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### Recommended Citation

Joseph T. Tinnelly, C.M. (2016) "A Statue to St. Thomas More," *The Catholic Lawyer*: Vol. 13 : No. 1 , Article 3.  
Available at: <https://scholarship.law.stjohns.edu/tcl/vol13/iss1/3>

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# A STATUE TO ST. THOMAS MORE

JOSEPH T. TINNELLY, C.M.\*

**A** STATUE OF St. Thomas More will soon be erected in London near Chelsea Old Church where the More family worshipped.

In a remarkable demonstration of the ecumenical spirit now pervading the world, men and women of every faith and no faith are demonstrating by material contributions to a commemorative fund their respect and admiration of the man who once held the highest judicial post in England.

The proposal has been commended by both the Archbishop of Canterbury and the Cardinal Archbishop of Westminster. Under the Presidency of The Right Hon. Earl Cadogan, M.C., D.L. and the Chairmanship of Sir Arthur Richmond, C.B.E., the Sir Thomas More Commemorative Statue Appeal Committee has been established to raise the £10,000 necessary for the erection of the statue. Among the earliest contributions was a gift from Pope Paul VI of £1,000.

The enthusiastic reception which greeted the announcement of the Commemorative Statue Appeal demonstrates the influence which St. Thomas More still exerts, despite his long removal in time from our present age.

More than three hundred years have passed since Thomas More himself was elevated to a position high above a London crowd. At ten o'clock on the morning of July 6, 1535, there ascended a scaffold on Tower Hill a man, old beyond his years, with bedraggled beard, and face pallid by months of prison life. He laid his head upon a block already bloodied by predecessors in martyrdom. While the

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crowd held its breath as the appointed signal was given, the executioner raised his ax high in the air, hesitated for an instant, and then brought it down on the bare, defenseless neck with a sharp decisive blow.

Sir Thomas More was dead. At the time it seemed unlikely that any memorial to his memory would ever be erected in the city he had loved so dearly, other than his head which was raised on a pike on London Bridge. Even that reminder to passers-by of the royal ingratitude to one who had served his country and his king so well was soon removed to make room for other grisly object lessons.<sup>1</sup>

With the removal from his path of this major obstacle to his domination of the Church, as well as the civil government of England, Henry VIII moved quickly. Monasteries were appropriated, monks evicted, inmates of charitable institutions scattered abroad, the legacy of the poor squandered, revenues seized by covetous nobles, sacrileges committed, the Mass suppressed, the very name "Roman Catholic" made an epithet of ridicule and scorn. Thus, for three hundred years, a long winter of suffering and martyrdom lay upon the Church in England while the old hatred of popery and the papacy turned first to contempt, and finally to pitying tolerance. And then appeared that wonderful miracle which Cardinal Newman has called "The Second Spring": the resurrection of the Church in England, the restoration of the Catholic hierarchy, the renewal of Catholic life in all its fullness. Thus was it possible on the

three hundredth anniversary of the death of Thomas More for a delegation of English lawyers to carry to Rome a petition for his canonization.

The eminence to which the memory of St. Thomas More has been elevated, not only by his co-religionists, but also by his successors on the bench and at the bar, was made apparent on the morning of July 24, 1957.

In beautiful Westminster Cathedral, the new center of Catholic life in England, at the invitation of the Archbishop of Westminster and in the presence of the Apostolic Nuncio, hundreds of American and British lawyers, Catholic and non-Catholic, knelt side by side to ask God's blessing in the traditional Red Mass. An hour later, in nearby Westminster Hall, those same members of the bar and their colleagues assembled for the first session of the London meeting of the American Bar Association.

The proceedings have been eloquently described by the *London Times*:

As Big Ben sounded eleven, the procession of judges robed in scarlet, and the law lords in mantles of black and gold, made their way from the lobby corridor down the 14 red-carpeted stairs to their positions on the dais.

With due ceremonial and appropriate regard for precedence they came, the Lord Chancellor, a resplendent figure, bringing up the rear. The robes of the Lord Chief Justice, who preceded him, appeared dull beside the brilliance of the Lord Chancellor's apparel, the gold of which scintillated in the brightly lit hall.<sup>2</sup>

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<sup>1</sup> See Goulder, *Thomas More's London*, 13 CATHOLIC LAW. 8 (1967).

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<sup>2</sup> The Times (London), July 25, 1957, p. 6.

