

*“Magna Carta, Virginia,  
and the Special Relationship”*  
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c. 2,921 words + 3,600 words =

*“Magna Carta, Virginia,  
and the Special Relationship”*

Sir Robert Worcester<sup>1</sup>

**Introduction**

Good afternoon. I'm delighted to be here in the Old Dominion, back in the State of Virginia, recalling with great fondness having been drawn to Virginia many times, going back sixty years. I was especially honoured to have been the co-chairman of the Jamestown British Committee on the 400<sup>th</sup> anniversary of the Founding of the First Permanent English-Speaking Colony in the New World. I was even in Williamsburg for the Bicentennial in 1976 on the 4<sup>th</sup> of July. Where better a place to be, anywhere in the World, on that momentous day?

I've been really looking forward to returning to Virginia this time, for last time was in 2007 on the 400<sup>th</sup> anniversary of Jamestown visit. Lady Worcester and I have never been treated with a better welcome, and such a collegiate and friendly reception (with an unfortunate single exception, of which more later) and, mostly, fond memories.

From the time we arrived at JFK on that visit (**with a single unfortunate exception, of which more later**) together with some 25 members of the Pilgrim Society of Great Britain, (**of which more later**), wending our way from historic battlefields to historic houses, we ended up at the Williamsburg Inn, well indoctrinated in colonial American and Federal history, as well as being well housed, well fed and very well watered (**of which more later**).

When one of many friends I met in 2007, Professor Howard, asked me to share with my thoughts as we start the 800<sup>th</sup> Anniversary Year of Magna Carta, I readily agreed. So here I am this afternoon.

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I thought it might make an interesting talk if I would speak about four things:

1. **'Why me, why now?;**
2. **'Why are you here?;**
3. **Why commemorate the 800<sup>th</sup> anniversary of the sealing of the Charter of 1215, later, Magna Carta.**
4. **Why do I include speaking about the Special Relationship?**

I would not by any means go into the history in detail in the presence of the Professor Howard, author of *The Road to Runnymede*, or his shorter, summary, volume called just *Magna Carta*, as we have him right here. You can as we say, find them in all the best bookstores.

Dick, you'll recognise the difficult questions when you hear them thanked for their 'interesting' questions, as they are the ones that I'll pass on to you.

### **Why me, why now? Relationship**

Growing up in America I had a pretty thorough schooling in English history, English literature and not least English cinema (that was before television), which began with the Angles, Saxons and Jutes, then 1066 and all that, in 1215, the Great Charter, *Magna Carta*. From an early age it was "Good" King Richard the Lionhearted, "Bad" King John - "Lackland" - (and Robin Hood and his merry men, Little John, Friar Tuck, Will Scarlet and all, not to forget Maid Marian), Henry VIII and Elizabeth the Virgin Queen, Shakespeare, 18th C. Georgian elegance in costume, in architecture and music.

And as a teenager, the Ealing comedies, *Lavender Hill Mob*, *Kind Hearts and Coronets*, *Whisky Galore*, and the rest. Must have seen them all, and some four or five times.

I grew up with the belief that 'the sun never sets on the British Empire'. And did I collect stamps from all over the British Empire!

All Americans knew then that George Washington, John Adams, John Jay, Benjamin Franklin and nearly all the Founding Fathers were Englishmen (Alexander Hamilton was a Scot).

I first saw *Magna Carta* at the New York World's Fair at the British Exhibition where Lincoln's 1297 copy was displayed then, as it is now in the Law Library of Congress. I was then 7 years old.

On my first visit to Britain, in 1957 I was a serving officer in the US Army Corps of Engineers, trained at Ft. Belvoir, Virginia, returning to America to be discharged after serving in Korea, my tour of duty completed. On my first day in London I went straight after breakfast to the British Museum to see two things: Magna Carta and the Rosetta Stone. These, to me, represented the two icons of civilised society: the rule of law and communication outside the village.

