Loyola maintains a connection to the Middle Temple Inn of Court
By Allen E. Shoenberger
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Professor Allen E. Shoenberger has accompanied Loyola University Chicago School of Law to London on 22 comparative advocacy law programs. He has also taught at Loyola's summer study law abroad programs in Rome, Strasbourg, France, and Beijing. Before joining Loyola he taught at the University of Nairobi. At Loyola, he teaches courses in constitutional law, administrative law and Internet speech.

Although few Loyolans are aware of it, Loyola University Chicago's first law dean, William Dillon, was a member of the Middle Temple Inn of Court of London. That temple, one of four London Inns of Court, figures prominently in the history of the Americas, the American Revolution and the War of 1812. Indeed, five Middle Templars signed the Declaration of Independence and seven signed the U.S. Constitution. Each year for the last 23, Associate Dean James J. Faught has led a group of law students to London on Loyola's comparative advocacy program, which commences with several days of meetings in the Middle Temple.

In the halls of the Middle Temple, three large oil paintings depict the great figures of maritime history: Sir Francis Drake, Sir Walter Raleigh and Sir William Scott (later Lord Stowell). The first two are familiar to most Americans, the latter, Scott, a less well-known figure.

Toward the front of the great hall in the Middle Temple is a table made out of a hatch of the Golden Hind. On the Golden Hind Drake circumnavigated the world after raiding the Spanish Main. Estimates of the value of the plunder from this voyage range as high as $500 million in today's value. On the "Golden Hind table," each person initiated into membership of the Middle Temple subscribes his or her name. What is uncertain is whether Drake himself ever became a member of the Middle Temple, even in an honoris causa nature. History does record that the Middle Temple was his favorite Inn of Court and also that he was feted in a great banquet in the inn.

Raleigh was indeed a member of the Middle Temple and it is quite possible that the favoritism displayed by Drake toward the Middle Temple reflected his appreciation to his fellow world explorers gathered by Raleigh in a house not far removed from the Middle Temple.

A second Drake memento is a globe of the world dating back to 1592. This globe reflects the orders of Elizabeth I to keep as a state secret Drake's navigation of the northwest coast of the North American continent. This globe shows the northwest coast of the United States 1,500 miles west of its actual location and fails to show the islands off the northern reach of that coast. An earlier, much more accurate 1591 version of the globe was presented to Queen Elizabeth, but she had it draped with a cover reaching to the floor to conceal the nature of Drake's discoveries. It is thrilling for Loyola students to be able to see evidence of such a state secret.

When Drake returned from his circumnavigation that took three years, he was uncertain of his standing with the queen. During his world voyage a rapprochement occurred between England
and Spain. If so, he might be condemned as a pirate and hanged for his effort. Instead of landing in England, he put into port somewhere near La Rochelle, France, (and apparently off-loaded a considerable portion of the treasure so that it could be shipped surreptitiously to England). After several months, he learned it was safe to return, so he did. The queen permitted him to keep 10,000 pounds of his booty for himself, the ship's crew split 16,000 pounds among themselves and the backers of the voyage received 46 pounds for every pound they had advanced. Drake expended enormous amounts of money purchasing a great landed estate and most of the center of a small town (18 commercial buildings, included), so he certainly had far more treasure than he declared to the queen.

Drake was knighted by the queen while the Golden Hind was moored near the Middle Temple. It is reported that the queen mused, perhaps she should cut off his head, but then she handed the sword to the French ambassador to administer the ritual taps on the shoulders.

Raleigh was a member of the Middle Temple. His interests included privateering expeditions, exploration and potential settlements of land on behalf of England in the new world. He commanded one of the ships in a voyage lead by Sir William Hawkins that first transported slaves to the New World on an English ship. Raleigh inspired several failed attempts at settlement of Roanoke Island. The remaining settlers of the first attempt were taken back to England by Drake in 1586. Raleigh lost about 70,000 pounds of his own money on several such failed expeditions.

After a treason trial in 1603 ordered by James I, Raleigh was sentenced to death, but instead confined to the Tower of London for a lengthy period. Finally, he was freed for a last attempt at plunder in the Spanish Main, but when he returned empty-handed, he was finally executed in 1617. It is possible that the globe in the Middle Temple was Raleigh's globe from his tower confinement.

For 30 years, Scott was the chief judge of the High Court of Admiralty. It was his decision in the case the Fox that validated an Order in Council decreing a blockade for all of continental Europe, despite its violation of the Law of Nations. The order was justified by "the extraordinary deviation from the common exercise of hostility in the conduct of the enemy." Scott thereby justified unlawful action against neutral states such as the United States. This blockade system directly contributed to the War of 1812, a war unfortunately fought in the absence of knowledge that the offending orders in council has been repealed in June 1812.

Lastly, another member of the Middle Temple drafted the Virginia Charter including the first "bill of rights" for an English colony in North America. Sir Edwin Sandys, a Middle Templar, thereby assured the settlers "all the liberties, franchises and immunities of English subjects."