

WAR STORIES:
THE JUST WAR, MODERN
MILITARY NARRATIVES
AND MILITARY ETHICS

To Ian Walker and David Wedd, two fine teachers

CONTENTS

Acknowledgments

1. Introduction

PART 1. MORE THAN JUST WAR

2. A Just War Primer?
3. Ironizing the Just War
4. Ethical Registers
5. Command and Service
6. Performance History
7. Romanticism

PART 2. DISSONANT REVIVAL

8. Lawyers
9. Mid-Century Eclecticism
10. American Doctrines
11. From Tradition to Formula
12. Theological Context

PART 3. WAR STORIES

13. War Stories
14. Ways of War: Scott and Cooper
15. The Battlefield: *The Red Badge of Courage*
16. Irregular Warfare: *Scapegoats of Empire*
17. Espionage: *Mr. Standfast*
18. Terrorism: *The Dynamiter* and *The Secret Agent*
19. The Professional: *Colonel Blimp*
20. The Conscripts: Paul Berlin and Billy Pilgrim

21. Conclusion

22. Bibliography

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CHAPTER 1

A JUST WAR PRIMER?

Military Ethics and the Ethics of War

Military forces from the United States of America and Great Britain have been engaged in a wide spectrum of missions without interruption since the end of the Cold War. These have ranged from peace-keeping, through the denial of air-space and counter-insurgency operations, to high-intensity conflict. The collapse of the Soviet Union brought an end to the threat of massive conventional war between NATO and the Warsaw Pact and its possible escalation into devastating thermo-nuclear exchange. Ironically, the end of the Cold War also opened the door to great-power military engagement. On the one hand, the major powers no longer had to weigh quite so heavily the implications of military interventions for the wider strategic balance; on the other, the removal of Cold War constraints encouraged political and military adventurism in many parts of the world, often drawing in major powers. This enhanced level of activity and the casualties it inevitably brought promptly rekindled public and professional interest in normative aspects of war, and this concern found expression in a very marked increase in public and academic debate about the ethics of war, largely conducted in the terms of the Christian just-war tradition. The central contention of this book is that this concentration on the ethics of war, and the peculiar form it has taken, have been at the expense of serious public engagement with military ethics.

Since this distinction between military ethics and the ethics of war is neither obvious nor current, some preliminary explanation is needed. The ethics of war deals with moral, as distinct from legal or expedient justifications for resort to public force, and of the means employed once hostilities are under way. By and large, this is a view from the rear, the concern of statesmen and commanders. Military ethics, by contrast, centres on those who do the fighting, but is not limited to their behaviour when fighting. It deals with what it is to live the life of a soldier and with the moral predicaments and qualities peculiar to this profession.¹ The first is largely about putting others' lives at risk; the second, about how to comport oneself when living a life more than ordinarily at risk: 'to act wisely in spite of fear'.² The two fields overlap at many points: most obviously in that section of conventional ethics of war commonly referred to by its Latin name, the *jus in bello*, which urges combatants to employ force in a discriminating and proportionate manner. They also intersect at those points in the chain of command where a strictly legal order offends the conscience of a subordinate or where passion, style or sheer force of personality confounds hierarchy. But the intersection is not of like with like, because each field is premised on a different idea of the nature and setting of war.

In the just-war tradition war is seen as an act of state intended to achieve justice following the commission of wrongs that cannot otherwise be dealt with because

¹ . In using 'soldier' to refer to combatants in all services (and none) I mean no disrespect to sailors or airmen. 'Warrior' seems too grandiose and 'combatant' too bloodless and legalistic. Using the masculine to include the feminine is not simply atavism, but a recognition that it has for the most part been men who have been the most active participants in armed combat.

² . Tim O'Brien, *Going After Cacciato* ([1978] Flamingo: London, 1988) 82.

they have been committed by sovereigns who decline to acknowledge any superior temporal authority. The central question for the head of state is under what circumstances it may be right to order the use of lethal force against an enemy. For many Christians, war is nested within larger stories than those of merely setting earthly things to rights. Theologians have traditionally discussed war under the heading of charity, or non-erotic love, which for Christians is the greatest of three so-called theological virtues. Embedded in a narrative of the loving use of force, war may be viewed as an instrument in the working out of Divine Providence, the expression in historical time of the ultimate redemptive purpose of God.

In recent secular variants of the just-war tradition the story has been more modest, though seldom more modestly expressed. National survival or liberation has replaced redemption at its core, with the implication that some universal value attaches peculiarly to the principles embodied in the institutions and public life of the nation concerned. This quasi-Hegelianism has perhaps never been stated more overtly than by Francis Lieber, author of United States General Order 100 (the 1863 'Lieber Code') who claimed, in 1838, that 'the state stands incalculably above the individual, is worthy of every sacrifice, of life, and goods, of wife and children, for it is the society of societies, the sacred union by which

the creator leads man to civilization, the bond, the pacifier, the humanizer, of men, the protector of all undertakings...³

Soldiers have fought for many reasons, but they have not always been bound by faith, ideology or loyalty to the polity for which they fight. They have not always understood, let alone adopted the narratives of their commanders. Armies have typically comprised a miscellany of more or less willing men brought together by one or more of chance, duty, custom, self-esteem, coercion and the prospect of gain or glory. Their moral concerns and predicaments have generally been far from identical with those of the power for which they fight. Robert Graves, in his memoir of trench warfare on the Western Front during the First World War, recalls that he and his fellow officers 'all agreed that regimental pride remained the strongest moral force that kept a battalion going as an effective fighting unit, contrasting it particularly with patriotism and religion'.⁴

Besides, life for the soldier has seldom been one of continuous fighting. Even when it has extended over a long period, war has generally been punctuated by lulls between campaigns, formal truces and other periods of respite. Typically, campaigns and even wars have been episodes in a military life. Not uncommonly, such a life has been lived without much in the way of combat, though always in readiness. Military ethics therefore embraces questions shared

³ . Francis Lieber, *Manual of Political Ethics* (2 vols. Boston and London, 1838-9) vol.1, 180/1, quoted by C. B. Robson, 'Francis Lieber's Theories of Society, Government, and Liberty' *Journal of Politics* 4:2 (1942) 237.

