

**Remarks by Chief Justice Charles R. Johnson
Boston Municipal Court Department
at Hampshire County Bar Association's Law Day Celebration
in the Old Superior Court, Northampton
Massachusetts, May 1, 2006**

Thank you for being here today and for participating in this effort to recognize the importance of the law in our culture. I am honored to share in this important discussion and to participate in this teaching of tolerance and human interdependence. You never know where the divine river is going to take you; you just have to be willing to go with its flow, in faith, that the universal balance requires your cooperation and that ultimately, no matter the force of the current, you will be rewarded commensurate with the quality of your service.

My modest service this morning is to make a few remarks consistent with the theme of the day: Tolerance: Lessons from the Past.

Tolerance is a word I have reflected on for sometime, and, quite frankly, I don't like that word when it comes to human relationships. It seems to imply that all we have to do is tolerate each other and we will have satisfied whatever humanistic or even divine obligation we have to each other.

I do not believe this is true. Our responsibility for each other should be much deeper than the shallow objective of just leaving each other alone within the confines of our individual choices and the dominant forces of our respective cultures. Though sometimes I would be quite relieved if the one or maybe even the few invested in the sport of my demise would leave me alone, experience has convinced me that I cannot protect myself from the ill intent of others, nor can you. Our best security in this life is each other. Yes, I recognize the role and power of God, but I firmly believe that God needs help, and we are it. Call it what you will: your brother's keeper, watching my back, or simply doing the right thing. We need each other to protect ourselves from each other.

One cannot be partially tolerant. If you can't abide White people, soon you will not be able to abide Black people, and then you start not to like Hispanic people, and before long you discover there is something wrong with Asian people; finally you discover that you just don't like people, not even those classified as your own kind, because none of us quite measures up to your personal standards of superiority. That puts you in a very small club of isolation, loneliness and bitterness, and you are reduced to the perpetual comfort--or better yet, discomfort--of your own company. I can't imagine that being a good thing for you or for the rest of us.

Each person--each group has its imperfections and limitations. Is there anyone here who knows a perfect White person? I don't know any perfect Black people either. What makes life exciting and full of adventure is our opportunity to share our respective gifts and talents with each other. We are challenged to combine our best qualities to build a community of good so that each of us may live a deeper, richer, and more satisfying life. It is in our collective strengths that we will find refuge from intolerance and injustice. If the tyrant and his henchmen come for me, your house should be my refuge—and you should expect the same of me.

As I consider some of the great human tragedies of recent history: Emmett Till, Sacco and Vanzetti, Daley and Halligan, the brutal displacement of the Native Americans, western slavery, the Holocaust, racial discrimination, gender inequality, etc., these kinds of things happened because of individual acquiescence and community abdication of its responsibility to protect the human and civil rights of all its members. Tragedies do not just happen; we permit them to happen. No tragedy has ever occurred because of the power of one person; tragedies, injustices, and their many permutations are the result of our collective willingness to foster their creation and support their continuation. If you want bad things to stop happening to others, you must be willing to say to the perpetrators: Stop! What you are doing is wrong, and I will not permit it.

Some people think they have to be like Martin Luther King or John F. Kennedy, Condoleezza Rice or Margaret Marshall to positively influence the lives of others. Not so: the call to good need not be grandiose nor does it require great gifts of intellect or resources. You may start by being nice to the person sitting next to you; you may start by tutoring a child of another race experiencing difficulty in school; you may start by resisting the mean-spirited gossip of the work place; you may start by acknowledging that your opinion may not always be right; you may start by recognizing that violence is not entertainment; you may start by resisting the paralyzing and dangerous notion that what you think, say, and do, does not matter. Every day provides us with the opportunity to support and protect each other; we need only to recognize our capacity and our obligation to prevent hardship and injustice to each other.

Those of us working within the legal process have a special obligation to ensure that we do all we can to ensure public trust and confidence in the fair and equal application of the law.

The law has no life of its own. Contrary to what some often assert, the law is not a living, breathing organism. The law is merely the way the dominant community speaks at any given point in time. Even our Federal and State Constitutions are but instruments of the community's highest ideals. Our quest to achieve those ideals is the daily challenge of the judiciary. The theoretical good of the law may be quite different from its reality.

