Magna Carta, 1776 and All That

By Matthew W Barzun

at the British Library
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MATTHEW W BARZUN has been America’s ambassador to the UK since 2013. In post, he has established innovative ways to engage with British audiences, especially young people. Previously, he served as U.S. Ambassador to Sweden from 2009-2011. Ambassador Barzun was a pioneer in the early days of the internet, becoming the fourth employee of CNET Networks in 1993 and working there until 2004 in a variety of roles including Chief Strategy Officer and Executive Vice President. Before the President’s election in 2008, Ambassador Barzun was among the first to join Barack Obama’s National Finance Committee where he produced the first $25 per-person fundraiser. President Obama selected him as National Finance Chair for his 2012 re-election campaign. Ambassador Barzun has served on the boards of many non-profits focused on education, public policy, and interfaith relations. He lives in London with his wife, three children, and their dog, Lincoln, and Kentucky remains his home.
Magna Carta, 1776 and All That

What an honour it is for me to give the Douglas W Bryant Lecture, especially on its 20th anniversary.

What Roly didn’t say about Doug Bryant was that he lived in the Massachusetts town right next to where I grew up. My hometown is Lincoln – not very well known in these parts or in America for that matter. Mr Bryant’s hometown, on the other hand, is known by every American schoolchild, and perhaps some of you have heard of it as well. It’s called Lexington, and was where – when American revolutionaries could see the whites of certain red-clad soldiers’ eyes – the first shots were fired in a long-ago war. Just an interesting fact.

And I’ll quickly mention another one in the spirit of balance. This year is also the anniversary – the 200th – of the end of the War of 1812. That was the one when those red-clad soldiers took some revenge and burned down a certain white house.

I want to thank the teams at the British Library and the Eccles Centre for American Studies for organizing such a great event.

I’m disappointed, though, that my good friend Sir Robert Worcester – chair of the [Magna Carta’s] 800th Anniversary Committee – is unable to join us. Bob (he insists I call him Bob) is, as most of you know, a renowned market researcher and recently collected some interesting data given our subject tonight. His firm questioned 17,000 adults across 23 countries to gauge awareness of Magna Carta. The country with the highest percentage of people saying they’d heard of it was, unsurprisingly, the UK at 79 percent. Then it was the US on 65 percent. So we came in second. Or first if you don’t count the home country. But do you know who was last, with just six percent of people saying they’d heard of Magna Carta? Six percent? Want to guess? I’ll tell you: the French. Just another interesting fact.

OK. As we approach the June anniversary of Magna Carta’s sealing, I sense that we’re at that point in the commemorations when everything’s been said, just not everyone’s said it. So I hope you indulge me as I try something a little different.
Now it’s true that Magna Carta’s influence on America has been immense. My own great x10 grandfather, John Winthrop – who in 1630 left England for a new life in the New World, in a city he named Boston – knew that a stable society was built on a fundamental law. And as Governor of Massachusetts he called for a law that was ‘in resemblance to a Magna Charta.’ So it began even before we were a country. And we invoked the spirit of Magna Carta when we declared independence from this country, and turned to it when we built our new country. First, as each former colony wrote their state constitutions, and then as the founding fathers drafted our federal constitution bringing those disparate states together in union.

Magna Carta has since been cited in more than 100 Supreme Court opinions. In fact, the Court’s monumental doors show a depiction – cast in bronze – of King John sealing Magna Carta at Runnymede. This is all wonderfully heady stuff.

But I want to look at Magna Carta’s legacy in a slightly different way. And I’m going to do it by reference to another creation we imported from Britain: whisky.

At the beginning of the War of Independence then–General George Washington was concerned that his troops didn’t have enough liquor. He actually suggested that public distilleries be constructed throughout the states because ‘the benefits arising from the moderate use of strong liquor have been experienced in all armies and are not to be disputed’. So it could be said that if the ideals of independence were fuelled by Magna Carta, the fight for independence was fuelled by whisky.

