the accompanying statistics, his consciousness drifted off and he would rhythmically, and quite loudly, clang his spoon against the side of the bowl. He acted as a sort of human alarm clock for the rest of us who were still asleep.



Like any superhero, Ralph had an origin story. His was, of course, linked to baseball. On September 29, 1954, the Cleveland Indians and the New York Giants were playing the first game of the World Series. By the eighth inning, the score was tied two all. Vic Wertz of the Cleveland Indians hit a fly ball into center field that was about to drive home the men on base. In one of the greatest plays of baseball history, Giants center fielder Willie Mays made a running, over-the-shoulder catch that prevented the on-base runners from scoring. The Giants went on to win the game. Just at the very moment that Mays made that incredible catch, another miracle was underway: a few miles away, Ralph Gants was born at the New Rochelle Hospital. Ralph cherished that connection. A photo of The Catch, a gift from his brother, Fred, hung in his chambers.

We loved Ralph and we miss him. Ralph remains with us, not only in his eloquent decisions and body of work, but in our memories. As it turned out, we only had him with us for a brief time. It is up to us now to take what we learned from him and continue the work.

II. LARRY TU

Ralph was a mentor, an advisor, a cheerleader, and most of all, a friend. When you have known someone for over forty years, many stories stay with you, and I would like to share a few.

Ralph and I became friends when he was just a newbie aspiring lawyer. Those early years were studious, fun-filled, and frequently hilarious. You learn small and large things about someone when you are roommates. For instance, we always knew when Ralph was going on a date. Out of nowhere, a bottle of white wine would appear in our otherwise barren bachelor's refrigerator. Nothing was said, and no questions were asked. That was our signal to tidy up the apartment and to stay on best behavior.

Just before Ralph's graduation, his father Gus—who, unbeknownst to us, was a certified sommelier and expert wine merchant—visited us in Cambridge and hosted a wine tasting. With a bright silver tastevin proudly draped around his neck, he regaled us with his deep knowledge and love of French wines. As wonderful as the wine was, the mutual admiration and love flowing between father and son lit up that evening for those of us lucky enough to be there. Unfortunately, I did not get a chance that night to ask the senior Mr. Gants about the white wine in the refrigerator. In hindsight, I now see the wine as an early indicator that Ralph was a man with a plan.

The years flew by and our photo collections documented our many get-togethers and celebrations. Fast forward about thirty years—Ralph and I were in New York to celebrate Scott's younger son Harry's bar mitzvah. It was an evening full of love and laughter, surrounded by family and close friends. Afterwards, when we returned to my apartment, Ralph took a quick look around and suddenly asked, with a note of genuine bewilderment, "Where is your desk, where are your papers, and where do you write?" By then, I had left private practice and was serving as a corporate general counsel. In my world, I told him, a three-bullet-point email was borderline verbose; a fourth bullet point would likely go unread; and a footnote would bring chuckles, or more likely, ridicule. Ralph's world, of course, was inundated by papers and consumed with the nuances of language and text. Through carefully crafted writings, he reached, justified, and explained his actions to the world. Ralph wrote with great care and discipline that took time and focus. His writing was imbued with eloquence, but also with humanity and humility. Through his words, you felt Ralph's deep commitment to facts and truth, his probing search for justice, and his honesty and courage to say what he believed. The Ralph we all knew came through loud and clear in his opinions.

A week or so before we lost Ralph, Harold and I had a Zoom call with him. Although still recuperating, he had already returned to his pressing work. He spoke with urgency about the looming eviction crisis in Massachusetts, and

how the housing courts would soon be overwhelmed with the COVID-19 pandemic fallout in the absence of relief. He had helped convene a group of key leaders to come up with a solution. I remember asking him: “As Chief Justice, what is your mandate to spearhead such an effort?” He said, quite simply, that he had no special mandate, because this ultimately required a political solution. Rather, he felt duty-bound to use his office to help galvanize a process to tackle these problems. This was Ralph: the fearless leader who thrived in the world of words and understood the constraints of his role, yet did not flinch from using his influence to call for action.

Looking back, Ralph was indeed a man with a plan. But the Ralph I knew—that we all knew—could never have “planned” to become Chief Justice. He would have laughed that off as ludicrous, because he knew that life was not mapped out that way. With his talent, dedication, and generous spirit, Ralph would have been great at anything he chose to do. There is no doubt that he planned to do good and to make a difference. It is hard to imagine a promise better fulfilled than the path he traveled and the life he led.





