

**246TH ANNIVERSARY OF THE
BIRTH OF ROBERT BURNS**

**ADDRESS GIVEN BY
JUSTICE PAUL H. ANDERSON
MINNESOTA SUPREME COURT**

**KITCHI GAMMI CLUB
DULUTH, MINNESOTA
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It is indeed a pleasure for my wife Jan and me to be in Duluth tonight. It was here five years ago at your annual Robert Burns celebration that I was introduced to the concept of a Burns dinner. This connection has helped to enhance my Scots heritage. This enhancement can be shown by the evolution of my attire. When I first showed up at your Burns dinner, all I had was the Anderson tartan tie; the second time I came to the dinner, I had an Anderson tie and a vest; and, as you can see, tonight I am now nearly fully attired in the Scots tradition with the Anderson tartan kilt, the formal jacket, and pretty much the whole regalia.

Now I do not want to confuse you about my heritage. I am three-fourths Norwegian. But, my Anderson ancestry is Scots-Irish. I trace my roots to Paisley, Scotland. Yes, I am a lowlander, but I am proud to say that Robert Burns wrote in lowland Scots. My family has traced our ancestry back to the mid-16th century to an ancestor, William Anderson, who was executed because he practiced the Protestant religion. His son Josie was a merchant in Paisley and was a friend of John Knox. We know this from both the writings of Josie that survived and the writings of John Knox where Knox makes reference to his friend Josie and Josie's daughter.

Josie's son, Archie, was a sergeant-major in the army of King James I and marched into Ireland with the King's army in about 1603. Archie ultimately became part of the Scots settlement of the Ulster Plantation in the northern nine counties of Ireland. Archie's descendants first settled in County Tyrone just outside the city of Six Mile Cross in a place called Bauntown. If you are familiar with Leon Uris's book *Trinity*, you will remember that the hero in the book was participating in some gun running on the Great Northern Railroad and he was captured about one mile north of Six Mile Cross. Well, that's where the Great Northern Railroad crosses the back part of our Anderson ancestral farm.

Given my heritage and the possible Calvinist roots of John Knox, I do not want to confuse you. I know that Robert Burns might have been more than slightly uncomfortable in the strait-laced confines of the Scots' society known to John Knox and Josie Anderson. Burns' satirical verses such as "Holy Willie's Prayers" and his bawdy sexually-explicit folklore poems such as "Scotland" would probably not set too well with Knox. That's partly because Burns knew and related to the common man so well.

After a couple generations in County Tyrone, an Anderson ancestor moved to County Cavan and then my ancestors left Ireland from there, first settled in Galena, Illinois, and then in 1853-54 moved north to the Minnesota Territory when the land opened up after the 1851 treaty with the Indians. My ancestors settled in Eden Prairie on the west shores of what is now known as Anderson Lakes.

So, even though I am three-fourths Norwegian and my Scots has a tint of Irish in it, David* must think that my credentials are sufficient enough to lead tonight's toast to the immortal memory of Robert Burns.

The question of the hour is, what is this toast to be? I looked up the tradition. It can be humorous. But humorous Burns' toasts are rare and difficult, so a serious tribute is the general rule. Now I can do serious. The ideal length of a toast to Robert Burns is 25 minutes. Anything less would be sketchy; anything more cannot hold your interest. David has given me 15 minutes, so it will be sketchy and I hope that I hold your interest. In the toast, I am to address Burns' literary genius, his politics, his highs, his lows—as one commentator said, my purpose is to “bridge the chasm between serious intent and sparkling wit.” So here goes—or as Burns would say, “Ca Ira”—it will come.

To know and understand Robert Burns, one must know what it is to be Scots. And here I draw on James Webb's recent book about the Scots-Irish in America. James Webb is a former Secretary of the Navy and he wrote the book *Born Fighting*. Webb notes that we Scots traditionally have a strong belief in personal honor, equality, individualism. Our origins are in the Celtic tribes that the Romans could not subdue. Our ancestors' strength was also their weakness. They were tribal; their loyalties were fierce; and their loyalties flowed from the bottom up, not from the top down. This loyalty structure caused them to have some difficulty when they engaged with the Romans in battle. Hence, many of our ancestors were driven off the European continent to the British Isles, and then to

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extremities of the island to Cornwall, Wales, and Scotland. Hence comes the Hadrian Wall. Those Scots who did not die on the battlefield retreated to the hills of Scotland and from there resisted the Romans. Their resistance was so fierce that the Romans found it necessary to build a wall to keep them out of the rest of Britain.

