

Washington University Law Review

Volume 1950 | Issue 1

1950

The Seven Lamps of the Law

Leonard W. Brockington

Follow this and additional works at: https://openscholarship.wustl.edu/law_lawreview



Part of the [Jurisprudence Commons](#)

Recommended Citation

Leonard W. Brockington, *The Seven Lamps of the Law*, 1950 WASH. U. L. Q. 001 (1950).

Available at: https://openscholarship.wustl.edu/law_lawreview/vol1950/iss1/6

This Tyrell Williams Memorial Lecture is brought to you for free and open access by the Law School at Washington University Open Scholarship. It has been accepted for inclusion in Washington University Law Review by an authorized administrator of Washington University Open Scholarship. For more information, please contact digital@wumail.wustl.edu.

WASHINGTON UNIVERSITY LAW QUARTERLY

Volume 1950

WINTER, 1950

Number 1

THE SEVEN LAMPS OF THE LAW

BY HON. LEONARD W. BROCKINGTON, K.C.†

The Tyrrell Williams Memorial Lectureship was established in the School of Law of Washington University by alumni of the school in 1949, to honor the memory of a well-loved alumnus and faculty member whose connection with and service to the school extended over the period 1898-1947. The inaugural lecture was delivered by Leonard W. Brockington, K. C., on March 23, 1949. The article which follows contains the substance of Mr. Brockington's address.

It is a hackneyed truth that we live in a world of unrest. In that world there is no greater need than war against all that debases, diminishes, hinders and degrades mankind, protection for all that raises mankind, fortifies and ennobles it. We can agree with the French philosopher that the test of every religion, political, legal or educational system is the man which it forms. If a system, he says, injures the intelligence it is bad; if it injures the character it is vicious; if it injures the conscience it is criminal. Upon us as lawyers there is no greater duty than a continuing restatement of the strength of Justice, the recalling of the faith and ideals of the best men who busied themselves with the works of the law, a tracing of the lineaments of its nobility, a marking of the foundations of its majesty. The great men of the law have ever shown dignity in the doing and nobility in the motive. The best men of our brotherhood have been wise guides and brave citizens. The brief of the best lawyers at their best has always been liberty. If they have taken up the arms of their calling in the forum of their vitality, they have taken them up as warriors in a good cause and not as assassins in a bad cause. There have always been men of our profession who could

† Member of the Bar of Canada.

think in terms of society itself. The paths of their duty, and it has been a stern duty, have been lit by what Bacon once called "The gladsome light of jurisprudence."

The most eloquent of those who have spoken of our profession have often talked of the law as though it were a great building, a temple, a house of many mansions. A house in whose gardens flow the streams that fertilize the mercies and purify and cleanse the conscience of mankind. Perhaps you recall as I do some of the deathless words of Daniel Webster, "Justice, Sir, is the great interest of man on earth. It is the ligament which holds civilized beings and civilized nations together. Wherever her temple stands, and so long as it is duly honoured, there is a foundation for social security, general happiness, and the improvement and progress of our race. And whoever labors on this edifice with usefulness and distinction, whoever clears its foundations, strengthens its pillars, adorns its entablatures, or contributes to raise its august dome still higher in the skies, connects himself, in name, and fame, and character, with that which is and must be as durable as the frame of human society."

And so today I am going to try what may be a foolish experiment. And I hope that you who, in this place, are taught the grave solemnity of facts, the ruthless cogency of logic, the strict science of law, will forgive me if I seem to be more concerned with heads in the clouds than I am with feet on the earth. For after all sentiment is one of the great forces of the world and the most momentous fact can be insignificant without it.

In the summer of the first year when I myself attended the university, I spent my holiday in a little village in the English lake district, which echoes to all men who seek freedom and love beauty, the organ voice of Wordsworth, walking his own green hills, and the sweet accents of Coleridge minting the treasure of his lyric gold and weaving the tapestry of his philosophy. In the sequestered village where I stayed was the grave of a great man. I spent many hours in its quiet churchyard. The name of the man who rested in its shade was John Ruskin. The theories of economics which he preached were perhaps wise before his time. His art criticism is no doubt laughed at by the apostles of the raucousness and blatancy of modernity. But he was a great master of our speech, a preacher and teacher of inspiration and ideals, a profound philosopher of the justification

of God's ways to man and of man's ways to God. On his tombstone were worked the symbols which formed the title of one of his great books, "The Seven Lamps of Architecture." In that book he taught that every building of man's hands which deserves to resist the rusts and ravages of time was lit by seven lamps, exalted by seven spirits. And the lamps were the lamps of Beauty, of Sacrifice, of Life, of Power, of Truth, of Memory, and of Obedience.