III. HAROLD HONGJU KOH

Ralph's greatest talent was friendship. I first met him as a college student, when his big brother, Fred, met my big brother, Howard. Fred and Ralph's parents were wonderful and generous. His mom, Helaine, carried joy with her everywhere. His dad was, like the folk song that bears his name, "Gustav brave and true."

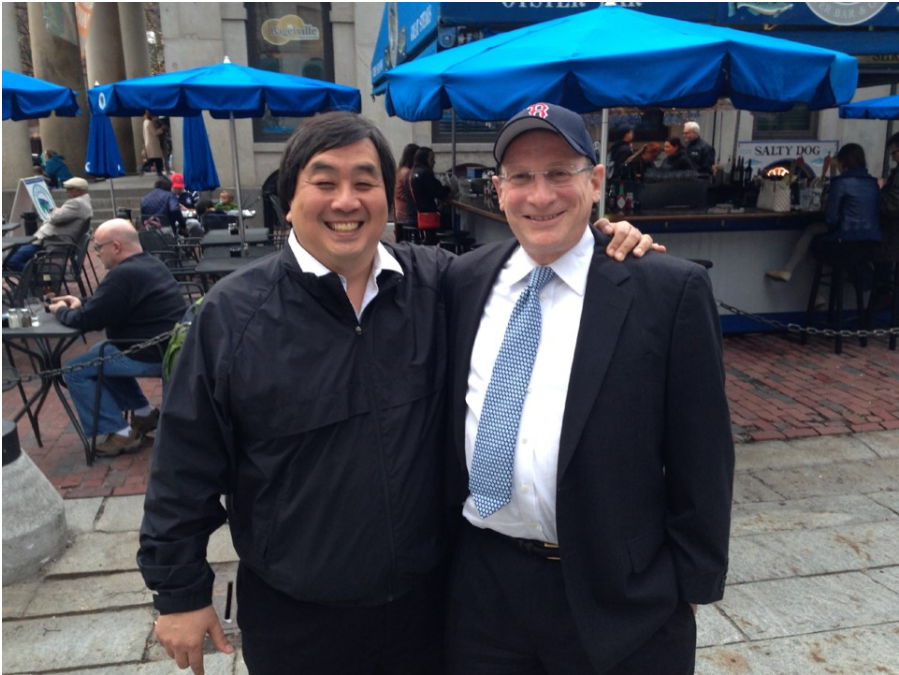
After law school, Ralph and I moved to Washington, D.C. to room together and to start our careers. Ralph began as Special Assistant to the FBI's Director. One night, I asked him about something that I assumed he was working on. He said calmly, "If I answered that, I might get someone killed." From the beginning, he was acutely aware of how his decisions could affect human lives.

Yet Ralph maintained his routines, hard work, humor, and his most special gift: friendship. If something was important to you, it was important to him. If a friend needed help, Ralph gave it, no questions asked. He would travel miles to friends' weddings and kids' bar mitzvahs—always turning the spotlight on everyone but himself. Once, I thanked him for driving my parents around all weekend to meet my future wife, Christy, for the first time. He said, "Friends should do things for friends, especially when things just have to go well."

As our lives unfolded, we would call each other to talk once a month, sometimes for ten minutes, sometimes for an hour. Ralph was never too busy to catch up. We had dozens of conversations about life and work. He was looking for one love in his life and he found her in Debbie. They wanted to raise children who would share their values, and they succeeded with Rachel and Michael.

Ralph's special gift was looking at the world from your perspective. His "second sight" allowed him to empathize with so many people of different races, faiths, and upbringings. Like his parents, Ralph's faith in human goodness fueled his belief that, given the chance, underdogs—like his beloved Red Sox—would eventually rise to the occasion. When speaking about his friends, he liked to say: "There might be better people in the world. But I don't know if I've met them yet."

As he rose through the courts, Ralph's desire to build justice became stronger and more urgent. He had a rare ability to imagine the present and the future at the same time, always looking up from today's work to contemplate tomorrow's problems. The tributes that flowed after Ralph's death show us what he achieved, and what we gained.



CONCLUSION

At his first judicial investiture, Ralph reminded us of what his first boss, Judge Nickerson, told him as a law clerk: “We can’t make this whole world fair, but we can and must do everything that we can to make our small piece of this world a place where justice rules.” That was Ralph’s commitment: even in a deeply unfair world, to make courts places where fairness, justice, equity, and civility still rule.

There may be in this world a better friend or judge than Ralph Gants, but we don’t know if we’ve met them yet. That he was taken from us so early we cannot forgive or forget. But in our hearts, we will always talk to him, and he challenges us still.