I became a Trustee of the Magna Carta Trust 21 years ago (when I became Chairman of the Pilgrims Society), the Chairman of the Trust, by Charter is the Master of the Rolls, head of the civil law in the United Kingdom. I serve as Deputy Chairman of the Trust. In 2010 I took on the responsibility for organising the 800<sup>th</sup> Anniversary Commemorations.

How could I refuse?

### **Why are you here this afternoon?**

You are all historians I'm sure, or you wouldn't be here, today. Besides, we're all historians, perhaps genealogy, or the local history or the history of your house, state, the War of Independence or the Civil War. Some, hands up, perhaps even studied medieval history, others interested in other aspects of Modern History, but almost without exception, whatever the period, on the shoulders, one way or another, of Magna Carta, as does ever lawyer in the room.

All of us here today must be pleased to have the advantage unavailable a century ago when the 700<sup>th</sup> anniversary of the sealing of Magna Carta wasn't commemorated in 1915 due to the War, other than in the excellent, but long out of print, Royal Historical Society produced book of Magna Carta Commemoration essays.

While the war on terrorism goes on today, it is a far cry from the depths of 1915, and reminds us that the link between the military and other security forces and Magna Carta is the defence of liberty and the rule of law, in democratic societies, not autocratic or ever royal dictatorships.

**Magna Carta proclaimed certain religious liberties, "*The English Church shall be free*".**

**Magna Carta is England's greatest export.**

Magna Carta is embedded in both the Declaration of Independence and the Constitution of the United States of America, and we know from Professor Howard's scholarly but easily read book *The Road from Runnymede* (available in all the best book stores) in the constitutions of 25 states regarding 'due process', but not Virginia, interestingly. Thirty-seven states constitutions have the idea that justice delayed is justice denied, but not Virginia, interestingly. Open courts appear not just in the Magna Carta in 24, but not Virginia. Forty have right to a speedy and public trial, by jury but not Virginia, but in Virginia along with two other states, Maryland and Wyoming, have the right just to a public trial, Indiana and Oregon (wonder what they've got against speedy trials?). Not many people know that I'll bet.

In Britain, a few scholars, some history buffs, most pundits and nearly all editorial cartoonists writing (and drawing) today seem to make the same three errors of fact about Magna Carta. They say that only three chapters are still in law. Nonsense. Dick counts about 12 that effectively are, I count 16 as he leaves out of his list selling widows off in marriage for instance.

The second cardinal error is to refer to the 'signing' of the Magna Carta; it wasn't, it was sealed. And the third, especially by editorial cartoonists, is to picture 'Bad' King John, scowling, with a pen in his hand, modelled by a 19<sup>th</sup> century etching.

Magna Carta affects the lives of nearly two billion people in over 100 countries throughout the world who are directly affected by Magna Carta. For centuries it has influenced constitutional thinking worldwide including in many Commonwealth countries, even in France, Germany, and Japan, and throughout Asia, Latin America and Africa.

Over the past 800 years, denials of Magna Carta's basic principles have led to a loss of liberties, of human rights and even genocide taking place yesterday, this morning, today and tomorrow.

It is an exceptional document on which all democratic society has been constructed, described by the former German Ambassador when he said to me that everybody in Germany knows about the Magna Carta, it is "The Foundation of Democracy".

Thirty-eight years ago in all its splendour the House of Common's Speaker and House of Lords Lord Speaker, MPs and Peers, Law Lords, Ambassadors and High Commissioners, the Archbishops of Canterbury and York, met with the senior members of the American Congress and Senate assembled in the 1,000 year old Palace of Westminster's Westminster Hall to hand over the Lincoln

1215 Magna Carta to the Library of Congress in the Autumn of 2014, to be displayed in the Rotunda of the Congress of the United States. I was there.

This time the plan is to have the Supreme Court organised 'mock trial' with judges, jury and advocates, mainly from Commonwealth countries, judging barons and bishops in the dock on the charge of treason, telecast and broadcast on BBC World.

This will be on 31 July, the night before the Supreme Court Magna Carta Exhibition opens for August and September next year. The British Library, starting in April and running through September the British Library will have the biggest exhibition it's ever held.

