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Address of E. Smythe Gambrell, Atlanta, Georgia  
Immediate Past President, American Bar Association,  
At the Dedication of its  
Temple Memorial to Freedom Under Law  
Runnymede, England, July 28, 1957

### FREEDOM UNDER LAW

Mr. President, Your Excellencies, My Lords, Ladies and Gentlemen:

Proud and grateful peoples through the ages have raised monuments in memory of heroic deeds and the men who performed them. The Arch of Constantine, near the Coliseum in Rome, marks the victory of the first Christian emperor over Maxentius. Above ~~the Champs-Elysees~~ <sup>In Paris</sup> towers the Arc de Triomphe, commemorating the military achievements of Napoleon. On a stately monolith in the heart of London stands the majestic figure of Lord Nelson, the hero of Trafalgar.

We are gathered on hallowed ground to dedicate still another monument of commemoration. But this temple will be consecrated not in martial glory. We are met rather to venerate an idea which found words and voice here seven and a half centuries ago. We have come in reverence and thanksgiving to do homage to the rule of law.

As we stand where once they stood -- Monarch and Baron, Cleric and Knight -- we sense again the bond that unites the dead, the living and those unborn in the eternal quest for freedom. This occasion reminds us that we are the passing instruments of a process which transcends our fleeting hour, and that our faith, like that of our fathers, can live after us.

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The barons of this bold encampment proclaimed a belief of ancient origin, foreshadowed in the Stoic philosophy of the Greeks. It echoed the spirit of the Judaeo-Christian tradition, teaching that each man is a creature of divine will, worthy in his own right. Magna Carta brought this principle into the structures of government, and opened the way for man's pursuit of his noblest aspirations. It fell to this place, in 1215, to reveal a new dimension in the eternal endeavor of men to live together in dignity and peace. By common consent, it is from that date that we measure our tradition of freedom under law. This meadow we mark as the birthplace of sovereign power administered within the limits of judicial process and according to the law of the land. Here it was written for all to read that justice will not be sold, denied or delayed, but granted as a matter of right. It is to the Great Charter that we ascribe the ideal that all men, whether of station high or humble, shall stand as equals before the bar of justice, and that no one shall be above the law.

The age-old parchment has lived through eras of constant change in the expanding life of an advancing people. It speaks across the ages to all who cherish liberty. Its hold upon the minds and hearts of each succeeding generation is not the less because its resounding words were addressed to the troubles of a particular time and place - to pressing problems of a day long since past. Its truths are universal and eternal, good for all men, for all time. From Magna Carta we have learned that great ends need small beginnings, and that only in the concrete forms

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of judicial process can freedom be preserved. It matters not that the determined men who camped here built better than they knew. What their work has come to be is the measure of its moment for today.

When Englishmen set out, three and one-half centuries ago, to find new homes beyond the Atlantic, they carried with them a cherished birthright. They sailed under a royal grant confirming to them the precious heritage of freedom. The charter for the Jamestown settlement, its rolling phrases in part the work of Lord Coke, concluded with a proclamation that they and their children would "have and enjoy all Liberties, Franchises and Immunities, to all Intents and Purposes, as if they had been abiding and born, within this our Realm of England." Transplanted to the virgin soil of a new world, the hardy principle of Magna Carta took root and flourished, to set the standard for future architects of government, to shape the soul of a new nation. The spirit of this place breathed in every American Colony.

In the irony of circumstance, the Colonists later took up arms against the Mother Country when aggrieved by the royal veto of the provisions of Magna Carta adopted by Colonial legislatures. By their action, they reminded all mankind that Anglo-Saxons will govern themselves. It was fervent dedication to the ancestral law of England which moved the Americans to assert their independence. Their uncompromising devotion to the Great Charter and its principles brought about the separation in 1776. That same devotion, thanks to Divine Providence, now joins us, indivisibly, in a union of common ideals and objectives, - -

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a bond no transient feud or formal writ can put asunder.

In America, we exalted the fundamental tenets of Magna Carta by embodying them in a written constitution, beyond the reach of simple majorities, and above the ebb and flow of shifting currents of opinion. We sought in the written word a measure of certainty, and in the work of the courts a safeguard of stability. But we know that the life of our law is not preserved forever in a perfect crystal of polished phrase, and that the animating spirit must abide, at last, in the minds and hearts of men. The American Bill of Rights still wears the crest of Runnymede.

From the grudging concessions of King John, through the sacrifices of the Colonial patriots in the Revolution which set America on the course of its independent destiny, from Magna Carta until this very hour, generations of selfless men have fought for their faith in freedom and man's capacity to govern himself. In ever changing form and manifold guises, the forces of oppression confront each age anew. The fight for freedom is eternal. There is no final victory. Wherever tyranny or oppression exists, wherever there is ignorance, bigotry and persecution; men are learning to express their aspirations in the words of Magna Carta and to look to the English-speaking peoples to satisfy their yearnings for liberty under law.

There flows within our veins a common blood line, commingling Celt and Saxon, Dane and Norman, Pict and Scot. We share a tongue, and are enriched by a common culture. But the genius of our concord is something more. What was brought into being on this meadow holds us still together. From that seed

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we trace our brotherhood.

Today, the 250,000 lawyers of America, represented by the American Bar Association, have returned in devout pilgrimage to the ancestral home, to the wellsprings of our profession, to the fountainhead of our faith. Here, with pride and gladness, we have raised up a shrine. We have fashioned it of stone that came, like the ideals we venerate, from the land of our fathers - native stone that will gain lustre, mellowness and beauty through the ravages of the centuries. We offer it as a token of our allegiance to the rule of law and of our resolve that it shall endure. In this temple of timeless design for ageless principles, all mankind may worship. Fleeing to its altar, the humblest citizen is to find raised over him the shield and buckler of the law.

We are the keepers of the Citadel. For members of our calling, Magna Carta holds a rich and special meaning. It invested the legal profession with a mission above that of the ordinary occupations. By committing to law the protection of the dignity of the individual, it has reposed in the lawyers a sacred trust. Through the labors of Coke and Marshall, Blackstone and Story, Bracton and Kent, of countless lawyers and judges in both countries, Magna Carta has remained a living instrument, its vital force preserved. For each generation in turn its meaning again must be proclaimed.

Before this shrine, where all lawyers of our great tradition with equal right may stand with heads uncovered, we would focus the thoughts of the world on this peaceful place and invite all

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peoples to communion with the ideal that here found root and nurture. May no base instinct of meanness or recrimination obscure the vision of our common duty to mankind. The strife and bitterness of particular controversies are now forgotten. The shining symbol of Runnymede bespeaks the common cause, the unifying purpose of the Anglo-American people.

In this time of crisis, it is the privilege, the challenge, and the responsibility of the lawyers of the Common Law to preserve, to proclaim and, over the vast expanses of the earth, to share, the blessings of our priceless inheritance. As the prophets and guides of society, let us act together for the sake of humanity. In the fellowship of free men that knows no limits of race or creed or land or time, let us be rededicated to the service that lies to our hands, mindful that those who defend liberty and justice anywhere defend it everywhere.



**Magna Carta memorial**