⁴ . Robert Graves, *Goodbye to All That* ([1929] London: Penguin 1960) 196.

with the ethics of war, such as the treatment of prisoners, but extends also to the cultivation of military virtues, such as courage and honour, over a lifetime, to the forms and purposes of military training and drill, and to what may loosely be termed military bearing, the last of which may seem to lie outside the moral realm and have little direct connection with war. So while the most pressing issue for military ethics may be how to live a good life, even in the heat of battle, this is conjoined with a less urgent but no less important concern about what it is to be a good soldier over a lifetime. Tim O'Brien's Lieutenant Corson, after leading his contingent half way across Asia in pursuit of a deserter, perhaps now a deserter himself, fell in love with Jolly Chand in Delhi. As his health and confidence returned, he 'began taking care of himself again, dressing well and combing his hair into a neat old-fashioned part. He demanded that the men start showing the same good habits. "Garrison troops," he said loudly, for Jolly's ear, "are what makes a wartime army".⁵ Drill, echoes Graves, provides the basis of later effective action under pressure.⁶

Although military ethics are to be distinguished from the ethics of war, it is also true that a proper understanding even of the ethics of war requires an investigation that extends beyond the core concerns of the just-war tradition. Equally, military ethics requires attention to the role of professional soldiers between wars as well as during them. Hence the title of the first part of this book:

⁵ . O'Brien, *Cacciato*, 166.

⁶ . Graves, *Goodbye*, 195/6 and 230/1.

it is not just about war, and it is certainly about more than just the Christian just-war tradition.

These matters cannot properly be addressed without first dealing with a prior question, which constitutes a leading concern of this book. If the decisions of states and the conduct of soldiers only make moral sense when framed within extended narratives, the same is true of war itself. What kind of thing is it? Is it an institution of international society, or is it the mere breakdown of those institutions believed to prevent or obviate the need for it, such as diplomacy or commerce.⁷ If war is waged by a people chosen by God against His enemies, as in the Old Testament, it becomes a religious duty. If it is a means of righting wrongs, as the just-war tradition insists that it can be, then the primary loyalty of the soldier may be to his sovereign, trusting in his motives and the justice of his cause. If, by contrast, war becomes simply a tool of policy, without moral justification, then the soldier will remain bound to his duty by military discipline, but his primary loyalty may shift to his immediate comrades, his band of brothers. If, finally, war loses all rational purpose, the residual moral obligation of the combatant may be to retain some residual humanity. The story in which the soldier plays a part may be of one of obedience to God, service to nation, solidarity with comrades, or personal integrity in a moral wilderness. It may be all of these and more at various moments in the same conflict.

⁷ . Merely to phrase the problem in this way conjures up the ghosts of the so-called English School of International Relations, and most of all the work of Hedley Bull. See Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* ([1977] Basingstoke: Palgrave, 2002) and Richard Little and John Williams (eds.) *The Anarchical Society in a Globalized World* (Basingstoke: Palgrave, 2006).

Once again, the point is nicely made by O'Brien in *Going After Cacciato*, one of the finest novels in English to come out of the Vietnam War. O'Brien juxtaposes two narratives, the first relating the routine of an infantry company in Vietnam and the second tracing the 8,600-mile pursuit by a handful of soldiers of Cacciato, a dullard who ups one day and sets off on foot for Paris. The novel is very largely an exercise in the phenomenology of war: of how war is immediately perceived by those caught up in it. The tone is set by an epigram from Siegfried Sassoon: 'Soldiers are dreamers'. And in the midst of the dream narrative, when the pursuers are detained in Tehran, still carrying arms but without passports, their interrogator, an Iranian captain, suggests that he and the Americans compare their experiences of war. Accepting the experience of every participant in a battle to be unique, the Iranian nevertheless looks for unity in this diversity and asks how foot soldiers can be expected to fight effectively and achieve victory if they lack a clear and common moral purpose. One of the Americans rounds on him; the Iranian has changed the subject. 'We're talking about how it *feels*. How it feels on the ground. And I'm saying the common grunt doesn't give a damn about purposes and justice. He doesn't even *think* about that shit. Not when he's out humping, getting his tail shot off.'⁸ The point is rammed home repeatedly. As battle approaches, a young West Point platoon commander knows where he is

⁸ . O'Brien, *Cacciato*, 191. See also Tim O'Brien, *The Things They Carried* ([1990] London: Flamingo, 1991) 13: 'They plodded along slowly, dumbly, leaning forward against the heat, unthinking, all blood and bone, simple grunts, soldiering with their legs, toiling up the hills and down into the paddies and across the rivers and up again and down, just humping, one step and then the next and then another, but no volition, no will, because it was automatic, it was anatomy, and the war was entirely a matter of posture and carriage, the hump was everything, a kind of inertia, a kind of emptiness, a dullness of desire and intellect and conscience and hope and human sensibility.'

and where he's going and works through his sergeants as a leader should, infusing the chain of command with his growing personal authority and watching with pride as the last of his thirty-eight men makes it up the hill. For his part, 'Private First Class Paul Berlin did not think... [T]he climb was everything.'⁹

Berlin's whole being is taken up with the perennial preoccupation of the infantryman with the sheer effort required of him, perfectly captured in the title story of O'Brien's collection, *The Things They Carried*, which exhaustively lists the items and their weights, the material and the metaphorical. It is a recurrent theme in infantry memoirs. Rifleman Harris, who served in the Peninsular War at the start of the nineteenth century, recalled that 'the weight I ... toiled under was tremendous, and I often wonder at the strength I possessed at this period, which enabled me to endure it; for, indeed, I am convinced that many of our infantry sank and died under the weight of their knapsacks alone.'¹⁰ Almost a hundred years later, a decade after he was de-mobilised, Robert Graves quoted a letter he had written home from Flanders after marching his men out of the trenches, in which he had enclosed 'a list of their minimum load, which weighs about sixty pounds [with] a lot of extras [plus] on top of this – rations, pick or shovel, periscope, and their own souvenirs to take home on leave'.¹¹

⁹ . O'Brien, *Cacciato*, 158-160.

¹⁰ . O'Brien, *The things They Carried*, 3-21; *The Recollections of Rifleman Harris, as told to Henry Curling* ([1848] Edited and Introduced by Christopher Hibbert: Gloucestershire: The Windrush Press, 1970).

¹¹ . Graves, *Goodbye*, 109/110.

Wars and their component episodes of combat at best make sense within larger stories of Divine Providence, political judgment, group solidarity and personal development; at worst as tales of lust, ineptitude, disintegration and bare life. Moving to a still higher level of abstraction, the question of primacy among these stories depends heavily on the plausibility of a further narrative, which haunts contemporary discussion of military ethics. For the contention offered here is that academic and policy debate, at least in the USA and Britain, have lately witnessed the marginalization of military ethics and the phenomenology of combat in a society bewitched by abstract formulations of the ethics of war. The official just-war story — of a coherent, comprehensive, continuous and universalizable western tradition — has scooped the pool. It seems to be all there is to know. But the closer examination offered in Part 2 will reveal that it is neither coherent nor comprehensive, continuous nor readily universalisable. It is more dependent than is often claimed on the Christian culture within which it developed; the manner in which it has developed within that culture is highly contingent; it leaves to one side many of the concerns of military ethics; it was not so much breached as disregarded – not merely in practice but also in theory – for much of the modern era; and it was neither designed to deal with all varieties of armed conflict nor may properly be extended to achieve this.