But I turn to whisky not to extol its military merits. Nor to get dragged into a debate about the relative merits of American and British version – I am a diplomat after all. And much less to attempt to resolve the dispute of whether you spell it with or without an ‘e’. Rather, I think that the method of producing whisky – regardless of what side of the Atlantic it’s done – can be a helpful model for thinking about how the principles enshrined in Magna Carta, liberty and the rule of law, have guided our nations and our pursuit of a more peaceful, more just world.

Too often, it’s tempting to imagine that these principles were sealed in parchment forever in 1215 and handed down like a recipe. Or neatly
packaged as a product and sent out for export – like a ready-made powder transported across oceans with the label: ‘Just add water.’ But that’s not at all how the history of Magna Carta transpired. And it’s not at all how whisky is made – not how the grain gets to the glass. So bear with me here. There are three stages to producing whisky.

First, fermentation. Combine whatever grains you find wherever you are, yeast, and water to form what’s called a mash, and let it all bubble up. Stop here and you get: beer.

For something stronger you have to go to step two. That is distillation – a refining process where you throw things out in pursuit of something cleaner and stronger. Stop here and you get: vodka.

The final step is maturation. Time is a part of it, yes. But not just time. It’s time in a barrel, the liquid expanding and contracting in and out of the wood. That’s what gives the distinct colour, complexity, and character to whisky.

So, just like with whisky, the first step in the process towards realizing liberty and the rule of law – the ‘fermentation’ if you will – started with the raw materials. Because if we take a hard look at whether the heady ideals we now associate with Magna Carta are what it was all about back in 1215, the clear answer is no. Eight hundred years ago, it was all pretty earthy stuff. In its original form it is a confusing, bubbling soup – the mash if you will – of fermenting anger, distrust, hope, faith, belief, passion, rights, and wrongs.

Magna Carta is not a theoretical tract. First and foremost it is a practical document conceding concrete remedies for real, daily abuses. The fishweirs, the scutage, the escheats, the disafforestation of the 1215 Magna Carta became the beer, so to speak – and perhaps a very bitter one – that would much later yield something of greater character. The legal scholar A E Dick Howard reminds us of this in his book on Magna Carta. How we find ourselves today saying things like ‘as it says in Chapter 39 of Magna Carta’ as though it had been written in nicely ordered chapters by authors conscious of compiling a ‘great work’. In fact, back then there were no chapters, nor even the name Magna Carta; that all came later.
And as we see with the 1297 version held at the National Archives in Washington DC and the many other iterations, Magna Carta evolved over the years. Many times it was ripped up and re-written. It was a living document – and the different interpretations over time reveal the early fermentation that would eventually result in the principles we hold so dear.

So now let’s fast forward past the Renaissance and early Enlightenment to 1776, by which time the fermentation process was very far along indeed, due in part to the masterful cooking of England’s great jurist, Sir Edward Coke. And in America the raw ingredients had grown with new grievances.

Foremost among them, the American colonists wanted to be subject to the rule of law – not subjects of an arbitrary power. They wanted to be full British citizens. Now, in case you think this is the American Ambassador trying to paper over a rebellious power grab, I’ll call in a primary resource to try to prove my point. Here’s what Thomas Jefferson wrote in a letter to John Randolph in 1775:

There is not in the British Empire a man who more cordially loves a union with Great Britain than I do. But by the God that made me, I will cease to exist before I yield to a connection on such terms as the British Parliament proposes.

Jefferson and his peers wanted to be endowed with the same rights and liberties flowing from Magna Carta as their cousins across the Atlantic. They wanted a return to the rights guaranteed to British citizens, which our founding fathers considered themselves to be.

And as such – just as with Magna Carta – the Declaration of Independence Jefferson drafted just a few months after he wrote that letter, was not only a statement of high ideals, but a list of specific grievances. Or, as the drafters, put it: ‘A history of repeated injuries and usurpations’, which were recorded and accompanied with a demand for remedy.

Indeed, the list of George III’s injustices in the Declaration of July 1776 – as the historian Ralph Turner points out – echoes provisions of Magna Carta.
And the over-riding theme of the colonists’ complaint was the failure of the King and Parliament to adhere to the concept first set out in Magna Carta. The precept that a Sovereign – be it a monarch or a republican government – is bound by the law in dealing with its people. And thus, the Declaration decried the King’s ‘establishment of an absolute tyranny over these states’.

