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## More About More

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# MORE ABOUT MORE

THE HONORABLE WILLIAM G. BASSLER\*

This article explores More himself—but which More? The lawyer, or the statesman? The scholar, or the saint?

I would like to share with you how I got to know More and even became his friend, and to suggest how you might get to know him and become his friend also.

I was introduced to More one summer while attending Red Bank Catholic High School by reading, and surely not fully understanding, his great classic of the English Renaissance: *Utopia*.<sup>1</sup> What I did not realize then was that More wrote it when he was only about thirty-nine years old, while immersed in a very demanding and successful law practice.<sup>2</sup>

The next time I met More was in a survey course of European history at St. Charles College Seminary in Catonsville, Maryland. I remember Father Tierney's observation that More's refusal to take the Oath of Supremacy<sup>3</sup> was in stark contrast to the fact that all of the English bishops (except for John Fisher) did take it. What Father Tierney did not say was that More never objected to anyone else taking the oath, leaving others to their own conscience.<sup>4</sup> In addition, while he objected to the wording of the oath, he was willing to swear to the Act of Succession as worded by Parliament after Henry VIII's marriage to Anne Boleyn.<sup>5</sup>

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\* United States District Court Judge (D.N.J.). This article is adapted from a speech delivered to the St. Thomas More Society in the Trenton Diocese of New Jersey on April 30, 2002.

<sup>1</sup> ST. THOMAS MORE, *UTOPIA* in 4 *THE COMPLETE WORKS OF ST. THOMAS MORE* 1 (Edward Surtz, S.J. & J.H. Hexter eds., Yale Univ. Press, 1965) (1516).

<sup>2</sup> See DOMINIC BAKER-SMITH, *MORE'S UTOPIA* 1, 30 (1991) (noting that More was born in London in 1478, and was a "prominent legal figure" when he wrote *Utopia* in 1516).

<sup>3</sup> See ANTHONY KENNY, *THOMAS MORE* 91 (1983) (noting that this Act of Parliament negated Papal supremacy).

<sup>4</sup> See *id.* at 95 (stating that even when More believed others' judgments to be incorrect, he preferred not to "meddle with others' consciences").

<sup>5</sup> See 9 *NEW CATHOLIC ENCYCLOPEDIA* 1136, 1139 (The Catholic Univ. of

While attending Fordham University, I came across More again, this time in the famous painting of him by Hans Holbein the Younger, which hangs in the Frick Museum on Fifth Avenue in New York City. What did not register with me at the time was that another painting, also by Holbein, hanging on the same wall, was that of Thomas Cromwell: More's nemesis<sup>6</sup> and the legal architect of the Reformation in England.<sup>7</sup>

While attending Georgetown Law School, I learned that More was the patron saint of lawyers and university students,<sup>8</sup> and as Lord Chancellor his greatest responsibility was to serve as the Chief Justice of England.<sup>9</sup> Later, More would become more real to me when I read about the nature of his caseload. Half of his cases dealt with property disputes, about fifteen percent were business-related, and the rest were of a wide assortment ranging from forgery and fraud to false imprisonment, defamation, extortion, tithes, and testamentary squabbles.<sup>10</sup> When I read this, the picture of the saint in his hair shirt was replaced with that of the judge, wearily dealing with the quotidian grist of the judicial mill. Deciding approximately 912 cases a year in his thirty-one months of office entitled him, in my mind, to be the patron saint of judges.<sup>11</sup>

As a lawyer practicing in Monmouth County, Robert Bolt's famous play, *A Man For All Seasons*,<sup>12</sup> helped me for the first time to truly appreciate More as an individual. Great literature, like great art, can often illuminate a person as well as an era.

Am. 1967).

<sup>6</sup> See *id.* at 1139 (stating that "various attempts were made by Thomas Cromwell, the King's . . . minister, to implicate [More] in treasonable activities").

<sup>7</sup> See G.R. ELTON, *POLICY AND POLICE: THE ENFORCEMENT OF THE REFORMATION IN THE AGE OF THOMAS CROMWELL* 1 (1972).

<sup>8</sup> See William R. Burleigh, *Homily at Red Mass: St. Mary's Church, Evansville, Indiana: May 5, 1994*, 36 CATH. LAW. 389, 400 (1996) (stating that "[s]aint Thomas More, the patron saint of lawyers . . . invites all of us, but especially the sworn members of the bar, to lives of faith and learning, to unflinching protection of our precious legal heritage, and to the principled heroism that led Thomas More to a martyr's death").

<sup>9</sup> See SIR JOHN R. O'CONNELL, *SAINT THOMAS MORE*, 105-07 (1935).

<sup>10</sup> *Id.* at 116-19.

<sup>11</sup> See 9 NEW CATHOLIC ENCYCLOPEDIA, *supra* note 5, at 1139 (observing that more than 4,000 cases tried during More's tenure are on file in the public record office).

<sup>12</sup> ROBERT BOLT, *A MAN FOR ALL SEASONS: A PLAY IN TWO ACTS* (1st ed. Vintage Int'l 1990) (1960).