There will be coins and stamps, evensongs and commemorative services, exhibitions and demonstrations, pageants and concerts, sound and light shows, seminars and symposiums, open lectures and plays in the Magna Carta Towns in Cathedrals and castles, town halls and town squares throughout the land here, and in many exhibitions and events in Canada and the USA, France and Germany, Poland and Trinidad and throughout the Eastern Caribbean, in southern Asia, Africa, Australian and New Zealand, and everywhere that values the principles that the Barons wrenched from the King at Runnymede. They had to fight for it, and we are the beneficiaries of their fight. The ever expanding list of events is kept up to date at [www.magnacarta800th.com/Events](http://www.magnacarta800th.com/Events).

You can follow the commemoration of the 800<sup>th</sup> by signing up to the MC Newsletter at our website and tell us if you'd like to get involved, at [www.magnacarta800th.com](http://www.magnacarta800th.com). And I hope, some of you will be with us next year on the 800<sup>th</sup> anniversary at Runnymede, and some as well in Westminster Hall for the mock trial at the end of July, or at least watching it on BBC World and I hope PBS in the USA, ABC in Australia, and in Canada on CBC as well as well as in many countries' TV stations, on the Internet, and elsewhere throughout the world.

### **Special Relationship**

The values enshrined in the Magna Carta and its legacy is largely the reason for the existence of the 'Special Relationship' that bonds my two countries, Britain and America. Two countries which have fought two world wars and many other, smaller, conflicts shoulder to shoulder in defence of liberty.

Ignoring the brief period during the late 18<sup>th</sup> and early 19<sup>th</sup> Centuries when relations between Britain and America were a somewhat different form of relationship that they have been over the last few centuries, President Obama observed in 2011 in a speech to the British Parliament: *“our system of justice, customs, and values stemmed from our British forefathers”*.

And President Obama said at Parliament:

*“Our relationship is special because of the values and beliefs that have united our people throughout the ages. Centuries ago, when kings, emperors, and warlords reigned over much of the world, it was the English who first spelled out the rights and liberties on man in Magna Carta.”*

Finally, what I said I’d come back to later, about the Pilgrims Society’s unfortunate arrival for the Jamestown visit at JFK, our ‘unfortunate’ reception at Jamestown, our being ‘watered’, and one rather important, to me anyway, and to the thousands of American citizens living abroad today.

Arrival  
Friendly reception  
Being ‘watered’  
Right to vote

### Overspill

### **Looking Back**

Let’s take a minute to look back over the past 100 or so years. President Theodore Roosevelt rather undiplomatically distinguished between ‘real’ Americans and ‘hyphenated Americans’ (Italian-Americans, Irish-Americans, and so on), and American Ambassador to the United Nations Henry Cabot Lodge somewhat undiplomatically argued that Americans of British descent had contributed three times as much to American abilities as all the others combined.

However chequered Anglo-American diplomatic relations had been in the nineteenth century, there was a strong feeling among Americans of English ancestry that the two nations shared not only a common language, but common ideals, and that there was a need to assert their Anglo-Saxon heritage.

These sentiments were repeated at many early in the last century at Pilgrims functions: on his return from Washington, at the dinner in his honour on 6<sup>th</sup> November 1913, British Ambassador to the US, historian James, Lord Bryce who in 1917<sup>2</sup> declared that the friendship of the two countries rested on *‘community of language, of literature, of institutions, of*

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<sup>2</sup> Malden, H. (Ed.), *Magna Carta Commemoration Essays*, Royal Historical Society, 1917, p. 4 – 5.

*traditions, of ideals, of all those memories of the past which are among the most precious possessions of the two nations'.*

The first dinner in New York was held at the Waldorf Astoria on 4<sup>th</sup> February, 1903, the year following the founding of the British Pilgrims, to welcome Admiral Lord Charles Beresford, close friend of King Edward VII, and later a vice-president of the American Pilgrims. Soon after this dinner, King Edward VII and President Theodore Roosevelt gave permission for the Pilgrims to couple the King and the President in a single toast, and it became the custom, immediately after the toast, for the orchestra to play a few bars of 'God Save the King' and the 'Star-Spangled Banner', now a custom sadly lost along with the orchestral accompaniment to white tie dinners. For many years the speech of the principal guest was reprinted in the Times, and when it came into being, broadcast, live, on the BBC.