Now back to our metaphor for a moment. While the fermentation process is long and fitful, the distillation process is fast and intense. And much is left behind in the bargain. So it was when the flame of revolution was applied. Once independence was won, it was from Magna Carta that the new nation sought inspiration and guidance. Not only in specific principles of constitutional law, but also the larger ideals associated with the Charter as a whole.

The fledgling country staggered through years with the inadequate Articles of Confederation before the heroic Philadelphia convention of 1787. And when those principles of liberty and the rule of law were consummated in a ratified constitution, the mash had been fully distilled to its core principles. The distillation process was complete. But maturity was still far off.

Our ability to live these principles has ever since undergone periods of expansion and contraction. We have had to struggle over how to interpret them. The first test was over taxes – surprise, surprise – and took place in 1791. There was a revolt in the Western lands during George Washington’s presidency. Why? Because Treasury Secretary Alexander Hamilton had imposed a tax on a certain product to help pay off the new nation’s war debt. Does anyone know what that product was? You guessed it: whisky.

And we’ve had to struggle constantly over the question: ‘Who do these principles apply to?’ The United States, of course, despite having thrown off the yoke of Royal tyranny, entrenched its own form. We had slavery: an officially – and legally – sanctioned system of repression, suppression and oppression. A brutal and violent tyranny over millions and a legacy that lives with us to this day; note recent events in Ferguson, Missouri, and Baltimore.

We Americans, of course, adore the tales and legends associated with the Revolution, such as Paul Revere’s ride and the Boston Tea Party. But just as the War of Independence was not a rebuke of British principles, so the years since revolution have been part of the struggle to make them more universal.
Consider, for example, the first three words to the Preamble to the Constitution: ‘We the People.’ When Franklin, Jefferson and the rest wrote that, who really were ‘The People’ at that time? It was effectively ‘we the white, male, landowning people.’ Just as the references to ‘free man’ or ‘free men’ throughout Magna Carta left disenfranchised over half of England’s male population in the early 13th century.

Magna Carta, let’s not forget, was about powerful and rich guys cutting a deal with a guy who was even more powerful and wanted to be even more rich. And in America it has been a slow, bitter and often bloody battle to embrace more and more Americans in an ever-expanding circle of inclusion under the heading, ‘The People’.

It wasn’t until the 1850s – 70 or so years after the Constitutional Convention – that the last state in the union gave up the property requirement to vote – ‘we the white, male people’. We fought our civil war and slavery was abolished and then we had: ‘We the male people’. It took another 50 years after that war before we changed the law so women could vote; ‘we the people” at last. Or was it?

For most of the 20th century, we had to fight a new battle for civil rights because slavery had been replaced by a virtual apartheid in much of America. The legal right to vote had been made practically impossible across large swathes of the South. And it wasn’t until the Civil Rights and Voting Rights Acts of 1964 and ’65 that African-Americans could in any way be regarded as having secured the rights of ‘The People.’

And when we consider more deeply the wider notions of equality and opportunity under the law, it’s much later still – the in the ‘80s and ‘90s – that “The People” truly included the disabled. And only in the last decade that it’s begun to fully include LGBT communities.

So our maturation process has taken more than 200 years to get this far and, we’re still far from finished. Which is why the phrase that immediately follows ‘We the People’ in our constitution bears repeating. It’s: ‘In order to form a more perfect union.’

The founding fathers were wise enough to know the union they were creating was not perfect and never would be. President Obama has made this point
many times, sometimes channelling the words of William Faulkner: ‘The past isn’t dead and buried. In fact, it isn’t even past.’

But we still endeavour to make good on the vision of a more perfect union every day. Knowing that our experiment in self-government means that we must be humble enough to be self-critical and confident enough to self-correct. For Magna Carta’s enduring influence comes from its combination of immovable principles and adaptable structure.

We see this influence in our two countries; how about those other places beyond our shores?