The law is like any instrument of power, it may be used to do great good or it may be used to commit bloody murder. Slavery was once legal. Denying women the right to vote was once legal. Lynching was once legal. Public whippings and burnings were once legal. Segregation was once legal, and summary executions were legal. The integrity of the law is dependant upon those entrusted with its creation and maintenance. In other words, people make the difference. Wise legislators; courageous judges; conscientious police officers; compassionate probation officers; polite court officers; patient clerks; and vigilant citizens all determine the effectiveness or ineffectiveness of the law. Each of us must decide for ourselves how we will use the law in our lives, and how we will permit it to be used in the lives of others. Just think how many injustices would have been avoided had the judge said "you can't do that"; or if the police had said "not so fast"; or if the citizen had said "well, what about this."

The law is presumed to be in the best interest of the people because before laws are adopted they are subjected to a rigorous process of open, fair, and representative debate. But in America, we have a healthy skepticism of the law that causes us to constantly and continually analyze its present validity. There is and should never be finality in the law. It is too much the function of politics, power, and human selfishness. Some laws are bad at birth but find longevity in the narrow but powerful interest of their sponsors, and the cumbersome bureaucratic apparatus of a large representative democracy. Whenever any law is created or maintained as an instrument of oppression, we should diligently seek its revocation.

I am pleased to see so many young people in the audience here today. I suspect you are not here voluntarily, but I am glad you are here in any case. I sometimes wish I were young again: I would be more disciplined in the development of my mind; I would be more aware of the speed of time. I would learn to speak many languages, travel to many places, and dig deeper for any unique abilities that might reside within me. Most of all, I would celebrate each day of good health, and the opportunity to make the world a better place for others and myself. I sometimes find it difficult to engage in formal conversation with children and young adults. I think it's because I remember those years in my own life. My attention span was not that great, and I thought the only important thing in life was becoming an adult. Notwithstanding the fact that you are as I once was, there are several things I would like to share with you that I hope you will take to heart.

First of all, the world is a wonderful place and it is capable of providing all things necessary to make your life exceptionally happy and beautiful. There is only one catch: the world does not surrender its benefits voluntarily; and if you don't know how to access to them, you may find that the world can be rough and gruff, unyielding and unforgiving. It is true that sometimes things are out of our control, and, in spite of our best efforts, we can't get things to turn out our way. That only means that in life there aren't any guarantees. However, you can still maximize your chances for a good and productive life if you keep trying and if you always try to achieve your personal best. Your best effort every day is likely to yield the best results for you over time. Don't get too far ahead of yourself. Approach life one day at a time. Succeed in the task before you and tomorrow will take care of itself. Life is somewhat like school: you can't expect a good grade at the end of the year if you don't work hard today. Keep your word. Finish what you start, and do what you have promised. When you fall short, take responsibility for your failures; blame yourself first, and you can give what little blame may be left to some one else. You are responsible for your own behaviors, decisions, and choices.

Avoid judging others if it is not your responsibility or business. Life is very complex, and you will be surprised at how your own behavior may one day fall to the judgment of others. As you judge others so will you be judged.

Always respect others and require their respect of you: permitting others to disrespect you is never a path to their respect. Learn to yell, "Stop!" if someone is disrespecting you. No one is entitled to build his or her life on top of your dignity.

Search yourself for the truth before you seek it in others. Have confidence in your ability to know right from wrong. Your peers will have their standards of conduct, but you should have your own. You should always know where your peers end and where you begin. Be respectful and considerate of one another. Unfortunately, too many people seek to fill their personal emptiness with the unfounded mischaracterization of others. Think before you speak ill of other people. Your words are powerful and can cause great pain to others.

Listen to your parents; treat them with honor and respect. No matter how “uncool” they may seem, they know a lot more than you think, and in most cases, it is highly unlikely that anyone will ever love you more than your parents.

Finally, cultivate the courage to stand up for yourself, but most importantly, when the time comes—and it will—have the courage to stand up for each other.

Thank you for listening.