If the theologians and lawyers of chapters 7 and 8 were the active proponents of a just-war revival and the legitimating narrative that supports it, the permissive cause of the extreme dominance of just-war talk over the past twenty or thirty

years has almost certainly been the gulf that has lately opened up between highly trained and specialised volunteer forces and the wider national societies of which they are year by year less representative. The teaching of military ethics has survived in military academies. Informed understandings of the just-war tradition have persisted in the seminaries and the theology faculties. But the academics, as a whole, have been overwhelmed by the vogue for a type of just-war doctrine that is too often weakly grounded and internally inconsistent and have, on the whole, been unconcerned about the predicaments of those who defend them, having little contact with them and less in common.

The first steps on this road were taken with the ending of conscription by the UK in 1960 and the USA in 1973. For much of the twentieth century, military service had supposedly been an important instrument of national unification and state-building, calculated not only to defend the state but also to substitute national for provincial allegiances, encourage the adoption of a common language, and engender a measure of civilian pride in national armed forces and their achievements. But the slow pace of this process of integration even in France, generally recognised as the pioneer of new forms of military organization at the start of the nineteenth century, suggests that the modern national army has been a very brief and episode, more aspiration than actuality. There, conscription was in continuous operation from 1798, yet Eugen Weber found that the army was regarded with contempt almost a hundred years later in 1889, the few veterans who returned home being viewed with suspicion in their communities of origin.

Many provincials had failed to acquire more than a smattering of French during their years of service, and there was, Weber concluded, 'little sense of national identity to mitigate the hostility and fear most country people felt for troops'.¹²

In short, to the extent that conscription achieved national identity it appears to have been done by cultivating a thin integration of those torn from their local communities rather than an organic union of those communities. Besides, this achievement, such as it was, proved fleeting. The Franco-Prussian War of 1870, viewed by some observers as the moment when the French army became truly national, may have marked only 'the beginning of change'.¹³ Yet if this was the beginning, the end was not long coming. Graves remarks on the presence of 'semi-civilized coloured troops' on the Western Front from the start of the Great War.¹⁴ Just over twenty years later, Francisco Franco would rely substantially on Moroccan troops for his victory in the Spanish Civil War. Only a few years after this, more than two-thirds of the troops who helped liberate France under Free French officers in 1944/5 were North African, their progress flanked by units of the Fourth Division of the British Indian army, its ranks filled mainly from the Punjab, as they fought their way from Egypt to Tunisia and up the Italian peninsula.¹⁵

¹² . Eugen Weber, *Peasants into Frenchmen: the Modernization of Rural France, 1870-1914* (London: Chatto & Windus, 1977), 292-8.

¹³ . Weber, *Peasants*, 298.

¹⁴ . Graves, *Goodbye*, 193. Graves notes that the Germans viewed this as an atrocity.

¹⁵ . Antony Beevor, *The Spanish Civil War, 193-39* (London: Weidenfeld & Nicolson, 2006); Tarak Barkawi, *Globalization and War* (Lanham &c: Rowman & Littlefield, 2006).

Typically, national armed forces have been disproportionately recruited from quite specific social groups and regions and have been multi-national and multi-lingual, in no way representative of the populations they defend, who have generally feared them and held them in low esteem. The point is worth stressing because recent literature academic has been slow to separate those features of post-Cold War volunteer forces in the West that are genuinely novel from those that mark a return to how things used to be before the era of total war. Regional and class concentration in recruitment, reliance on non-nationals, and the emergence of a fringe of mercenaries, contractors and irregular forces at the limits of state control or beyond, are nothing new. Daniel Defoe, in one of the earliest English novels, presents the purported memoir of an English gentleman who fights first in the Thirty Years War, with the army of the Swedish king, Gustavus Adolphus, and subsequently for King Charles in the civil wars at home. On the Continent, he did not opt for Sweden because its cause was just, but because its army was the most orderly of those he had come across. He chose a good army as one might choose a good book – for the values it expressed in its every aspect – and found himself in a multi-national force with English and Scots units.¹⁶ To the eighteenth-century reader it can have been no surprise to find a cavalry regiment being raised in Shropshire to fight in Germany under Swedish

¹⁶ . Daniel Defoe, *Memoirs of a Cavalier* ([1720] Stroud: Nonsuch 2006) 53/4. See also 50/51 for the fictional cavalier's comparison of the Imperial army under Tilly and that of the Duke of Saxony. The sack of Magdeburg, by Tilly's troops, which led Defoe's hero to move on to view the Swedish force, is deplored almost as much as an exhibition of ill-discipline as for the suffering inflicted (37-49). See also 113, 116 and 119. Defoe is for ever comparing armies to one another, rather in the manner of Shakespeare's Llewellyn, less for their fighting effectiveness than for their style.

command or three dozen French aristocrats serving Charles I of England in the royal troop of guards.¹⁷

Altogether novel, by contrast, are the exclusive reliance of leading western forces at the start of the twenty-first century on truly un-coerced volunteers, the levels of technical skill acquired by these men and women, the flattening of hierarchies, the rise of joint operations and multinational forces, the tremendous range of tasks they are called upon to perform under varying rules of engagement, and the opportunities available to veterans on leaving state service.¹⁸

These changes have coincided with wider tendencies within the two democracies with which this study is most concerned. The first of these is a loss of seclusion from the larger societies in which they are lodged. Members of the armed forces are more and more closely subject to the law of the land. This cuts both ways. Their members enjoy rights that were denied them in the past; but they have also lost certain immunities. Next, while they have been more closely integrated with society at large, soldiers have become more isolated culturally. This may apply with particular force to the United States Marine Corps, smallest of the US services. In his study of Marine training, Thomas E. Ricks notes that 'over the last thirty years, as American culture has grown more fragmented, individualistic, and consumerist, the Marines have become more withdrawn; they feel they simply can't afford to reflect the broader society.' Ricks concludes that '[t]oday's

¹⁷ . Defoe, *Memoirs*, 82 and 139.

¹⁸ . Charles C. Moskos, John Allen Williams and David R. Segal (eds.) *The Postmodern Military: Armed Forces after the Cold War* (Oxford: Oxford University Press, 1999).