Consider the conflicts and disputes in today’s hotspots around the world that make the front pages of our papers. Too readily we see only the factions and frictions; the fermenting of years of hostility and hurt and hatred. As such, we can, let’s be honest – myself very much included – get a bit high and mighty and talk only in abstract terms, in capital letters from our safe perches in capital cities.

Just as we’d rather talk about the settling stories of Boston than the very unsettling scenes of Baltimore; it can be too tempting to preach about comforting concepts like liberty than to engage in the uncomfortable complexities of Libya.

It is easy to get too dejected when democratic rumblings happen in frustrating fits and starts. That is not to say that what we see isn’t sometimes appalling. But we should probably be quicker to regard these situations with a little more recognition and understanding.

It may look like a toxic brew. But shouldn’t we consider the possibility that it is instead the beginning of a distillation process? Without such recognition, it is all too easy to throw up our hands and give up our hopes when the heady ideals don’t match the earthy realities.

The enduring truth is that as the revolutions or crises fade from the headlines what is required is often simply getting down to it: doing the hard work of cutting deals, correcting them and keeping to them. There are nations right now at the beginning of that process.
And with them in mind, we can look around ourselves at this moment, in this room, and be grateful to be farther along; mindful, as we are, that our own maturation goes on.

That’s why this year’s celebrations are so important. The endurance of Magna Carta’s principles and the process that has refined and spread them are our nations’ greatest inheritances. Our job is to uphold those values in our own nations and on the world stage.

So, as we leave here tonight and talk enthusiastically about Magna Carta and its commemoration, we are right to hold up its essence; this distillate we have developed. We are right to preach and practice these values. We are right to be heady and not just earthy. As one of my favourite British authors C S Lewis put it: ‘Aim at heaven and you will get earth thrown in. Aim at earth and you get neither.’

And so, as we mark 800 years of Magna Carta and its enduring influence, we toast the barons of 1215 – the accidental, dysfunctional, yet wonderful parents of Magna Carta; the generations after, who distilled their ideas into the cultures, customs, and constitutions we have so fortunately inherited; and we acknowledge too all those engaged today in the hard, daily grind of making good on that inheritance wherever they are, in whatever way they can.

And the spirit I toast them with is, of course, a glass of whisky. Thank you.
Question and Answer:

**Questioner:** Mr Ambassador…

**Barzun:** Please call me Matthew! A few ground rules: if you would please call me Matthew; if you wouldn’t mind saying your name and where you are from; and if you live in London but you are really from somewhere else, please tell me that somewhere else also.

[NB: The names of questioners have been omitted, but their domicile and stated place of origin are included.]

**Questioner:** I work in London but am originally from Louisiana.

**Barzun:** I’m glad I asked!

**Questioner:** Thank you for an absolutely brilliant talk which I very much enjoyed. I have a question. There is a certain amount of conversation currently here in Britain about human rights – the Human Rights Act and the possibility of a British Bill of Rights. Which values enshrined in the Magna Carta would you feel are most relevant and applicable? And I know that – in your own phrase – you are a diplomat after all!

**Barzun:** Look, it’s a great question. First off, it is not my place in this role to tell the British how they ought to decide these things; it just isn’t. My hope, and certainly the track record is, that the UK has, way back to 1215 and lots of other times since, stood up and set incredibly high standards for what we all mean when we say human rights. And I am proud that my country – our country – has also set really high standards. And I would hope those would continue. We need higher standards as we look around the world these days, not lower ones. It is one of the reasons the Transatlantic Trade and Investment Partnership is so important. I won’t bore you all with the details – you’ve all read about this. The critics are out there saying why it is such a bad idea. We think it is a really good idea from the United States’ point of view. And one of the reasons is that it is setting – between Europe and the United States – really high standards on things like environmental standards, labour standards, consumer product safety standards; all of these important high standards that don’t come for free the way that everyone else practises business around the world. We have a chance to set those at a high level.

**Questioner:** Matthew – if I must! I am very much from London, apart from a year at prep school in Broomfield Hills, Michigan, fifty years ago.
**Barzun:** Where Mitt Romney went?

**Questioner:** Absolutely; Cranbrook. As I reminded him when he was over here trying to find money! He was two years senior to me. Anyway, that is not the point. If we can speculate, a hypothetical question: if there hadn’t been a Magna Carta, would there ever have been a 1776?