And because the law has so often been likened to a temple, or a shrine, or a noble edifice which like St. Peter's, or St. Paul's, or the Lincoln Memorial dominates the surrounding scene, I am going to ask you to consider with me whether its structure too can be said to be lit by these Seven Lamps, and vital with these Seven Spirits.

And first of the Lamp of Beauty. I suppose the cynical layman who so often mocks us would laugh if it were suggested to him that the Law has a dower and a heritage of beauty.

And yet the gradual struggle of mankind from brutish ways to the bright horizons of civilization, his primeval yearning for peace and order and justice, the evolution of the moral commandment and of the punishment for him who transgresses it, the framing of the tables of the law, the removal of the jungles of anarchy from the highways of human progress, all these are part of the heritage of sheer beauty.

And consider the structure of the great body of law itself, its symmetry, its proportion, its unity, the complexity of its simplicity, the simplicity of its complexity. How often do men talk of the majesty of the law? And it is true, is it not, that Beauty, unity and simplicity are God's plan and order is Heaven's best law?

I read a notable American book the other day in which the author remarked on Blackstone's enthusiasm for the proportioned beauty of the common law, and how in the pursuing of his theme he ever had in mind the rich harmony of the English countryside with its Gothic churches, its dividing hedgerows, its ordered husbandry, its coloured counties.

Beauty in Blackstone's mind represented "the attempt to recover some of the orderliness that must have existed in God's original plan for the universe—in the very concept of Law."

The notion of order and clarity was the touchstone of his idea of Beauty.

And I know of few lives more touched with beauty than the lives of the men who helped to build the temple, who in Daniel Webster's words cleared the foundations, strengthened the pillars, and raised the dome higher to the skies; the lives and works of the great lawgivers, the prophets, of Solon, of Lycurgus, of Blackstone and of Marshall.

And what beauty of speech and sublimity of thought have marked the passionate advocacy of the great law reformers. The Emperor Augustus, said Brougham, boasted that he found Rome of brick and left it of marble.

How much nobler will be the pride of that sovereign who can find it in him to say that he found law dear and left it cheap, found it a sealed book and left it a living letter, found it the patrimony of the rich and left it the inheritance of the poor, found it the two-edged sword of craft and oppression and left it the staff of honesty and the shield of innocence.

And let us remember too the beauty of the great dedications of great advocates to great causes. I commend to you all the life of the great Scottish advocate Erskine, written by a member of the Bar of America. Within its covers is some of the noblest eloquence that ever defied the powers of tyranny and justified the unchained liberty of man.

And no book, British or American, concerned with the many facets of the jewelled beauty of the law would fail to recall the loveliness of the devotion of Seward to the highest ideals of our profession. You recall his defence of Freeman, the insane Negro murderer, undertaken amid the execrations of his neighbours. You will remember these words:

In due time, gentlemen of the jury, when I shall have paid the debt of nature, my remains will rest here in your midst with those of my kindred and my neighbours. It is very possible they may be unhonoured, neglected, spurned. But perhaps, years hence, when the passion and excitement which now agitate this community shall have passed away, some wandering stranger, some lone exile, some Indian, some Negro, may erect over them a humble stone and thereon this epitaph—"He was faithful."

And if the strength, order and simplicity are a part of beauty,

then no words of man are more sublime than the commands of a just law stark and unadorned.

May I be pardoned a digression?

There is no more romantic English spot, less unchanged by the passing years, than the green fields and the little island of Runnymede, in the County of Surrey. During the late years I saw many an American soldier resting from his warfare, lingering in that pleasant place. There in 1215 resolute men seized from a reluctant king the rights which have been expanded by continuing sacrifice and eternal vigilance into our modern ideas of liberty and justice. The ancient Thames still flows as gently as of old past the world's most famous meadow. The king of England from his tower in Windsor Castle has always before his eyes the scene of his ancestor's submission to the voice of the people. Nearby is one of the battlefields of the Wars of the Roses and only a little distance away is the country church-yard where Gray recorded the short and simple annals of the poor and paid his tribute to that man whom you and we have always delighted to honour,

The Village Hampden that with dauntless breast
The little tyrant of his fields withstood.