Marines give off a strong sense of disdain for the very society they protect...

[They] have 'moved from thinking of themselves as a better version of American society to a kind of dissenting critique of it.'¹⁹

If the Marines are the paradigm case of disdain, it may be because they retain a strong sense of solidarity. Elsewhere, this is slipping. British Legion veterans' associations in Britain that once placed the united services at the heart of their communities no longer bring together a large percentage of each age cohort. In the United States, also, the generation of mass conscription is passing away. By 2004 almost half of the 26 million veterans in the USA in 2004 were over 60.

During World War II roughly 10 per cent of the population of the USA served in the armed forces, including more than half the eligible men. Neither Korea nor Vietnam came close.²⁰

Meanwhile, more flexible and task-specific organization means that many of the rituals setting the boundaries of active service have faltered. It is less common for whole regiments to serve together and return home before the public gaze as one unit, with shared experience, led through the streets by their band. Instead, specialists head off in relatively small detachments. Brigading, which once meant simply the aggregation of pre-existing regiments or combat units, has now become a more bespoke business, assembling a bundle of specialisms and skills appropriate to each specific task. The initially spontaneous response of the townsfolk of Wootton Bassett to the passage through their streets of the returning

¹⁹ . Thomas E. Ricks, *Making the Corps* (New York: Scribner, 1997) 22-3.

²⁰ . David E. Segal and Mady Wechsler Segal 'America's Military Population' *Population Bulletin*, 59:4 (December 2004), 3-5.

dead from Afghanistan suggests a desire for ceremonial and public witness but perhaps reflects justified diffidence in some quarters of the military in response to a less engaged attitude among the public at large.²¹

No longer privileged and cohesive emblems of the societies that they serve, the armed forces are too often viewed solely as instruments of policy. Of course they are that, but they are more than that, and even their effectiveness as mere instruments depends on the maintenance of morale, an elusive concept without which discipline can hardly be sustained or immorality restrained. The somewhat surprising intrusion of elements of Catholic doctrine in public debate, an excessive emphasis on first use of force at the expense of the predicaments attending its extended employment, together with a seeming reluctance of militaries in many democratic societies to assert their intrinsic worth are, all three, elements in this uneasy readjustment relations between state, military and wider publics.

It is in response to this perilous social dislocation that the most abstract of the many stories told and interrogated here relates the manner in which the just-war tradition developed within Western Christendom, fell into desuetude during the early-modern period, was revived in the United States of America in the historically specific circumstances of that country's rise to global power, matured

²¹ . When the bodies of British servicemen and women killed in Afghanistan began to be repatriated through RAF Lyneham in 2007, the hearses passing through the small town of Wootton Bassett were at first observed by no more than a handful of local veterans. By the time of the hundredth repatriation in November 2009, the streets were typically lined by thousands, and in March 2011 the town was renamed 'Royal Wootton Bassett, by order of Queen Elizabeth.

uneasily yoked to international law, came close to eclipsing a parallel tradition of military ethics, yet may still be integrated with that parallel tradition within a pragmatist moral framework. The just-war tradition is a great store of value, but it offers no simple solutions and its guidance is directed rather more toward sovereigns than toward combatants. It provides a public setting for the exercise of private virtues, but may best be thought of as the molecular level of analysis, investigating the larger structures formed from atomic and sub-atomic moral particles that are better viewed in the cloud-chambers of imaginative text.

Narrative and Moral Philosophy

Three classes of war story have been identified; three levels of narration. There are stories of combat, of the justification of state behaviour, and of the development of ideas. In each class there is a further distinction to be drawn, between the moment and the *longue durée*. Mature personalities are shaped by chains of iteration; foreign-policy doctrines and moral philosophies emerge from sequences of what are sometimes unintended and hasty instants of decision or insight. This is perhaps most easily understood at the level of the individual. Many systems of morality provide principles, rules and criteria to govern choices. In doing so they offer to relieve the individual of responsibility by replacing deliberate choice with an ingrained habit of obedience to authority. John Dewey (1859-1952) refused to accept that 'absence of immutably fixed and universally

applicable ready-made principles [was] equivalent to moral chaos'.²² On the contrary, Dewey thought of principles as provisional, much less like rules than conjectures: the analogues, in the exercise of practical reason, of a scientist's experiments.

This refusal to commit to settled ethical rules or commandments arose in part because Dewey did not accept the view that people in general were champing at the bit, restrained from rampant violence and evil only by internalised codes of conduct. Even if this were true, it would be morally irrelevant, since obedience to commandments against murder, theft and the rest would be no better evidence of restraint than the absence of harm from a caged tiger. But his disinclination to pessimism stemmed also from observation, which had led him to the conclusion that it was precisely where custom and conventional schemes of morality were insufficient that moral deliberation and responsible action commenced. True deliberation consisted in the development of modified habits in response to a changed environment, through repeated and cumulative actions. Military life and combat fit well with this view through their juxtaposition of preparatory procedures tending extremely toward routine and periods of intensive action which may demand radical departures from routine or the application of routines in unanticipated circumstances. Popular understanding of this is evident in the survival of those seemingly contradictory phrases, military precision and the fog of war. It also suggests the value of narratives of military life and combat by its

²² . John Dewey, *Human Nature and Conduct: An Introduction to Social Psychology* (London: George Allen & Unwin, 1922) 238, quoted by Richard Rorty in 'Ethics without Principles', 75, citing Dewey *Human Nature* at 164 in the collected edition.

insistence on development of personality over time and on moral deliberation as a grappling with exceptional circumstances.

Principles – Dewey insisted – were best thought of as ‘methods of inquiry and forecast which require verification by the event; as hypotheses with which to experiment ... and there are cumulative verifications which give many principles a well earned prestige. But social situations alter; and it is also foolish not to observe how old principles actually work under new conditions, and not to modify them so that they will be more effectual instruments in judging cases’.²³ This attitude toward principles is important because it opens the door to consideration of certain kinds of behaviour – of which preventive war might be an example – not as occasional and excusable breaches of timeless rules but as forms of deliberate action consistent with a new set of circumstances. The example poses the worrisome question of where such reasonable adaptation to new circumstances may lead, and under whose guidance; for now, it is enough to say that the venerable criteria of the just war tradition remain useful as tools within a pragmatist thought-world. They help in the business of deliberation, whether about the initiation or the conduct of hostilities, but they have no superior force or independent authority. They are more like the brushes, pigments and canvases in an artist’s studio than the hanging committee of the Royal Academy. Pragmatism is about resisting panic in world of metaphysical weightlessness.

²³ . Dewey, *Human Nature*, 239.