**Barzun:** Oh gosh, you are good! That’s mean! That is really good. Michael – who is from my team and is here tonight – and I were debating a related but different question today. I don’t know... what do you guys think? [Laughter.] It’s hard to imagine. I mean on many levels it feels necessary. Maybe not sufficient, but it feels like a necessary condition to have created where we are today. So I’ll go out on a limb and say yes we needed Magna Carta to be where we are today. Absolutely!

**Questioner:** I live in London and am originally from southern California. It’s nice to see so many of us here from the cultural sector. Just out of curiosity – because so many of us have been gone a long time – regarding what you were talking about with Baltimore and those different sorts of activities that are sadly happening now, do you feel things have got to get worse before they are going to get better, or that there is a solution coming to deal with this? Because it is really sad.

**Barzun:** It is sad. I talked about Baltimore because that is what we’ve all seen most recently. If it had been six months ago we may have been talking about Ferguson. If it had been four months ago we might have been talking about New York City. If it had been five months ago, it might have been Cleveland, Ohio... do you want me to keep going?! And here is what President Obama said. He said this is not a New York problem, or a Baltimore, Maryland problem. This is an American problem. And any of you who have lived in America, if you’ve lived in communities of colour in America, you would be the first to raise your hand and say this is not new. The past is not even the past. You just haven’t been reading about it. And by the way I think it’s really important that journalists from the United States and outside of the United States have been able to cover this in a powerful way. It is important for how we become self-correcting; criticism is centrally important.

Roly had mentioned just now that I have been to 75 sixth form colleges around the United Kingdom – that’s 7,500 kids. We have 100 at a time and we start with them doing some multiple-choice questions, using clickers.
Just as an example, one of them is: ‘Do you think America is too involved around the world, not involved enough or getting it just about right?’ And the answer, if you averaged them all together, is that around 66% say we are too involved around the world.

But for me the more interesting point about the presentation isn’t the clickers. I give them a blank piece of paper and an Embassy pencil [audience laughter]. Yes, they are thrilled with the Embassy pencil. Budget times are tough! Anyway, they get a pencil and I say please draw me a picture or write a word of something that frustrates or concerns you about the United States and what we are up to. And we compiled them all and we made a giant word cloud. Do you know what those are? The word that occurs most is really big, and the other ones are medium, and the ones that are only mentioned a few times are small. And so we combined all these thousands of words into a word cloud; picture it here … And there is one giant word. Can you guess what it is? Yes – guns. You almost can’t see the other words. Guns is the big one.

But recently, since Ferguson and since Baltimore, you see a related concept emerge. Guns still dominates; but then you start to see issues around Ferguson and Baltimore start to come up. The point is that these kids have a view on our foreign policy, as you might expect. But they also watch what goes on domestically in the U.S really closely. They really care about this too.

And what President Obama is trying to do and what I tell the kids is this. I don’t try to paper over it. I think we’ve got to own it as that is how we get better. But to put it in perspective there are other things you don’t read about: the successful community policing models in cities around the United States where it is working. It’s hard work. It’s daily work. It is not perfect. But the men and women in law enforcement are working with those communities that they are sworn to protect and serve to do the job. And that is working in a lot of places in America. So it’s about how do we take it from the places where it is working and move it to places where it is so painfully – for all of us, but for the people there most importantly – where it is so clearly broken down. That is the hard work ahead.

**Question:** Matthew, I’m originally from Kuala Lumpur, as you were insisting on full disclosure...

**Barzun:** Thank you for playing along!
**Question:** I am one of those rare Englishmen to have been Most Valuable Player at football at Harvard...

**Barzun:** For real?

**Question:** Well rugby football is certainly for real. And Harvard School in Los Angeles is certainly a very fine prep school; now married with a girls’ school...

**Barzun:** I walked right into that one!

**Question:** … But I could have taken your 100 bucks first! Anyway, I’ve been for many years a trustee of the Globe Theatre in London where the best-selling fridge magnet reads, ‘Let’s kill all the lawyers’, from Henry VI. Is there a natural progression from Magna Carta, through 1776, to the micromanagement of American life by lawyers? And is that a benign trend or is there something that needs to be done about it?