As Viscount Kilmuir rose to speak, the power and dignity of his office were manifest. The Lord Chancellor of Great Britain! Keeper of the king's conscience! Keeper of the great seal! Superior in point of precedence to every temporal lord! As the Chancellor spoke, he recalled the great events of history which the Great Hall of Westminster Abbey had witnessed. He recalled many of the characters who made history in that Hall:

Those venerable walls have echoed the voice of the famous judges and pleaders whose names are as much of a household word to you as to us. St. Thomas More, one of the greatest and certainly *the best of my predecessors*, whenever he came to this hall made a typically graceful gesture. His father was puisne judge of the King's Bench and St. Thomas More, on his way to take his seat as Lord Chancellor, always stopped at his father's court and bowed.<sup>3</sup>

The solid education which began in the palace of Cardinal Morton and continued at Oxford earned for Thomas More a well-deserved reputation as one of the leading scholars of his age. Learned in Greek and Latin, in philosophy and theology, novelist, biographer, playwright, he also turned his talents to the use of the Church in polemical writings and assisted King Henry VIII to prepare the *Treatise on the Seven Sacraments* which earned for that monarch the title of *Defender of the Faith*.

As a lawyer, Thomas More soon won such fame that his counsel was sought by men of substance, by the merchants of London and finally by the king himself.

It has been suggested that the young More was a skillful politician. "Both his father's and grandfather's posts (Judge of King's Bench and Sheriff of London, respectively) were in the class that would be called today political patronage and More was to all intents and purposes born on the public payroll."<sup>4</sup>

His appointment as Commissioner of Sewers may well have been of this nature, but upon his election as a Burgess of Parliament, he demonstrated that his political instincts were subordinated to his sense of justice. When King Henry VII asked for a sum of £90,000 upon the occasion of his eldest daughter's wedding, Thomas More led the opposition in Parliament which reduced the sum by almost two-thirds. Whereupon, we are told by More's biographer, Roper, "the King conceived great indignation towards him, and could not be satisfied until he had some way revenged it. And, forasmuch as he, nothing having, nothing could lose, his Grace devised a causeless quarrel against his father, keeping him in the Tower until he had made him pay to him a hundred pounds fine."

With the accession of Henry VIII, More's star began to rise. As ambassador to Flanders, negotiator of the Peace of Cambrai, and counselor at the famous meeting on the Field of the Cloth of Gold, Thomas More's talents as a statesman were brilliantly manifest. As Under Treasurer and Speaker of the House of Commons, he demonstrated his fairness in the midst of bitter controversy.

<sup>3</sup> 43 A.B.A.J. 887 (1957).

<sup>4</sup> McDonald, *St. Thomas More—Lawyer and Politician*, 1 CATHOLIC LAW. 121 (1955).

But Thomas More reached the climax of his public career when he was appointed Chancellor. The problems of the new Chancellor sound familiar to modern ears. So congested was the business of the court of Chancery that the calendar was from twelve to twenty years behind. Sir Thomas thereupon applied to the business of Chancery his extremely rapid and singularly clear mind and in a matter of two years, upon the termination of a certain case, he was gratified to learn that there remained no man or matter to be heard.

Today's lawyers and judges, concerned with the joinder of law and equity, can sympathize with a Chancellor whose duties obliged him to issue injunctions staying the execution of law and thus irritating the judges of the king's law courts. In a peculiarly modern manner, this 16th century Chancellor soothed injured feelings by inviting the judges to dinner, and then, in an informal discussion, persuaded them that in each instance justice had required that the rigors of the law be reformed and mitigated.

The private and family life of Thomas More may well serve as a model for the average lawyer and judge. He was a married man with all the cares of a husband and father. He knew the financial worries of a young attorney supporting a family on a limited income as well as those of a successful member of the bar whose income has suddenly been cut off. His first wife died at an early age, and he experienced the difficulties attendant upon a second marriage with all its necessary

adjustments for husband, wife and children. Away from home in the service of the king, he suffered the pangs of homesickness and carried with him letters from his children of which he was justly proud, much as a modern father carries in his wallet a photograph of his family.

And when his refusal to recognize King Henry VIII as Supreme Head of the Church of England caused him to be committed to the Tower, Sir Thomas More most regretted not the loss of position, or fame, or wealth, but only the separation from his loved ones.

The sanctity of St. Thomas More was marked by the virtue of prudence. He did not seek martyrdom, he did not presume rashly upon his courage, but when events made his execution inevitable, he went to his death calmly and bravely.

Here then is a model for the Catholic lawyer of the common-law tradition. Would that we might emulate the virtues of St. Sir Thomas More. Would that we might be as holy, as brave, as learned, as temperate, as just, as kind as he.

But if we cannot hope to match the eminent holiness of the great lawyer-Chancellor-saint, we can at least look to him and his life for guidance in our private and professional cares and difficulties. We may even now seek his intercession for our spiritual and temporal needs.

As a tribute to our affection for this saintly and scholarly statesman, as well as a reminder to generations of lawyers yet unborn of the integrity of one who

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deemed himself, "The king's good servant, but God's servant first," we who labor in the tradition of the common law must deem it a happy duty to contribute

generously to the memorial fund. Thus upon a new and lasting platform may England and all the world look up literally as well as figuratively to a permanent reminder that sanctity and eminence in the law are eternally compatible.