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Magna Charta Goes Home

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War and Peace, in Mexico City, Mexico, February 21 to March 8, 1945, as constituting an appropriate and constructive basis for a regional arrangement to maintain international peace and security in this hemisphere.

The American Bar Association further recommends that the Charter of the United Nations should specifically recognize the competence of the inter-American States, organized as the Pan-American Union, to maintain regional international peace and security, pursuant to the Act of Chapultepec and consonant agreements, provided that the Charter of the general Organization shall prevail over any inconsistent regional agreements, and subject to the right of the Security Council to intervene should the inter-American regional system arrangements fail to maintain peace and security consistent with the purposes and principles of the general United Nations Organization.

RECOMMENDATION No. 7:
AS TO FURTHER ACTION
BY THE ASSOCIATION

In addition to adopting the foregoing Definitive Recommendations the American Bar Association also submits for consideration the more detailed suggestions and recommendations which are attached to this Document, as Schedule "A," as the Charter of the Organization and the Statute of the Court.

Inasmuch as various specific provisions to implement and strengthen the Dumbarton Oaks Proposals will be drafted and made public from time to time after the sessions of the Committee of Jurists in Washington to begin April 9, 1945, as well the San Francisco Conference to open on April 25, 1945, the Association's Special Committee and the Council of the Section of International and Comparative Law are authorized and instructed to examine fully such definitive drafts, to submit and urge the views and recommendations of the American Bar Association, and to refer for the action of the Association from time to time such recommendations as the Committee and the Council may deem proper.

MAGNA CHARTA GOES HOME

With the eyes and hopes of the world centered on the London efforts to put vigor and practicality into the operation of the Charter of United Nations Organization which soon will cross the Atlantic to make its permanent home among us, there has taken place a little-heralded event which serves as stark reminder of the swift and cataclysmic changes which have overwhelmed the world within a few short years.

In 1939 another Great Charter, the Lincoln Cathedral's copy of the Magna Charta, was brought to America, to be a part of the British exhibit at the New York World's Fair. The gay and cosmopolitan "World of Tomorrow" as then envisaged stood on the meadows near Flushing, Long Island. The Nations of the world had built imposing structures and brought characteristic displays

—excepting a few who already were menacing the world's peace. Flags and flowers, lights and fountains, fascinating exhibitions of technological advance, festive mingling of the men and women of many countries, gave a carnival setting for the showing of the immortal document. There were few forebodings, and no realization of the approaching destruction of the lives, spirit and homes of many millions of people.

When Axis aggressions forced Britain into desperate war and threatened to overrun England at will, the Great Charter was left in America, for safekeeping. While in the land which produced the Declaration of Independence and the American Constitution, the spirit of the great symbol of law and liberty must have sensed many disquieting changes.

Now in mid-January, the Great Charter has been taken home, but hardly to the land it left less than seven years ago. Like much of the Inns of Court and their library, the historic House of Commons building is gone, having been levelled by bombs during the Battle of Britain. The supremacy of Parliament and the prerogatives of the individual member have also suffered, through subordination of the legislative powers to the cabinet and the Government, as trenchantly pointed out by Senator Forrest C. Donnell, elsewhere in this issue.

The Commons meets now in the great hall of the House of Lords, from which the throne has been removed, to make room for the Labor members who crowd the benches; and strange new talk of "nationalization" and "socialization" is ascendant in the debates. The rights of men and their property are hardly those which were wrested from a reluctant King at Runnymede. Meanwhile, the gallant and unconquerable Churchill, who saved for Britain and perhaps the world the heritage of freedom and made possible the Great Charter of international organization is seeking rest and solace in our country, with no place for him or his sagacious leadership in the counsels of those who, in their London sessions, are starting the UNO on its first steps towards peace, justice and law.

America is proud to have been for a time the custodian of this priceless symbol of the freedoms for which men fought and died. The true "World of Tomorrow" needs more than ever the spirit of its guaranties of justice and fair play. The enduring principles of the Great Charter should animate the administration of the new Charter which is the present hope of war-weary mankind.

—February, 1946 Issue of American Bar Association Journal.

BLAZING THE TRAIL

In "Our Supreme Court Holds" you will find the syllabus in the case of the State of North Dakota, Plaintiff and Respondent versus Frank Myers an alleged delinquent child of Mrs. Eva Myers, and Eva Myers, Defendants and Appellants. This is a trial de novo from a decision of the Juvenile Court of Cass County, and we are advised is the first trial de novo on appeal from a Juvenile Court in this state.