**Barzun:** As with our first question, I often have to give the disclaimer, ‘As a diplomat, comma…’ This one requires, ‘As the son of a lawyer, and my younger brother is a law professor at the University of Virginia, where Dick Howard, who I mentioned is his mentor…’ So I say that with lots of love! And we’ll soon be welcoming like a thousand lawyers to our place on the lawn of Winfield House: the American Bar Association. Nobody loves Magna Carta more than American lawyers! I am not just saying that. I am going to be seeing them, so I’m working on lawyer jokes. Can I borrow your fridge magnet one?!

I think it is a really important point. There is actually a great book called The Death of Common Sense by a New York lawyer named Phil Howard. I don’t know if you have read his book, but I am going to pick on the French! Barzun is a French surname, so I am French and English American.

Howard has an over-simplified but powerful theory that gets at what you’re saying. His view is there are two ways of approaching the problem: the English way and the French way. The English way is to set a few principles clearly and simply and then figure it out common law style along the way. And the French way – this is the people who brought you the Encyclopedia – comes from ‘You’ve got to write everything down and figure it out in advance’. And he is calling for a more English approach on how to do things.

You know, lawyer jokes can be funny. I plan to tell a lot of them in June and I hope they get a laugh. But this gets at a larger issue that I think is troubling. It is fun to mock our system of laws and to say it is so litigious.
But isn’t it so much better that we figure things out that way, than that we shoot each other in the streets? Just like it can be so easy to pick on these institutions the British and the Americans built up since World War II – the UN, the World Bank, the IMF, the WTO and I could keep going. You can get cynical and say, ‘Well, this is just some alphabet soup of bureaucracy.’ And there is an element of truth to that. Anyone who’s worked in institutions knows they can be frustrating. But I think we need to be careful about our language and our attitude towards those institutions that we built. And we need to re-invest in them and to celebrate the men and women who do those hard jobs and encourage them to do them even better. And do that with love and not with cynicism.

**Question:** I’m sitting next to a young man here and I wonder if you could advise him if he wants to be president of the United States or prime minister of Great Britain, how he should set about preparing himself to take that role?

**Barzun:** And where are you from, Sir?

**Question:** I am from Scotland. And I can go into that in great depths, but I won’t.

**Barzun:** Where in Scotland?

**Questioner:** The only place: St Andrews! You go out on the left hand side with a draw and you come back on the left hand side with a draw and you get round in 71.

**Barzun:** I just got back from St Andrews.

**Questioner:** What was your score?

**Barzun:** Well, I think I got a little bit of credit from Louise [Richardson] who is running [as Vice-Chancellor] the university up there and who is wonderful. I have to be careful but I think I was one of the few Americans in my job who’ve come up there and didn’t play golf! I just came up to meet the students. So, is that really your question?

**Questioner:** Yes.

**Barzun:** Well, I guess citizenship is important. [Laughter.] I won’t go into that one...! But I think it builds on the question before. You know, we need to be careful about the language we use and how we talk about our elected officials. And they can be frustrating and annoying and we get to vote...
against them, or vote for them. But let’s be careful of the rhetoric that we use.

But as for public service broadly defined, I think my first suggestion is don’t shoot for the absolute top job. I look at President Obama, who is my boss and who I love to work for, and what he started out doing was community organising in Chicago. In a place nobody had heard of and nobody really cared about or wrote about. But it had real problems and he went there to help them.

**Question:** I’m from the other place in Scotland, originally: Edinburgh! Then via working in Washington for a little while and living in Virginia; back here now running The American magazine. Now in my day job I talk to Americans and Brits all the time. Your numbers about who knows about Magna Carta were interesting and I think probably right. I think more Brits know about it but I think more Americans are excited by it. Brits tend to say, ‘Yeah, that’s history, we know about that…’ It seems to be more alive to Americans and I wondered if you thought it still was distilling more in America than it is here?