Historians, will, I suppose, always differ about the exact meaning of Magna Carta. It may not have said what is meant, but Americans and Britons who loved freedom and determined to win it have taken care that it meant what they believed it said. And just as some great symphony, like the Fifth Symphony of Beethoven, has come to mean for succeeding generations of men, in their sorrows and in their joys, something more vitally human and humane than the composer perhaps ever intended, so Magna Carta has come to be almost the first wellspring of Anglo-Saxon freedom from which we, of the British Commonwealth, and you, of the United States of America, draw the waters by which men live.

Two of its sentences throughout the ages have stirred the hearts of freedom-loving men like the sound of a trumpet

No free man shall be taken, or imprisoned, or dispossessed, or outlawed, or banished, or in any way destroyed, nor will we go upon him nor send upon him, except by the legal judgment of his peers or the law of the land. To no one will we sell, to no one will we deny or delay justice or right.

That too is lit with the lamp of beauty.

Of the Power of the Law, of the Lamp of Power which illumines its Temple, it is almost unnecessary to speak.

Wherever conscience cleanses the thoughts and deeds of men, wherever the Voice of God is heard above the crash of thunder, or in the secret places of a man's heart, there is the power of the Law.

I remember a message sent by the British troops to their American comrades on their entry into the First Great War. They welcomed them in the struggle to cleanse the world from the law of force and to set up in its place the force of law.

Those things have not yet come to pass, but if we and our sons are resolute, the world will yet see the herdsman's dream a reality, and the fulfillment of "the secret scriptures of the poor." Do you remember when Paris was charged with the awarding of the golden apple to the most fair? Before he was enchanted by the promises and ensnared by the spells of Aphrodite, Pallas Athene, the Goddess of Wisdom, offered him this gift:

Self-Reverence, Self-knowledge, Self-control,
 These three alone lead life to sovereign Power,
 Yet not for Power alone—Power of itself would come
 uncalled for,
 But to live the law we live by without fear
 Were wisdom in the scorn of consequence.

The commandment, the conscience, the sanction, the penance, the repentance—these are the insignia of power, the armoury of the law.

And if you ask me for authorities, I cite no cases, but I call to witness two great men with wisdom in their hearts, and the grace of words upon their lips. First an Englishman of the 17th Century, a kinsman of those whose faith and patience and courage founded this American nation. In Hooker's Ecclesiastical Polity you will find these words which I would choose as the inscription to be emblazoned on the walls of every school of law:

Of law no less can be acknowledged than that her seat is the bosom of God, her voice the harmony of the world. All things in heaven and earth do her homage, the very least as feeling her care, and the greatest as not exempted from her power.

And the other evidence which I shall call is the testimony of a man who ennobled our calling with words that will sound in the

hearts of free men as long as the commandments of God and the discipline of mankind stand between civilization and oblivion. These are the words of Mr. Justice Holmes:

When I think of the law as we know her in the courthouse and the market, she seems to me a woman sitting by the wayside, beneath whose overshadowing hood every man shall see the countenance of his deserts or needs. The timid and over-borne gain heart from her protecting smile. Fair combatants, manfully standing to their rights, see her keeping the lists with the stern and discriminating eye of even justice. The wretch who has defied her most sacred commands, and has thought to creep through ways where she was not, finds that his path ends with her, and beholds beneath her hood the inexorable face of death.

And next of the Lamp of Life.

Law is of the essence of Life. It is one of the most vital things in the world. It has marked every milestone of man's pilgrimage. Its bare precepts perhaps have seemed dead or cold or lifeless as the desk's dry wood.

But every law is a reflection of man's life and needs. It has been truly said that when we look at the corpus of the law, we see in a magic mirror not only our lives but all lives that have been. And many of our greatest and our best have breathed life into its tablets and its pages. If it has seemed to some men in some ages a mummy of antiquity, or but the bare bones of some dead science, there has always arisen a genius to give it a new life and a new meaning. Could it not be said of Blackstone, of Mansfield, of Marshall, of Holmes, that they clothed the law with life, colour and complexion, that they embraced what may sometime seem the cold statue of justice and by their touch it grew into youth, health and beauty?

