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INTRODUCTION

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This issue of the *Missouri Law Review* is dedicated to the memory of the late Senator Thomas C. Hennings, Jr. A more appropriate subject of dedication would be most difficult, perhaps impossible, to find.

Missouri has had the good fortune to have had many able Senators, and several really great ones, in its one hundred forty-one years of statehood, but none greater than Tom Hennings. Others have possessed aspects of greatness, but perhaps none before him bore the mark of greatness in so many different ways. Senator Hennings was a distinguished lawyer and legal scholar, a liberal statesman and a great champion of human liberty and the rights of all. Said the *Rhode Island Pendulum* editorially: "There was no greater champion of civil liberties in the United States than Senator Hennings." His capacity for leadership, his courage to support the right as he saw it, whatever the consequences, his eloquence and effectiveness in debate, his great knowledge of history and government, his understanding of foreign relations and world affairs, and his kindness to all with whom he associated whether in agreement or opposition, won him universal respect and admiration.

Senator Hennings' work as chairman of the Rules Committee of the Senate, and of the Judiciary Committee's Subcommittee on Constitutional Rights, marked high points in a distinguished senatorial career. And yet, before these chairmanships had been achieved, he was called by his colleagues for many important and extremely difficult tasks.

It was no accident that Senator Hennings, very early in his first term, was chosen to conduct the investigation into the campaign methods of a fellow Senator, widely considered dangerous to freedom and contrary to the basic principles of our democratic institutions, by which another Senator was defeated for reelection; and again to direct an investigation on a broader scale into the methods and practices of the same fellow Senator, contributing measurably to the latter's ultimate censure by the Senate of the United States. Senator Hennings' recognized wisdom, his skill, his great courage, and his acknowledged fairness early marked him for tasks which other Senators sought to avoid.

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Again it was no accident that a year later Senator Hennings assumed the leadership of the group in the Senate that came to the aid of the President and brought about the defeat, by a single vote, of the ill-starred Bricker amendment and thus protected from destruction important and necessary presidential powers in the field of foreign affairs. Senator Hennings' broad understanding of the basic problems involved with all of their potential dangers told him instinctively the position he should take, and his courage and capacity for leadership placed him in the forefront of this important battle, while men with less understanding of the issues, less courage, or an inclination to consider the possible political consequences, were content to await developments until pressures forced them to stand up and be counted. Of this situation, and Senator Hennings' part in it, the *New York Times* said editorially: "It is good to see courage in a room at a time when many men are timid."

Perhaps Tom Hennings, if he had his choice, would best like to be remembered for his leadership in the attack upon the problems of juvenile delinquency, and his outstanding work as chairman of the Senate Subcommittee on Constitutional Rights, with his long championship of human liberty and protection for the rights of great and small alike under the Bill of Rights of our Constitution.

It was not without ample reason that in memorial services in the United States Senate many of his colleagues recognized him as a great and skillful lawyer and paid tribute to him as the outstanding constitutional lawyer of that great deliberative body. Senator Monroney of Oklahoma characterized him as "one of the greatest constitutional lawyers who ever walked the floor of this Chamber." His basic concepts of constructive liberalism and his background of training and study in constitutional law combined to make him a natural leader in promoting and defending the ideals of freedom and democracy.

Senator Hennings was not without legitimate claim to recognition in the field of legal scholarship outside of his work in the Senate of the United States. His article entitled "Constitutional Law: The People's Right to Know," published in the *American Bar Association Journal* in July 1959, explaining the constitutional significance of the "Hennings-Moss Act," commonly referred to as the "Freedom of Information Act," which he sponsored, emphasizing his long battle against secrecy in government; and his article published in the *Missouri Law Review* in 1958 entitled "Detention and Confession: The Mallory Case," to mention only two

among numerous others, most of which dealt with civil liberties and constitutional rights, sufficiently indicate his capacity for scholarly legal writing. His successful championing of civil rights legislation in 1957, and his effective blocking of the attempt to pass crippling legislation restricting the powers of the United States Supreme Court, further attest to the breadth of the field in which he directed his efforts as well as the effectiveness of his outstanding leadership in the Senate.

Few men, either in or out of the United States Senate, have been so phenomenally successful on so broad a front and against such tremendous odds. Perhaps no man has come out of such conflict so universally respected by both co-workers and opponents as did Senator Hennings.

It is worthy of special note that many who participated in the memorial services for Senator Hennings found best expression of their profound respect for his courage and deep admiration for his accomplishments on behalf of human liberty by quoting the immortal passage from Lincoln's Gettysburg Address, "The world will little note nor long remember what we say here; but it can never forget what *he* did here."

Perhaps the most lasting memorial to Thomas C. Hennings, Jr., may not be in monuments or tablets of stone, nor yet in the glowing tributes spoken and written by his admiring contemporaries, but in the dedication to constitutional government, to equal justice for all, and to the fundamentals of human liberty inspired in the minds and hearts of those who come after him by his unmatched career of public service.