**Barzun:** I haven’t thought about it in those terms. Maybe it’s because we wrote down our constitution and we re-open it – sometimes in painful ways. Like I said, from the 1860s, the 1960s, this is a document we keep going back to. Think about LGBT rights. Seven out of ten Americans today live in a state that recognises marriage equality. Just ten years ago when I got involved in politics, if you put marriage equality on the ballot in a given state it could determine presidential elections and not in the way of inclusivity, if I can put it that way. So we’re used to referring back to these words a lot and maybe that’s part of why we like it so much.

**Question:** Hello. I teach at the University of Leicester where we are all dining out on Richard III at the moment – over his grave. But I was born above the Pizza Express just down the road in Soho. I wondered: those elements of Magna Carta and 1776 and all that you’ve just been discussing this evening, are they are a globally applicable good or should we be hesitant in applying them worldwide?

**Barzun:** I think we should be absolutely applying them and that was what I was trying to get at with the whisky analogy. Applying them with a lot of knowledge, and understanding, and humility and self-criticism as we do it so that we don’t fall into the ‘Just add water’ trap of ‘This is easy, it’s just big abstractions, go for it’. Instead we really need to own the fact that this was complicated. That’s what you see in a lot of places around the world
today. A little of progress one day, and then some steps back. Warring factions, people that hate each other, that is what fuelled Magna Carta. It was people who really disagreed. It doesn’t come out of harmony. So if we think about the struggles countries are going through – and I don’t mean to minimise them in any way – we need to engage, and we have to engage long after they have gone from the front page, to page sixteen, to not even mentioned in the newspapers at all. Because that’s when the hard, unglamorous work begins. Supporting the rule of law, and actually making it work is hard, hard work that doesn’t make for interesting news stories. But great Britons and Americans are good at it and are willing to go and help out in these places and we ought to encourage that, I think.

**Questioner:** I’m a Londoner, born and bred. I worked for the United Nations in New York and lived there for a number of years. I’d like to ask you – and perhaps the last question has some relevance – does the United States now realise that you can’t export democracy to far off lands?

**Barzun:** So, this is a really big one. My wonderful grandfather, who died at 104 was a guy named Jacques Barzun and he was a Provost at Columbia University and a great historian. European history was his main focus but he wrote, I think, 42 books and a bunch of pamphlets. And after he died my father, who was his literary executor, was sorting through all his stuff and he found this pamphlet called, ‘Is Democratic Theory for Export?’

So, he has an answer to that, which is not the US government position. [Laughter.] But what he says in that pamphlet is that if you think of democratic theory like a recipe, then no. We can get into a lot of trouble if we think it’s, ‘Just add water.’ Or even if we go – because we are all getting good at writing longer lists – do X, do Y, do Z and get specific about it. He talks about how wildly different the United Kingdom is from the United States. With all these different cultures, you get to a level of abstraction if you want to make them all similar. However he says it does reduce to a theorem – not a theory – and the theorem is that given all the other things out there, giving people a say in their own government is a good thing. So, yes in that sense, I absolutely believe that. We ought to be encouraging that in every way possible while being really open to the variety of different ways that it will take shape, and how it will take shape. And we have to be a little bit aware not to get prescriptive and say ‘Do it just like this...’

**Questioner:** I am German by background but I consider London my home. I am very happy here in London. And my question is – because you have mentioned human rights quite a number of times now – how do you define
human rights? Do you see human rights as political rights or civil rights? Or do you see, like for example the Chinese, human rights as economic rights – that everybody should be housed, fed and clothed. What do you think?

Barzun: I think other people have raised human rights more than I did. I mean I didn’t use that phrase in my remarks. It’s a really important set of terms with, depending on who you are talking to, a capital H capital R, or not. You can go back to our colleague from the United Nations and universal declarations of those rights. You can get into some questions of definition. Take for example internet governance, a major issue here with the UK having a key role, along with the United States and Germany. If you are not careful about the wording it can mean that everyone is entitled to get free internet. We often say an ‘open and free internet’, meaning free as in uncensored by governments. But another interpretation would be free as in without charge. So I think how you define the terms is really important. And I’m really proud that the US – and the UK by the way – we stick up for these things and we speak up for these things.