And if that can be said of the body of the law, can it not be said of its practice and its use that they touch the life of man at every point of the compass of his being?

Whatever men do and feel, their loves, their hopes, their fears, their passions, their daily round of common tasks, are all part of the substance of the law. Their drama is the law's drama. The mysteries of the human heart are so often unfolded before the lawyer and the law.

The notation of the human heart is the law's notation. Wherever Nemesis overtakes the arrogant, wherever the mighty are put down from their seats, wherever mercy comes to bless him

who gives and him who takes, wherever there is a presumption in favour of the accused, protection for the innocent, there too is the law working in the midst of men.

And if these things are true of the application of law to the every-day life of mankind, no less is law a most vital element in the structure of our western world,

For Law and Liberty, these two, the one the bones and the sinews, the other the blood and glowing flesh and senses are the body of our Western civilization. Out of this interaction and union arises the possibility of progress.

Of sacrifice and of its Lamp, let me remind you simply that Sacrifice means the making holy, by devotion, by dedication, by self-denial. It is a word that is sometimes used lightly and has so often been degraded in the usage. No word should be used to mean the death of a hero and also the loss of profit on the sale of a second-hand car. But I wish it to mean to you the giving of what is precious, whether it be of life or of labour.

I do not need to tell you of the martyrs of the law, of the men who gave their lives that great principles might be established forever, of men who thought always of the quest and the cause, and not of the wage and the reward.

And it is surely a heartening occupation to summon up before our inward eye the great army of patient judges, of humble scholars, of inspired lawgivers, of honest lawmakers, of passionate advocates of liberty, of careful architects of free institutions, who gave all that was most precious in their keeping, to make good laws live for the peace and justice of mankind. And as we think of the men who went before us, we will remember that all old work was hard work, and the old workmen always did their utmost. Whether they worked the wonder of wood or the glory of gold, or the primeval strength of the law, they worked with sacrifice that their labours might last. Let us hear what John Ruskin says:

It is the far sight, the quiet and confident patience, that, above all other attributes, separate man from man, and near him to his Maker; and there is no action nor art, whose majesty we may not measure by this test. Therefore, when we build, let us think that we build for ever. Let it not be for present delight, nor for present use alone; let it be such work as our descendants will thank us for, and let us

think, as we lay stone on stone, that a time is to come when those stones will be held sacred because our hands have touched them, and that men will say as they look upon the labour and wrought substance of them: "See! This our Fathers did for us."

You who live in this university famous throughout the world for the great men it has given to science, know how brightly the Lamp of Truth shines in your midst. And Truth with its search, its discovery and its proclamation is the guiding spirit of the law.

With the astronomer and his telescope, the scientist and his microscope, the philosopher and his thought, the saint with his revelation, stands the lawyer with his quest, sits the judge with his patience. Each of us, however humble we may be, is a companion in the quest and the adventure.

We often talk of the science of law. And I believe that at its best the study of law and its practice do take upon themselves something of the virtues of the true scientist. I have often thought these virtues to be unremitting toil, the taking of no fact for granted until it is proved, the determination to seek conclusions and not to jump at them, a passion for truth, and a humility in the presence of the vast unplumbed ocean of knowledge. I have often read of the ocean of the law, and many of our brethren surveying the province of knowledge have felt like Sir Isaac Newton when he said that during his life he had been like a boy picking up shells on the sea-shore while ever before him stretched the undiscovered ocean of truth.

And I have always reevred the fine saying of the German philosopher Lessing:

If God held enclosed in His right hand all truth, and in His left simply the ever-moving impulse towards the truth, although with the condition that I should eternally err, and said to me, "Choose!" I should humbly bow before His left hand, and say, "Father, give! Pure truth is for Thee alone."

And if these be the best qualities of us who search, the very concept of law makes us the servants of truth. For Law at its noblest is the clear statement of Divine truth, of moral truth, of social truth. Its most familiar request is for the truth, the whole truth, and nothing but the truth, and for the help of God in its telling. Its verdicts are the best manifestations of the truth at which honest men can arrive.

In spite of the ingenuity of the pleader, simple truth is its utmost skill,

For Justice shines by its own Light,
It is truth in action and without it wisdom is impossible.

And every lawyer, like every scientific enquirer, knows that time which ravages everything else is powerless against Truth.

There still remain shining the Lamps of Memory and Obedience—two of the brightest of the Lights that throw their radiance over the Temple of Justice.