Our ancestors trace their heritage to many different types of people. The Picts, a Celtic people; the Scot or Scotti, a powerful Irish tribe; Britons, a Celtic tribe; and the Lothians, an Anglo-German tribe. It was in large part through their tribal ethnic loyalties that our ancestors maintained their independence. This independence, however, subjected them to frequent and organized brutal attacks by the English. The attacks were designed to break the Scot spirit. But it did exactly the opposite. It bred a particular form of nationalism. Thus, our ancestors, partly out of necessity, abandoned some of their old ethnic loyalties and created a Scottish nation. The people of this nation were assertive, warlike, resilient, patriotic, and freedom-loving. Webb says that this ancestry helped promote a certain view of government—a view that the government was to promote the well-being of all—the political, moral, and equitable well-being of the whole of the full community. But government was tolerated and nurtured only as long as it did not violate moral feelings and infringe upon individual rights that the Scots believe are essential to their daily lives.

This is the cultural and ethnic crucible that formed Robert Burns. We can understand from his background that he was able to relate to the common man. He became the poet of the people—writing poems and songs that encompassed every

human emotion. These sentiments are reflected in such poems as Bruce's address at Bannockburn and also his poem on the rights of women.

To understand Robert Burns, it is also necessary to understand his times. He lived from 1759 to 1796. This was during the latter stages of the age of enlightenment. John Locke was a popular political philosopher. Locke had written his works in the 1690s after the fall of James II and the ascension of William and Mary. The fall of James II was, for the time, a relatively bloodless transfer of power and, through this transfer, Locke became convinced that the people could rule themselves. The people ruling themselves without a king was a very radical notion at the time, but also a very optimistic one. And so, as Locke opened the window of the age of enlightenment, he did so with a basically optimistic message. Montesquieu, a Frenchman, became a fan of Locke's, took his writings and developed them further, and developed the notion of separation of powers. In 1753, Montesquieu was translated into the English and in 1758, Blackstone wrote his initial treatise on the common law. Of course, this was the time of the American Revolution and the French Revolution—Thomas Paine and his rights of man. As many of you may already know, much of the revolutionary fervor of our American Revolution was fueled by Scots and Scots-Irish immigrants. The philosophy of the time is reflected, as I previously indicated, in Bruce's poem about the address at Bannockburn.

Burns lived in a time of struggle for individual freedom. The last line of Bruce's address at Bannockburn reads as follows: "So may God defend the cause of truth and liberty as He did that day. Amen." While the poem was historical in

context, it was contemporary in its message that God will defend the cause of truth and the liberty of all men as he did that day at Bannockburn. The times were tumultuous and exciting. Democracy was nescient. Democracy had not existed since the time of Greece, so there was no contemporary model. The American Revolutionary War and the democratic government that followed were a start. The American model was a grand experiment, and the powerful were afraid of it. Even Edmund Burke was afraid. Many of those who spoke up for liberty like Thomas Muir were sentenced to prison—a sentence that often was tantamount to a death sentence. The idea was that an individual could not survive for a long time in prison. Thomas Paine also was imprisoned. Robert Burns was nearly imprisoned. But he chose to speak out in a different way. He spoke out through his poetic writings. This is evidenced in his poem on the rights of women.

We Scots have a strong history of espousing the equal role of women in society. Possibly it is based on our ancient maternal goddess. There is even a rumor that some Scots these days, even here in the Duluth area, pay some homage to our maternal goddess. But in his poem on the rights of women, Burns speaks of much more than just the rights of women. He really is giving a restatement of Thomas Paine on the rights of man.

So I go to the poem. Now the first right Burns speaks of in the poem is protection. It is freedom from fear—a right which Robert Burns espouses for men, women—both men and women. Because rights bring corresponding responsibility, those with more power and privilege, such as men, have a duty to protect the less fortunate. Burns always had compassion for the downtrodden, and this extended to

the duty of all humans to respect each other and especially the more powerful to respect those with less power.

There is a second right—decorum. This is human respect—the kind of respect Burns failed to receive from the upper social classes. In the poem, there is praise for modern men who treat women in a civilized manner.