President Obama put it well. He was addressing the General Assembly of the United Nations two years ago. And he was defining what US policy goals were and he said look at our core interests – it is dangerous to paraphrase my president because he chooses his words beautifully and carefully. But he basically said we’ve got some core interests which include keeping ourselves safe from terrorists who are trying to kill us and, by the way, the free flow of oil around the world. Because even if we are getting more and more self-sufficient, a giant spike in the oil prices could drag our friends and allies back into global situations and create global instability which would not be good for anyone. So we have these narrow interests and in the course of pursuing those narrow, important and core interests we will work with governments who help us on counter-terrorism and who can help us on the free flow of energy around the planet. And he said, I know that that leaves us open to accusations of double-standards or hypocrisy. You can imagine – I won’t list them – countries we deal with very much for those reasons, who we don’t agree with at all on women’s rights, gay rights and human rights, generally. We talk about those disagreements we have and we continue to work with them on a narrow sphere. And he ends it by pointing to all our work around the world that isn’t just on those narrow issues. His point is we ought to be judged by the completeness of all the great work that we do.

Questioner: Hello. I am a retired US Foreign Service officer. I live in London but I’m from Cleveland, Ohio, originally. In regard to the Constitution,
there may have been an impact of Magna Carta on the formation of the Constitution. But my question is, ‘Did we get it right?’ Is the Constitution not the cause of the obvious dysfunctionality of the American government that we’ve seen over the course of the last several years, if not for all time; although I don’t want to get into the argument about whether the Constitution was a better tool for Lincoln and Roosevelt than it has been for Obama. And if I could just make a comment: I’m shocked that you quoted a statistic of 65% of Americans knowing what Magna Carta is. Did they do all the polling in Boston? [Audience laughter]. Were these the same pollsters who provided information about the British election?! Have they been out to the heartland? You know, I’m from Ohio. We like to think of ourselves in Cleveland as being easterners, but I doubt very much whether you would get ten or fifteen percent of that group... Sorry, I am sort of deviating from the main question, but I just find that shocking!

Barzun: Well, it’s all relevant! And thank you. It’s great to have you here as a Foreign Service officer in this session. So, home now for me is Louisville, Kentucky, which proudly does not consider itself eastern, or northeastern! I’m reminded of this often when I’m back home.

I don’t know where he did it, but it was just ‘Heard of [Magna Carta]’. One of the things I do when I talk with these kids at these sixth form colleges around the UK is to say please come to America. Yes, Orlando is amazing, New York City is amazing, and Washington is amazing. But please consider coming to places in the middle, too. Because you can learn a lot from places like Cleveland, like Louisville – these great cities where interesting things are happening – not just those eastern seaboard cities that so many people go and visit.

As you point out, our system was set up to be slow and contentious. Sometimes I say it is like rugby versus American football. If you are not familiar with American football it seems like a whole bunch of standing around: nothing, nothing, nothing and then short intense clashes. And I say that is a little bit like our political system. And you know what? It works for us. I think it does.

Now, I would say that checks and balances do make things a little bit harder. Look at Obamacare. It passed the Congress. It was done by a president. It went to the Supreme Court. It went all the way up there. Then we had a presidential election of which that was a major topic. So, it was painful. Federal income tax went through a similar thing and social
security. This is how we do it. We fight and fight and fight and people say awful things about each other. And this is not new. Go and read what Adams was saying about Jefferson and vice versa in 1800. It makes the paint peel, just like it does now. But this is what we signed up for. What we didn’t sign up for is government shut-down. That is like someone in an American football game just taking the ball and saying we’re not playing and going away. That is not OK.

I wanted to close if I could— it’s a little weird because I thought we might have drinks in our hand— but can I close with a toast? Because, I wanted to actually toast. So, as we mark 800 years of Magna Carta and the enduring influence, we toast the barons of 1215, the accidental, dysfunctional yet wonderful parents of Magna Carta. We toast the generations after who distilled their ideas into the cultures, customs and constitutions we have so fortunately inherited. And we acknowledge too all those engaged today in the hard, daily grind of making good on that inheritance wherever they are, in whatever way they can.

Cheers!
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