The Lamp of Memory has a long wick, its oil is precious, our love has fed its gleam.

By its rays, we can read the history of mankind, the utter patience of those who wended their way from the sowing to the reaping. Its light shows the path of the blood, the sweat, the toil, the tears of the men great and humble who built our Temple. As we read by its glow, we can see these words, in salutation of the humble, that remind us of the praise of the great:

Let us now praise famous men,
Men of little showing,
For their work continueth,
Yes their work continueth
Far beyond their knowing.

Wise and good men have often said that the true memorial of those we honour is not in stone or bronze however imperishable it may be. It is in the hearts of men. Those whom we honour do not die when they are visited by our proud thoughts. Who doubts that the teacher of this University whom you honour today lives once again as a good companion in our midst?

And just as we recall the names of men who fashioned famous laws, or made great codes, or handed down memorable judgments, or fixed great principles, so Law itself is the tradition of man's progress. It is itself the memory of man made real, continuous and living on the records of his moral and social progress.

It is as the rugged, wise Samuel Johnson once said, "the last result of human wisdom acting upon human experience."

The law is at once old and young. It changes to meet the needs and consciences and mercies of mankind. But the soil in which its Temple stands is sacred soil. The reverence for its venerable traditions endures forever. The Lamp of Memory is

the light of the Law. Of the workmen whose devoted skills built the great European cathedrals to the glory of God, John Ruskin wrote these words:

Victory, wealth, authority, happiness—all have departed, though bought by many a bitter sacrifice. But of them, and their life and their toil upon the earth, one reward, one evidence, is left to us in those gray heaps of deep-wrought stone. They have taken with them to the grave their powers, their honours, and their errors; but they have left us their adoration.

I have left, as Ruskin did, the Lamp of Obedience until the last. And there is even more reason to do so for a lawyer than for an architect.

For without obedience there would be no Law, no Society, no Civilization. May I give you a personal reminiscence? I first went to Britain in war-time during the dark days of the German onslaught on London. What, I asked the wisest Englishman I know, had impressed him most in London when the soul of man remained immortal in the little battered streets. "The thing that impressed me most," he said, "and I made many enquiries to establish its truth, was that as far as I can learn, even when the bombs were falling, and all around was confusion, fire and death, no taxi-cab man broke a traffic bylaw." I have often thought of that answer.

You and I think these traffic ordinances perhaps the smallest and sometimes the most contemptible of laws. But the little man serving the people who trusted him, knew that every law is a contract for obedience made between a man and his neighbours. He knew also that when the heavens were falling, observance of his law and obedience to it, marked the path of duty, and the only hope of finding order amidst the wreck and clamour of chaos.

Obedience to the Law is the end and beginning of life and liberty. The Lamp of Obedience is the brightest of all the Lamps that shine in our Temple.

The noblest word, in the catalogue of social virtues said Ruskin, is loyalty. By this he means obedience to the Law.

The sweetest word which men have learnt in the pastures of the wilderness is fold. By this he means the gathering of men together in peace beneath the benediction of wise laws and gentle governance. Liberty, Obedience and Law are the mystic trinity of our civilized being.

Sitting once more in memory in the quiet churchyard where in my boyhood I read poetry in the shadow of the high hills, may I sound for you the words with which John Ruskin begins his chapter on the Lamp of Obedience, and with which I end my talk to you:

If there be any one principle more widely than another confessed by every utterance, or more sternly than another imprinted on every atom of the visible creation, that principle is not Liberty, but Law.

The enthusiast would reply that by Liberty he meant the Law of Liberty. Then why use the single and misunderstood word? If by liberty you mean chastisement of the passions, discipline of the intellect, subjection of the will; if you mean the fear of inflicting, the shame of committing, a wrong; if you mean respect for all who are in authority, and consideration for all who are in dependence; veneration for the good, mercy to the evil, sympathy with the weak; if you mean watchfulness over all thoughts, temperance in all pleasures, and perseverance in all toils; if you mean, in a word, that Service which is defined in the liturgy of the English church to be perfect Freedom, why do you name this by the same word by which the luxurious mean license, and the reckless mean change; by which the rogue means rapine, and the fool, equality, by which the proud mean anarchy, and the malignant mean violence? Call it by any name rather than this, but its best and truest, is Obedience.