

Sheryl Cannady: Hello. I'm Sheryl Cannady from the Library of Congress. The Library of Congress will celebrate the 800th Anniversary of the first issue of the Magna Carta with a 10-week exhibition, "Magna Carta: Muse, and Mentor," opening Thursday, November 6 and running through Monday, January 19, 2015. My guess today has a special connection to the Magna Carta, one of the world's most enduring symbols of liberty and the rule of law. Lord Lothian, thank you so much for joining us.

Lord Lothian: It's a pleasure.

Sheryl Cannady: Could you discuss how you became aware of your family's role in the safekeeping of Magna Carta during the Second World War?

Lord Lothian: Well, I was generally aware that my father was my father's predecessor. My cousin Philip Lothian, who was ambassador in Washington at the time, had handed over Magna Carta for safekeeping in November 1939. What I hadn't realized was that it had been something of a special occasion, the speeches and obviously a very dramatic moment, and I've been fascinated to learn more about it, not least from my trip to Washington not so long ago.

Sheryl Cannady: Well, as a career lawmaker, how have you seen Magna Carta's legacy in action in the UK?

Lord Lothian: Well in general terms, the whole question of the Rule of Law, which is what Magna Carta was about, is behind every piece of legislation that is passed by the United Kingdom Parliament, and certainly was in our minds in the years that I was a member of the Highest of Commons. And we were all aware that the Rule of Law is the way that a civilized society governs its relationships within itself, and so, it's important that the Rule of Law is the foundation of all legislation, and that was very much in our minds.

But in a practical sense, not so long ago when there was a move in the face of terrorism to extend the number of days that somebody, who had been taken in on suspicion of terrorism could be held without charge, was going to be extended to 48 days and beyond. That was resisted by Parliament and was eventually dropped because that was very much against the spirit of Magna Carta and against the whole principle of habeas corpus. And so to that extent, Magna Carta has a very significant and nasty influence.

I, myself, am a lawyer by profession, and in my time practicing the law, I often saw offenses in the use of trial by jury, the very important contribution that Magna Carta still makes to the way that we practice our law.

Sheryl Cannady: Why do you think America has or Americans have such a fascination with the Magna Carta?

Lord Lothian: I think it's for two reasons. One was that American independence was understandably trying to remove the United States from under the influence of the king across the water on the basis that why should somebody, who was not elected nor had a direct connection with

them, direct them as to what they could do. We saw that in the so-called Boston Tea Party. But when American independence came looking for the foundations of the Constitution, what better than to find a charter, as this was, which said that nobody was above the law, including the king, and that the king had to abide also by the Rule of Law? And that, I think, was the foundation of the American Constitution.

Sheryl Cannady: What do you think developing countries can learn from this important document?

Lord Lothian: I think that as I said earlier, the foundation of the Rule of Law is the way in which civilized societies govern themselves, and that is absolutely essential to developing countries. It almost surpasses sort of the concept of elected democracy. The Rule of Law, fundamental human rights, justice, the fact that you cannot incriminate yourself in court, all of these are ways in which you actually create a civilized society, and I think those elements, rather than trying to impose direct blueprints for democracy and whatever in other countries, are very important and understandable principles, which can be used in the development of those countries' constitutions.

Sheryl Cannady: Well, when I actually saw the rough draft of the Declaration of Independence, I had goose bumps. Can you tell me how you felt when you first saw the Magna Carta?

Lord Lothian: Yes and I suppose I was brought up with it. Having been educated here, it was very much part of our history, which we were taught. But as I say, the more I became involved in the law and in legislating, clauses such as that, which says that no free man shall be taken or imprisoned, or outlawed, or banished, or in any way destroyed, except by the lawful judgment of his peers and by the law of the land, was an extraordinary declaration of the rights of a human being. When you think that was 800 years ago, in the turbulent circumstances of those times, that really does give you, as you say, goose bumps.