Bolt, a non-Catholic, tells us that he selected Thomas More as “a hero of selfhood” and “a man with an adamant sense of his own self.”<sup>13</sup> It would be much later before criticism of More became fashionable. A more troubling and tortured More would come to light in the revisionist biography by Richard Marius.<sup>14</sup>

Despite my earlier contact with him, it was not until I was a judge that I really became acquainted with More. I started preparing for my first speech about him and I was overwhelmed by the volume of what More had written and the volume of what had been written about More. His complete works, published by Yale University Press, total fourteen volumes.

As to reading about More, I randomly chose several biographies. I came across a book by the Reverend T.E. Bridgett entitled *The Wit and Wisdom of Blessed Thomas More*,<sup>15</sup> published after his beatification by Pope Leo XIII in 1868 and obviously before his canonization by Pius XI in 1935.

I also came across a book written by Judith Jones, published in 1979.<sup>16</sup> From her I learned that More’s other literary contribution to the English Renaissance was his *History of Richard III*. I was surprised to discover that it became the basis for Shakespeare’s play *Richard III*,<sup>17</sup> and that it has been considered significant in the development of modern history, biography, and drama.<sup>18</sup>

I did not get to Richard Marius’s lengthy revisionist biography<sup>19</sup> because I ran out of time, and I stayed away from the biography by William Roper, More’s son-in-law, feeling it to be more hagiographical than historical.<sup>20</sup> They are, however,

<sup>13</sup> *Id.* at xii, xiv.

<sup>14</sup> See RICHARD MARIUS, *THOMAS MORE: A BIOGRAPHY* xxiv (1984) (claiming that More was a “complex, haunted and not altogether admirable man” with many contradictions in his character and experience).

<sup>15</sup> THOMAS E. BRIDGETT, *THE WISDOM AND WIT OF BLESSED THOMAS MORE* (Rev. T.E. Bridgett ed., 1892).

<sup>16</sup> See JUDITH P. JONES, *THOMAS MORE* (Arthur F. Kinney ed., 1979).

<sup>17</sup> See ST. THOMAS MORE, *THE HISTORY OF KING RICHARD III AND SELECTIONS FROM THE ENGLISH AND LATIN POEMS* xii (Richard S. Sylvester ed., Yale Univ. Press 1976).

<sup>18</sup> See GEORGE RICHARD POTTER, *SIR THOMAS MORE (1478-1538)* 125 (1925) (“noting that experts are agreed . . . that [More] has powerfully influenced every history written since *The History of King Richard III*”).

<sup>19</sup> See RICHARD MARIUS, *THOMAS MORE: A BIOGRAPHY* (1984).

<sup>20</sup> See generally WILLIAM ROPER, *THE LYFE OF SIR THOMAS MORE, KNIGHTE* (James Mason Cline ed., The Swallow Press 1950) (1626). In a note to the contemporary reader, the editor mentioned that Roper chose, of all More’s

both on my reading list. Instead, I relied on a very readable and brief work by Louis L. Martz: *Thomas More, The Search for the Inner Man*.<sup>21</sup> At the time of writing the book, Martz was Sterling Professor Emeritus of English at Yale University, as well as Chairman of the Editorial Committee of the Yale Edition of the *Complete Works of St. Thomas More*. Martz' book serves as a rebuttal to the critical evaluation in Marius' biography.

I want to mention two other recent biographies that will also help you to acquaint yourself with More. One is by Gerard B. Wegemer entitled *A Portrait of Courage*,<sup>22</sup> and the other is by Peter Ackroyd.<sup>23</sup> The Ackroyd biography is a literary work in itself and has been highly acclaimed.

There are several interesting "fun facts," as I call them, about More. For example: that in *Utopia* the laws were simple and few,<sup>24</sup> every man was expected to plead his own cause and no lawyers were allowed;<sup>25</sup> that More did not find the study of law all that interesting, and because of his early desire to devote himself to Greek literature and philosophy he upset his father, who treated him as a disinherited son for a time.<sup>26</sup> Further, what really amazed me was that More's erudition was such that he was asked to give a series of public lectures on St. Augustine's difficult (and for me impenetrable) thousand-page book, *The City of God*.<sup>27</sup> More was only twenty-three years old!

From another facet of More's character, I found two vignettes very touching. One was from his adolescence and the other from his marriage.<sup>28</sup> In a poem he wrote later in his life he reflected upon his first experience of adolescent love for a young girl named Elizabeth. He wrote:

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qualities, to memorialize only his goodness and saint-like nature. *Id.* at 87.

<sup>21</sup> LOUIS L. MARTZ, *THOMAS MORE: THE SEARCH FOR THE INNER MAN* (1990).

<sup>22</sup> GERARD B. WEGEMER, *THOMAS MORE: A PORTRAIT OF COURAGE* (3d prtg. 1998).

<sup>23</sup> PETER ACKROYD, *THE LIFE OF THOMAS MORE* (1998).

<sup>24</sup> See SIR THOMAS MORE, *UTOPIA* 63 (Robert M. Adams ed. & trans., 2d ed. 1992) (1516).