The path away from reliance on fixed and universal principles that has just been traced has features in common with those trodden by Kierkegaard and Nietzsche through and beyond ethics; but whereas they opted for faith and nihilism respectively, Dewey took the characteristic route of the pragmatist, arguing that to look for ultimate grounds for one's beliefs or for rigid consistency among them was simply a mistake, and that the moral life consisted in nothing more than a succession of considered choices, often hard, taken in a constantly changing social context and natural environment, through which personality was continually forged. '[S]elfhood,' he wrote, '(except as it has encased itself in a shell of routine) is in process of making, and ... any self is capable of including within itself a number of inconsistent selves'.²⁴

The process of moral deliberation engaged in by Dewey's always provisional and always incomplete moral agent did not consist in the holding up of possible actions against a fixed template provided by ethical principles or in a judgment about probable outcomes, but in the pitting of possible selves, predicaments and actions against one another in 'a dramatic rehearsal (in imagination) of various competing possible lines of action'.²⁵ Against those who would judge action mainly by its consequences, he maintained that 'the thing actually at stake in any serious deliberation is not a difference of quantity, but what kind of person one is

²⁴ . Dewey, *Human Nature*, 137. This passage is quoted with slight textual variation from Dewey's collected works by Richard Rorty, in *Philosophy and Social Hope* (London: Penguin 1999) 77/8, citing John Dewey, *Human Nature and Conduct*, *The Middle Works of John Dewey* (Carbondale Ill: Southern Illinois University Press, 1983) XIV, 96.

²⁵ . Dewey, *Human Nature*, 190.

to become, what sort of self is in the making, what kind of a world is making'.²⁶ In response to the complaint that objective criteria, like standard weights or measures, were still required in order to judge the rival goods and values in play, Dewey pointed out that such standards, like measures of time, space and weight, were no more than conventions, so that 'this conception of a fixed antecedent standard [represented] another manifestation of the desire to escape the strain of the actual moral situation, its genuine uncertainty...'²⁷ The question, he implies, missed the whole point of pragmatism, which was that guarantees come to an end, and there is no infinite stack of turtles, holding up the world.²⁸

War Stories

It is at this point that language enters with narrative hard on its heels. Language is one of the practices that distinguishes humans from beasts. To a pragmatist, a correspondence theory of language which takes as its ideal case the one-to-one attachment of words to things and of propositions to facts is as unappealing as a theory of ethics that assesses possible actions against a timeless and universal set of principles, and for rather similar reasons. Language allows us to name things, describe the world and tell stories. It makes deception possible, and

²⁶ . Dewey, *Human Nature*, 216/7.

²⁷ . Dewey, *Human Nature*, 241.

²⁸ . A brief excursion to the internet will soon convince anyone unfamiliar with the turtle story of the difficulty of tracing it to source. This is only fitting. Perhaps the neatest version, appropriately attributed to William James (given the drift of my argument) is to be found in Robert Anton Wilson, *Prometheus Rising* (Phoenix AZ: New Falcon, 1997), 25: 'William James, father of American psychology, tells of meeting an old lady who told him the Earth rested on the back of a huge turtle. "But, my dear lady", Professor James asked, as politely as possible, "what holds up the turtle?" "Ah", she said, "that's easy. He is standing on the back of another turtle." "Oh, I see", said Professor James, still being polite. "But would you be so good as to tell me what holds up the second turtle?" "It's no use, Professor", said the old lady, realizing he was trying to lead her into a logical trap. "It's turtles-turtles-turtles, all the way!'

thereby puts humankind at one remove from nature.²⁹ It may well be that the naming of some things — philosophers refer to them as natural kinds — is a relatively settled and uncomplicated business.³⁰ The particular sign used to denote it is neither here nor there, but there is a substance, called ‘sodium’ in English, that will always behave in the same way when subjected to particular tests.³¹ But the position is very different in the social world. Here there is frequent disagreement over the naming of things. A gas or a vapour, an act of genocide or a gross abuse of human rights, an act of war or of piracy: in each case alternative descriptions of the same event open the way to different moral responses and legal remedies, yet may be equally plausible. The only test is assent.

This loading of the linguistic dice is easily enough extrapolated from naming to description and from description to narrative. The Argentine and British governments disagree about the South Atlantic. The islands called Malvinas by some and Falklands by others are part of the national territory or a Crown Colony and are embedded in conflicting narratives of discovery and occupation and

²⁹ . Thomas Hobbes, *Hobbes's Leviathan, reprinted from the edition of 1651, with an introduction by W. G. Pogson Smith* (Oxford: Clarendon Press, 1909) 24, quoted by Pogson Smith, xi: ‘... SPEECH ... without which, there had been amongst men, neither Common-wealth, nor Society, nor Contract, nor Peace, no more than amongst Lyons, Bears, and Wolves.’ For a recent treatment of Hobbes that emphasises the centrality of language in his thought, see Philip Pettit, *Made with Words: Hobbes on Language, Mind, and Politics* (Princeton NJ: Princeton University Press, 2008).

³⁰ . Stephen P. Schwartz, *Naming, Necessity and Natural Kinds* (Ithaca NY: Cornell University Press: 1977).

³¹ . Even here, notice, the stability of the relationship between name and what is named depends on a set of relations: the chemical tests that establish that a substance is indeed sodium, opening up a path toward regress and compromising the seemingly obvious linkage between name and what is named.

conflicting interpretations of law.³² The story of the war fought between the two countries in and over the islands is differently recounted in each. There is not even agreement about what to call it. Language, as the medium in which moral deliberation and debate conducted, is itself always already a site of conflict before it is used in any particular utterance.

O'Brien can find no single story that will capture his time in Vietnam, so he tells one story after another, until the heap of discards starts to take on its own form. Shakespeare's hero, King Henry V of England, wants to be told a story that will justify his waging war on France; Stephen Crane's Henry Fleming repeatedly rehearses fragments of stories that will make sense of the battle in which he is caught up. To imagine how he might relate what is happening to him after the event helps Fleming understand and experience the event itself. Sir Walter Scott's eponymous Waverley finds himself inadvertently misplaced in the story of his life, unaccountably on the wrong side. Yet, strictly speaking, his being there is not un-accountable; the story that got him there is plausible.