Sheryl Cannady: What is so special about the Lincoln Cathedral copy?

Lord Lothian: Well, I think it's one of a number of copies, but it's one, which has always been regarded as being a very authentic copy of it. It's not the first time, as you know, it's come to the United States when it was handed over for safekeeping at the beginning of the war. And if I'm not right, I think it was also there in the celebration of the Bicentennial of American independence. And so, it obviously has a great place in the American people's affection for the concepts of Magna Carta, as it does for the British.

Sheryl Cannady: Do you have a connection to a Barron who was present in 1215 at Runnymede or even with King John himself?

Lord Lothian: It was a long time ago, but yes. I have a connection with King John because I am directly descended from Mary, Queen of Scots, who herself was descended from the Tudors by marriage of her grandfather, and the Tudors were directly descended from King John. And so, although it's way back, I can actually demonstrate a direct link.

Sheryl Cannady: Well, I heard you on a YouTube video talking about your background and the influence that the Scots had on the world. Can you share some of that with me, please?

Lord Lothian: In terms of the Scots, yes. I live in Scotland. I am a Scot, although I was actually an English MP. But the Scots, over the last three centuries, have had an enormous impact in terms of philosophy, in terms of the export of law, in terms of the invention of medical devices, the discovery of penicillin. When you look around this rather small country of some five million people at the top end of the British Isles, it's had a disproportionate influence on the history of the world, and it's something we can all be proud of.

Sheryl Cannady: Also, you visited the Library of Congress in June of this year. What were your impressions of the Nation's Library?

Lord Lothian: I was immensely impressed. I mean it's a very dramatic experience to be taken around as I was, around the library and to see the various aspects and elements of it. It's just the whole atmosphere created by the building, by the sculptures, by the pictures. All of that, in a sense, brings back, to someone like me who worked in Parliament where again, there was a very effective library, but the importance of record keeping of our literature, of our literary history on the way that we develop our nations now. Being there, at the Library of Congress, gave me a very strong feeling that this is very much at the heart of American democracy.

Sheryl Cannady: I understand that while you were here, you visited the American Folk Life Center, and you also had an opportunity to play a special guitar.

Lord Lothian: I did, indeed. I suppose it's a side of a misspent youth, but I play the guitar myself and I've, for long, sung American folk songs. And so, to be in that part of the library was particularly special for me, and I played the guitar, which had been played by Burl Ives, who I remember in my younger days, was a very important part of American folk history.

Sheryl Cannady: I understand you like American country music. What appeals to you about America's country music?

Lord Lothian: I think it's two things. American country music, you can almost, for a lot of it anyway, you can trace the direct link back through the Appalachians, the hillbillies, to Northern Ireland, and back from there to Scotland. And so, a lot of Scottish folk music has the same structures and same format as you and I find in American folk music. Historically, that's a fascinating development, and I love to follow that.

But equally I suppose, as a child of the 60's, I was very much taken by the development of folk music in America through the likes of Dylan and Tom Paxton and so on, and I very much followed them and sang their songs. In fact, I got to know them.

Sheryl Cannady: Well, thank you so much for an enlightening conversation. Is there anything that you would like to add about either your relationship with the Magna Carta, or its history, or what you'd like Americans to take away when they finally see, some for the first time, this important symbol of liberty and law?

Lord Lothian: I think just to see something, which 800 years ago, in what, as I said, were very dark and turbulent times in European history, that this signal of light could suddenly be produced, which has had such an effect on the way the world has developed since then. It was Winston Churchill who described it as, "a law which is above the king, and which even he must not break." And I think that was the background to its power. And certainly seeing it, in actuality, is a very moving moment for myself. Having now learned about the way in which it was handed over in 1939, I am very much looking forward to being there on the 6th of November when this handover is commemorated.

Sheryl Cannady: Well, thank you again. And again for the listeners, "Magna Carta: Muse and Mentor," will be on exhibit at the Library of Congress November 6 to January 19, 2015.

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