<sup>25</sup> See *id.*

<sup>26</sup> See ACKROYD, *supra* note 23, at 53–54.

<sup>27</sup> ST. AUGUSTINE, *CITY OF GOD* (Gerard G. Walsh et al. trans., Vernon J. Bourke ed., Image Books 1958) (1950).

<sup>28</sup> In 1505, at the age of 26, More wed Jane Colt. See ACKROYD, *supra* note 23, at 118. In 1511, at the mere age of 22, Colt died of unknown causes. See *id.* at 141. That same year, More subsequently married Alice Middleton, a wealthy heiress from a prominent family. See *id.* at 118, 141, 143–44.

I was helpless, as though stunned by a lightning-stroke, when I gazed and continued to gaze upon your face. . . . Thus did your beauty take me captive. . . [overcome by] the stirrings of adolescence and the ardor which accompanies the approach of manhood . . . .

On this account a chaperone was imposed upon us, and a door strong enough to thwart our very destiny kept apart a pair whom the stars wished to bring together.<sup>29</sup>

More later records a lively exchange with his wife. The argument with Alice had something to do about positions of authority. Alice scolded More for his lack of ambition:

What will you do since you do not wish to put yourself forth as other folk do?

Will you still sit by the fire and make designs in the ashes with a stick as children do? Would God I were a man—look what I would do!

Why, wife what would you do?

What? By God go forward with the best! Because, as my mother liked to say—God have mercy on her soul—it is always better to rule than to be ruled. And, therefore, by God, I would never be so foolish as to be ruled when I might rule. Here I must say that you have said the truth, because I never found you willing to be ruled yet.<sup>30</sup>

Recently, I revisited Holbein's painting of More at the Frick Museum. I urge you to do the same. Holbein was noted for capturing the essence of the person he was painting. I think More's personality and character are best measured in this painting and the sketches that Holbein made of More and More's family, rather than in his vicious polemic against heretics and in his role, willing as it was, as Chancellor enforcing the laws against heresy.

I mentioned earlier that I became a friend of More. I did that literally by joining an organization called *Amici Thomae*

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<sup>29</sup> *He Expresses His Joy at Finding Safe and Sound Her Whom He Had Loved as a Mere Boy*, in ST. THOMAS MORE: THE HISTORY OF KING RICHARD III AND SELECTIONS FROM THE ENGLISH AND LATIN POEMS, *supra* note 17, at 158–59.

<sup>30</sup> WEGEMER, *supra* note 22, at 32 n.21.

*Mori*.<sup>31</sup> It meets periodically, publishes articles, and presents symposia about More around the world. There is also a scholarly publication about More and the Renaissance, called *Moreana*.<sup>32</sup>

In closing, let me return to the questions that keep recurring. How is it that More did what he did? How was he able to follow the dictates of his conscience even to the point of death itself? How could he refuse to take the Oath of Supremacy when almost all of England was taking it? How could he endure the loneliness and isolation of the Tower of London for well over a year, all the while knowing and fearing the penalty for treason—not beheading by the way—but evisceration and hanging? I have left out the gory details, but they can be found in Ackroyd’s biography.<sup>33</sup> King Henry VIII actually commuted the sentence to beheading.<sup>34</sup>

To answer the question of how More had the courage of his convictions, I suggest we turn to another picture, not one painted by Holbein, or by anyone, but by my mind’s eye. The picture is that of More alone at prayer in the family chapel in what was called the “New Building,” which he constructed at some distance from the main house for study and meditation.<sup>35</sup>

More was a man of prayer. Until the time of his imprisonment in the Tower of London he started each day with private prayer, study, and Mass.<sup>36</sup> As More himself wrote:

“It is necessary for a man to choose himself some secret, solitary place in his own house as far from noise and company as he conveniently can, and there let him some time secretly resort alone imagining himself as one going out of the world.”<sup>37</sup>

Prayer marked his life from the beginning to the end. Before More was a man of courage, he was a man of prayer.

Does not the picture of More at prayer have something to say to us today? I think the greatest temptation for us as professionals so absorbed in our daily work is to lose sight of

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<sup>31</sup> See *Amici Thomae Mori*, at <http://www.apostles.com/amica.html> (last visited Oct. 15, 2002) (describing briefly the international organization).

<sup>32</sup> See, e.g., 61 *MOREANA* (1989).

<sup>33</sup> See ACKROYD, *supra* note 23, at 359–83.

<sup>34</sup> See *id.* at 403.

<sup>35</sup> See MARIUS, *supra* note 14, at 230–31 (describing how More spent his time reading and noting that some evidence shows that perhaps the “New Building” was bought already built, rather than built by More himself).

<sup>36</sup> See ACKROYD, *supra* note 23, at 112–17.

<sup>37</sup> See *id.* at 249 n.5.

what is truly important in our lives. Would not the quality of our life, to say nothing about the life of our soul, improve by finding our own secret, solitary place for prayer and meditation?

I believe that if we were to follow More's example of steadfast prayer alone in some quiet place, that we too will have the wisdom to discover our true values and our real convictions and the courage to defend them.