Because we are beasts that speak, the incremental realisation of selfhood described by Dewey is a necessarily linguistic process, and this means that moral deliberation and representations of it are not merely illustrative or exemplary but form the core of ethics. Michael Walzer titled his rightly celebrated

³² . The head of an informal British delegation to Buenos Aires in the later 1980s overcame the difficulty by referring consistently in his opening address to the Maldives, which a diplomatic Swedish simultaneous interpreter rendered into Spanish as *Maldivas*. Since many of the Argentine audience had been had been educated at universities in Britain or the USA, this exposure of characteristic Anglo-Saxon clumsiness proved an effective ice-breaker.

work on the ethics of war *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, but stories do not *illustrate* moral argument; they *constitute* it. They are just about all it is or can be once external guarantees for universal principles have been set aside. No grounding in duty, deity, virtue or consequence will bear the weight of our being in the world; so we tell stories. This is why the third and central part of this book consists in a sequence of re-tellings and critical examinations of war stories: some factual, some fictional; some by combatants, others not.

The position is complicated by the fact that the medium in which people try to resolve conflict between alternative courses of action, far from being transparent, is also itself the site of constant struggle. Each reader and each generation of readers is at liberty to judge the extent to which Stephen Crane's *Red Badge of Courage* is suffused with irony, and the judgment about Crane's rhetoric qualifies any evaluation of the ethical implications of his novel. When conflicting courses of action are embedded in a mortal contest between political communities, the layering of linguistic, moral and political conflict places reason under enormous stress. War in the world prompts war within reason.

War has been the subject of innumerable stories in a great many styles. Epic and lyric poetry, official histories, personal memoirs, novels, plays and films abound, each genre and each work within each genre with its own take on this most destructive of human institutions. This book concludes with a collection of just

such stories. Most are modern. Generally written in English, they reflect the experience of commanders and combatants from Britain and the United States of America. The seeming exception is the story of the just war. Appropriated by Anglophone theologians, lawyers and political theorists over the past hundred and fifty years, this developed up to the sixteenth century almost exclusively through Latin texts, but the story of the just war in *this* book is largely of its revival following translation of the key texts into European vernacular languages, and that is a predominantly Anglophone and American story, therefore no exception at all. It also runs parallel to the sequence of Romantic, Modernist and Post-Modernist narratives examined in Part 3, rivalling them in a rhetorical struggle over which is to be central in public understandings of war, the state, or the individual combatant. In the jargon of International Relations, the just-war tradition belongs within the realist thought-world; imaginative literature offers a World Society riposte.

The story of the just war and its revival forms the second part of the book. It is preceded by a prologue consisting of five short chapters about Shakespeare's *Henry V*. Easily read as an illustration of just war doctrine as bequeathed to modern Europe by the scholastics, the play may also be read as an ironic commentary on that tradition, displaying several contrasting visions of the nature of war and the profession of arms, raising questions about command responsibility and, through its performance history, nicely adumbrating the history of the just war tradition. That history is told next, with emphasis on the recent

revival of just-war discourse, the wrenching of the doctrine from its theological context and its reduction to mere formula. The reluctance of military educators and of the men and women who pass through the academies to accept the hegemony of modern just-war discourse provides the prelude to a third and final section, in which modern fictions from the Waverley novels of Sir Walter Scott to the works of Tim O'Brien and John Le Carré are interrogated for their insights into the nature of war and the predicament of the combatant. These chapters concentrate first on the variability of forms of conflict, moving progressively from the high-intensity battlefield through irregular or guerrilla operations and espionage to terrorism, before moving on to examine the soldier's life as a whole through chapters on the long-service regular officer and the bewildered conscript.

6,049 / 7,185

PART 1. MORE THAN JUST WAR

CHAPTER 2

A JUST WAR PRIMER?

A leading argument of this book is that the increasingly narrow confinement of normative discussion of war in the USA and Britain within an impoverished and formulaic understanding of the just war tradition has marginalized more comprehensive and personal understandings of military ethics. Supporting this argument is the contention that the tradition has been a less prominent and less continuous feature of Western culture than is often claimed. Yet what stronger evidence against these propositions could there be than the presence, at the heart of English literature, of a complex text saturated in just war terminology that has remained widely performed and studied to this day?

At first sight it seems that William Shakespeare's *Henry V* is to be read as a textbook of just war doctrine.³³ Closer examination shows that neither the text itself nor the political context of its composition will allow this. The play offers a moral agenda extending beyond justice, while its performance history nicely

³³ . Indeed, it has been. David L. Perry, formerly at Santa Clara University, a Jesuit foundation in California's silicon valley, and lately at the US Army War College, has been devoting three one-hour classes to *Henry V* during his Ethics and Warfare course for some years now. I used it as a point of departure in my 1990s Warwick course on the Just War. It was also Theodor Meron's starting point. David L. Perry, 'Using Shakespeare's *Henry V* to teach Just-War Principles' Paper presented to the International Studies Association, Portland OR, 2003 (available at <http://home.earthlink.net/~davidperry/henryv.htm>); Theodor Meron, 'Shakespeare's *Henry the Fifth* and the Law of War' *American Journal of International Law*, 86:1 (January 1992) 1-45. See also Paola Pugliatti, *Shakespeare and the Just War Tradition* (Ashgate: Farnham, 2010).

adumbrates the history of the just-war tradition itself, examined at length in Part 2. For each, a long eclipse during the seventeenth and early eighteenth centuries was followed by a radical transformation in the course of its slow but constantly accelerating revival.

In 1415, just two years after his accession, the young English king leads an army against Charles VI of France to assert a claim to the French crown first made by Edward III in 1340. Henry lands in France in August and lays siege to Harfleur. The town resists longer than expected. Following its surrender it is too late in the year for further campaigning. So the king decides to march his army to winter quarters in the English enclave of Calais, more than two hundred miles away. After a long and arduous trek, beset by sickness and still some way short of his destination, Henry leads his troops in battle against a superior French force and achieves an unexpected and overwhelming victory. This allows him to impose a peace settlement on Charles VI of France by which the heir presumptive is disinherited in favor of Henry and his issue, an agreement sealed by Henry's marriage to a French royal princess.³⁴

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³⁴ . As part of this agreement, Henry waived his claim for the lifetime of Charles VI, styling himself Heir of France instead. But on his death his son and heir, the child-king Henry VI reasserted the claim and, for a time, became *de facto* ruler of much of northern France. This did not last long and, by the death of Queen Mary in 1558, the very last English enclave in mainland France had been lost. Yet English and later British monarchs continued consistently to style themselves Kings or Queens of France until 1801, by which time it was clearly inconsistent with British support for a restoration of the Bourbons in France.

Shakespeare's play was not the first shot at the eponymous king's life.