The Special Relationship has never been without rough edges, as with the reluctance of both President Wilson and Roosevelt to enter into European wars too soon, to the dismay of the beleaguered British. Certainly Churchill not only felt his maternal 'special relationship' existed, but between the governments and peoples as well, as did Macmillan.

Other rough edges included the tenure of the immediate pre-war American Ambassador Joseph Kennedy who did much to irritate his host country, but the affinity clearly shown by his son when in the Presidency for his 1,000 days strengthened the relationship and softened any lingering recall of the actions and words of his father. It reached a nadir in 1956 at the time of the Suez Crisis.<sup>3</sup>

On the other side, continuing the tradition of outspoken 'diplomats', was Lord Halifax, who in 1941 when sent to represent Britain in America described the thought of going to Washington as 'odious', and who told Baldwin that 'I have never liked Americans, except odd ones (sic). In the mass, I have always found them dreadful.' Later he reported to the King that he found Americans 'very much resemble a mass of nice children - a little crude, very warm-hearted and mainly governed by emotion.' He claimed to be unable to understand the American system of government, which he likened to a 'disorderly day's rabbit shooting'.

Certainly Churchill did much to cement the special relationship, spending weeks at a time as Roosevelt's guest in the White House during the war, and treating the American's envoys as 'one of us'. Both during and following the war he attended meetings of the cabinet in Washington, and clearly wished the relationship to work as closely in peace as in war. He instructed his chief scientific advisor as early as 1940 to tell the Americans '*everything* that Britain was doing in the scientific field', and joint military operations were as seamless as could be, in intent, if not always in practice, given the extraordinary personalities on both sides.

It was Churchill who commented, to Brooke, that there was only one thing worse than fighting with allies and that was fighting without them<sup>4</sup>. He spoke at a Pilgrims dinner in 1932 about the special relationship, saying whatever problems faced the two nations, "*I believe that there is one grand valiant conviction shared on both sides of the Atlantic. It is this: together, there is no problem we cannot solve.*"

<sup>3</sup> Kennedy-Pipe, Caroline, Society Now, Autumn 2009, p. 17

<sup>4</sup> Worcester, Robert, Book Review of '*Fighting with Allies*' by Sir Robin Renwick in *Europe-Atlantic Journal*, October 1996

Prime Minister Churchill, took over from Chamberlain in May 1940, and spoke again to the Pilgrims the following year<sup>5</sup>: *“The future of the whole world and the hopes of a broadening civilisation founded upon Christian ethics depend upon the relations between the British Empire...and of the United States of America. The identity of purpose and persistence of resolve prevailing thought the English-speaking world will more than any other single fact determine the way of life that will be open to the generations, and perhaps to the centuries, which follow our own...We stand therefore – all of us – upon the watchtowers of history.”*

As he was retiring as prime minister in 1955, his advice to his colleagues was two-fold: *“Man is Spirit,”* he said, -- and *“Never be separated from the Americans.”*<sup>6</sup>

Good advice then, good advice now.

But I would add advice to ‘our’ friends in America: *Never be separated from the British. In good times and bad, we’re your best friends in the world.*

But I say no more than Barak Obama said<sup>7</sup> when he congratulated the newly elected Prime Minister David Cameron: *“The United States has no closer friend and ally than the United Kingdom. I reiterate my deep and personal commitment to the special relationship between our two countries – a bond that has endured for generations and across party lines, and that is essential to the security and prosperity of our two countries, and the world.”*

c. 3,600 words

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<sup>5</sup> January 9<sup>th</sup>, 1941

<sup>6</sup> Meacham, John, *Franklin and Winston: An intimate Portrait of an Epic Friendship*, Random House, 2003, p. 29

<sup>7</sup> 11 May 2010



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