There is a third right which is admiration. This right has to do with self-esteem. It states that even kings who have everything still want to be liked. It is a normal human need for both men and women.

Then at the end comes another phrase that is cause to inspire passions—the phrase “Ah! Ca Ira.” That means “Ah! It will come.” Basically, what Burns is saying is that individual freedom will come. Although he says this in the context of the rights and majesty of woman, we can read the phrase as referencing the rights of all men and women as articulated by Thomas Paine.

Burns used the power of his words to advance the principles that he believed in. Burns survives today and continues to inspire. To make this point, I look to a speech given one year ago by United Nations Secretary General Kofi Annan. In this speech, Annan invoked the memory of Burns and he did so to inspire. Annan said:

To take just one example, Burns was born into poverty and spent his youth working on a farm. Burns’s poems dignify and illuminate the struggle faced by the vast majority of the world’s population today. Ralph Waldo Emerson once said that Burns had, and I quote

“given voice to all the experiences of common life; he has endeared the farmhouse and the cottages, patches and poverty, beans and barley, * * * hardship, the fear of debt.”

Burns has also been described as a poet of the poor, an advocate for political and social change, and an opponent of slavery, pomposity

and greed—all causes very much supported by the United Nations. *
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But it is one of Burns's most famous lines—"a man's a man for a that"—that I should like to serve as the touchstone for my remarks tonight. And in particular his prayer in the same poem—that "man to man, the world o'er, shall brothers be for a' that.

Living together is a fundamental human project—not just in towns and villages from Scotland to South Africa, but also as a single human family facing common threats and opportunities.

Thus, we can see that Burns is very relevant today.

So how do we toast the immortal memory of Robert Burns? How should this be done? We have already heard the Selkirk Grace, so that is not available. How about his poem to living life to the fullest—"Here's a Bottle"?

Here's a bottle and an honest man!
What wad ye wish for more, man?
Wha knows, before his life may end,
What his share may be o'care, man?

Then catch the moments as they fly,
And use them as ye ought, man.
Believe me happiness is shy,
And comes not aye when sought, man!

Or perhaps a poem on friendship like "Here's Looking at You"?

Here's to me and here's to you,
And if in the world
There was just us two
And I could promise that nobody knew
Would you?

Or a few lines of

O my Luve's like a red, red rose,
That's newly sprung in June;
O my Luve's like the melodie
That's sweetly play'd in tune.—

As fair art Thou, my bonnie lass,

So deep in luv am I;
And I will love thee still, my Dear,
Till a' the seas gang dry—

Till a' the seas gang dry, my Dear,
And the rocks melt wi' the sun;
I will love thee still, my Dear,
While the sands o' like shall run.—

And fare thee well, my only Luve!
And fare thee weel, a while!
And I will come again, my Luve,
Tho' it were ten thousand mile!

Or Burns' poem to prosperity when he wishes that when a mouse gets into your meal chest or girnal, the chest is so full that the mouse will leave happy? The poem is "There's Nae Luck About the Hoose."

May the best you've ever seen
Be the worst you'll ever see;
May a mouse (mouse) ne'er leave yer girnal (meal chest)
Wi' a teardrop in his eye.
May ye aye keep hale and hearty
Till ye're auld enough tae die.
May ye aye be just as happy
As I wish ye aye tae be.

Or perhaps a bawdy toast to the foolishness of men?

Here's to men of all classes
Who through lasses and glasses
Will make themselves asses!

Or another poem about toasting?

I drink to the health of another,
And the other I drink to is he
In the hope that he drinks to another,
And the other he drinks to is me.

Or perhaps again about love?

Here's to all those that I love.
Here's to all those that love me.

**And here's to all those that love those that I love,
And all those that love those that love me.**

Ah, as great as those poems may be, still I am not sure that any one of them does the job appropriately.

So why is it we celebrate Robert Burns' birthday with a Burns supper? The answer to that is that Robert Burns represents the aspirations of the common man—the ordinary mortal. He put into poetry many of our ordinary thoughts and he put into song many of our better ideas and ideals. He verbalizes our higher instincts, but he also had a sense of bawdy humor. It is significant that there are no annual Shakespeare dinners, far less Wordsworth dinners. So, how will we toast Robert Burns? Well, of course—the way it has always been done. Please stand and raise your glasses and join me in toasting the immortal memory of Robert Burns.

“To the immortal memory of Robert Burns.”