Shakespeare worked from historical and possibly from jurisprudential sources. It is clear that he relied heavily on the chronicles of Ralph Holinshed (1498-c.1580) and Edward Hall (c.1498-1547) and perhaps also on early royal biographies for information about the events traced in his history plays, and that these sources already touched on many legal and ethical issues regarding war.³⁵

Any influence that Catholic theologians may have had is much less clear and direct. Francisco de Vitoria (c. 1492–1546) published little in his lifetime, though he was later to have the strongest influence of any single individual on twentieth-century formulations of the just war tradition. Lecture notes taken by his students began to appear in published form within a year of his appointment to the chair of theology at Salamanca. These included *De Indis* and *De jure belli*, both of which appeared in 1532. Together, these texts refined the just-war doctrine of St Thomas Aquinas into something very close to the version most popular today and provided justification for Spanish conquests in the Western hemisphere.

There is no evidence that Shakespeare had direct knowledge of Vitoria's texts or the publications of scholars working in the same tradition in his own day, such as the Jesuit, Francisco Suarez (1548-1617), or the Italian Protestant, Alberico Gentili (1552-1608). Gentili was still Regius Professor of Law at Oxford at the

³⁵ . Scholarly editions of the plays generally offer citations of relevant passages in the chronicles. See, in particular, Richard Hosley (ed.) *Shakespeare's Holinshed* (New York: Putnam, 1968).

time when *Henry V* was written, but he neither wrote nor spoke English, while Shakespeare is thought to have been an indifferent classical scholar.³⁶ Direct communication would have been difficult. However lack of a clear chain of influence merely adds weight to the supposition that the ideas of the jurists had by this time passed into general circulation to the point where Shakespeare might reasonably expect his audience to appreciate their finer points. By 1599, when *Henry V* was probably first performed, it was a version of the just war very close to that of Vitoria that had widest currency in Western Europe.

Consider, in turn, how the play exercises what are now customarily referred to as *jus ad bellum* and *jus in bello* principles: the first concerned with justification of resort to force; the second with conduct during combat.

In his father's lifetime, Henry has been the most dissolute of princes. Now, as king, he is rapidly established as a proper authority, not merely by office but also through his character. The Archbishop of Canterbury relates this sudden change to the Bishop of Ely in the very first scene of the play.

The breath no sooner left his father's body
But that his wildness, mortified in him,
Seemed to die too. Yea, at that very moment
Consideration like an angel came
And whipped th'offending Adam out of him,
Leaving his body as a paradise

³⁶ . Michael Best, *Shakespeare's Life and Times*. Internet Shakespeare Editions, University of Victoria: Victoria, BC, 2001-2005. <http://ise.uvic.ca/Library/SLT/>. Visited 12th February 2008; Meron, *Henry's Wars* (10-11). Best notes that in passages deriving from Ovid in the *Tempest* Shakespeare follows the 1567 English translation of the *Metamorphoses* by Arthur Golding, not the Latin original, which is consistent with his finding Latin challenging.

T'envelop and contain celestial spirits.³⁷

Echoing Aristotle and late-medieval scholastic theologians, Henry displays princely prudence appropriate to the head of a perfect political community. The word 'perfect' is employed here in a technical sense, meaning 'complete' or 'self-sufficient'. Henry commands a well-ordered state of the very kind sketched by the Archbishop of Canterbury at the conclusion of his vindication of Henry's claim.³⁸ In conformity with this reformation of character and consistent with Vitoria's requirement that the sovereign consult with senior advisers before declaring war, he is shown summoning his counselors to hear arguments for and against attacking France. He urges the archbishop of Canterbury to weigh his words carefully, bearing in mind the number of lives that hang on the decision. This goes some way to echoing Vitoria's injunction that war 'should not to be declared on the sole dictates of the prince, nor even on the opinion of the few, but on the opinion of the many, and of the wise and reliable'.³⁹ Deliberation and considerations of proportionality are clearly in play, and once a decision has been reached, war is publicly declared in conformity with a *jus ad bellum* tradition deriving from Roman law, first to the French ambassador and then by Henry's envoy, Exeter, to the French king in person.⁴⁰ In short, the war has been initiated by a *proper authority*: king in council.

³⁷ . *Henry V*, 1.1.25-31. Unless otherwise stated, all references to the text of the play are to the 2005 updating of Andrew Gurr's 1992 Cambridge University Press edition of the Folio text.

³⁸ . *Henry V*, 1.2.183-213.

³⁹ . Anthony Pagden and Jeremy Lawrance (eds) *Vitoria: Political Writings* (Cambridge: Cambridge University Press, 1991), 308.

⁴⁰ . *Henry V*, 1.2.291-4; 2.4.78-113.

The war has *just cause*. This has been the point at issue in a long opening scene, in which Henry asks his advisers whether he may 'with right and conscience' claim the French throne. The conclusion is that, in attacking France, Henry has a 'well-hallow'd cause'.⁴¹ Conscious of the importance of *right intention*, Henry has abjured the Archbishop of Canterbury to avoid any bias and to be sure that he speaks from a 'conscience washed as pure as sin with baptism'.⁴² Vitoria's insistence that war should be a *last resort* is also respected in some measure, the French being offered repeated opportunities to negotiate or compromise both before the commencement of hostilities and subsequently.

Turning to the conduct of war, there is copious treatment of the *immunity of non-combatants* or innocents. Henry insists that heralds and ambassadors be well treated.⁴³ At the siege of Harfleur, he tries to persuade the governor of the town to surrender in order to avoid the harm that must otherwise come to non-combatants.⁴⁴ When the established rules are broken, justifications are offered. At Agincourt, when he orders his men to kill their prisoners, the king's breach of the established norm of non-combatant immunity is accounted for in two ways. The first is Henry's own appeal to military necessity; the French have rallied and English troops can no longer be spared to guard to prisoners. A second justification is put forward by soldiers in Henry's army; the French have earlier

⁴¹ . *Henry V*, 1.2.293.

⁴² . *Henry V*, 1.2.31-2.

⁴³ . *Henry V*, i.2: 'Convey them with safe conduct'.

⁴⁴ . *Henry V*, iii.3.

attacked the English baggage train, killing the non-combatants who were guarding it and destroying or making off with the king's own tent and its contents. The killing of prisoners, though 'expressly against the law of arms' may perhaps be excused as a reprisal or as response to an affront to the dignity of the king's person.

Just cause, right intention, proper authority, last resort, and the immunity of non-combatants together closely reflect the late-medieval doctrine of the just war, and it is this doctrine that was to be revived and in some measure codified as law in the twentieth century. There is no disputing the presence of just-war doctrine in Henry V. This said, what is in the play is a much less unambiguous rendition than has been presented here of a doctrine which cannot easily be sundered from its theological and political roots. Besides, it is very far from being all that Shakespeare had to say about military ethics, as the next three chapters will show.

1,494 / 1,897

CHAPTER 3

IRONISING THE JUST WAR

'All kings is mostly rascallions' — *Mark Twain, The Adventures of Huckleberry Finn (1884).*

Was *Henry V* offered to an Elizabethan audience as a primer in just war doctrine?

Did its periodic re-staging and wider circulation through films and broadcasts help maintain the continuous salience of the just-war tradition in the English-speaking world into the modern era?

Such claims speedily run into two sets of difficulties. The first arises out of the text itself. Ironic subversion of its just war gestures together with the presence of competing moral registers for conduct in war and a concern with the dilemmas of command and the propriety of kingly authority suggest that the foregrounding of just war discourse in this last-written of the major history plays needs to be treated with extreme caution and close attention to the political circumstances obtaining at the time of its composition. This chapter, together with the two that follow, deals with these concerns. A second set of difficulties, to be considered in chapter 6, arises out of the performance history and reception of the play, which runs parallel to the history of the just-war tradition itself, which is related at

length in Part 2. Together, the two trajectories subvert claims about the continuity of the just-war tradition. The staging and interpretation of *Henry V* have histories; current prominence and interpretation cannot be lightly assumed to rest on continuity over the past four centuries.

This chapter considers ways in which Shakespeare exposed what lay beneath the outward show of close observance of Christian war conventions. Proper authority, just cause, and right intention lie at the very heart of the just war tradition. Doubt is cast on each in the course of the play. Henry is king of England, certainly, but he has inherited the crown from a usurper.

Chronologically, the victories related in *Henry V* sit at the mid-point of a sequence of history plays, with which the London audience was already familiar, in which authority is ceaselessly disputed. The prolonged civil war is ended only by the victory of Henry Tudor over Richard of York at Bosworth Field in 1485.

The French career of Henry V is a chimera: a dream-like interlude in an epic of squalid civil strife. Henry's authority is diminished by this wider context. His just claim to the Crown of France is vitiated by defects in his claim to the Crown of England. His right intention is put in doubt by his sudden and immaculate conversion from princely wastrel to epitome of kingship, and by the way in which the trope of acting – the taking on and casting off of roles – runs through the play.

The lengthy debate about Henry's claim to the French throne near the start of the play has puzzled many directors. The solution offered here is that Shakespeare's

audience cared little about the justice of Henry's war against France and were really hearing, in Act 1 Scene 2, a coded discourse on legitimacy and succession of pressing contemporary relevance. Much seems to depend on the nice legal question of whether a law forbidding succession through the female line applies to a territory or a nation. But the lengthy legal arguments about this Salic law, presented to Henry by the Lords of the Church, cannot be taken as clear evidence of keen public interest in just cause and just war doctrine. Their appeal to a sixteenth-century audience will have derived much more from the fragility of the reigning monarch, Elizabeth Tudor, and their justified fears of what was to follow.

Support for this claim is to be found in both the text of the play and the context of its composition. The edition of *Henry V* from which virtually all subsequent productions derive is the 1623 First Folio, edited by two of Shakespeare's colleagues after his death in 1616. Even those eighteenth-century performances that mauled and embellished Shakespeare were ultimately derived from this edition, which claimed on its title page to have been 'published according to the true original copies'.

By contrast, the Quarto edition of *Henry V*, published in 1600, appears to be very close to an acting text, the radically cut-down version of the play from which cue scripts would have been prepared for each actor.⁴⁵ A cue script includes only the

⁴⁵ . Andrew Gurr (ed.) *The First Quarto of King Henry V* (Cambridge: Cambridge University Press, 2000) provides the text of the first quarto and a comprehensive introduction. Gurr is emphatic: '[T]he quarto text

speeches to be uttered by an individual actor, prefaced by the final phrase of each preceding speech (which formed the cue for the speech that followed). This was a device that economized on expensive copying of manuscripts and had the additional advantage, before the emergence of copyright law, of retaining control of the complete text of a play within as few hands as possible, thereby preventing actors from defecting to rival companies with entire scripts while also impeding unauthorized performance and pirated editions.

In advancing the claim that the Quarto edition was an authentic and authorized acting text, Andrew Gurr has dissented from an earlier consensus that it had been pirated, consisting in only such lines as two dissident actors from the first production could recall. Rather than a compilation from cue texts, Gurr suggests that the Quarto was designed to serve as a source of cue texts. His argument is a long and intriguing tale of dictation errors, compositor errors and deliberate revisions. Its principal interest for those concerned with the evolution of the just-war tradition derives from its suggestion of a plausible narrative to account for differences and resemblances between the two texts.⁴⁶ In the Elizabethan theatre, as in film studios today, final script decisions were made by directors, not

of Henry V is probably closer to the version of the play that Shakespeare's company first put on the stage in 1599 than any form of the play that modern audiences have seen' (2). It is ironic that Patrick Tucker, working in the Education Department of the Royal Shakespeare Company from the 1975, should have relied on the First Folio rather than Quarto editions to prepare cue scripts intended to give students and actors, and later the audiences of his Original Shakespeare Company, a better sense of what performances might have been like in Shakespeare's lifetime. Tucker, who directed the long-running British television soap opera, *Brookside*, was responding to the sheer quantity of plays performed within a short period of time by companies in Shakespeare's day and his own practical experience of television work. There could have been little room for rehearsal. "My work in television has reinforced my work in Shakespeare," he conceded. "I shoot *Brookside* all day, and once you've done it, you forget it. That's what television acting is, and it's probably what Elizabethan actors did, too." *New York Times*, 16 March 1993. See also Patrick Tucker, *Secrets of Acting Shakespeare: the Original Approach* (New York: Routledge, 2002).

⁴⁶ Gurr, *The First Quarto*, 12ff.

authors. What, then, was thought essential in Shakespeare's raw and over-lengthy script? What could be discarded for purposes of performance (and of performance to whom)?

To begin with, it is remarkable that so much of the Archbishop of Canterbury's lengthy disquisition on just cause should have been retained in the Quarto, given that its whole text is only half the length of the Folio version of the play. To many twentieth-century directors these tedious speeches have seemed prime candidates for cutting. Yet, of the eighty-one lines given to the Archbishop in two speeches separated only by a one-line intervention from the impatient king, fully fifty-eight (almost three-quarters) are kept.

It might at first be thought that this retention offers strong support for the view that just-war discourse was commonplace at the time and that the London audience would have appreciated a virtuoso display of jurisprudence on the subject of just cause. But there is a second and more probable reason for their rapt attention. Mounting concern about the succession to Elizabeth's throne had excited public interest in genealogical argument. At the heart of the archbishop's disquisition is an ingenious dismissal of the Salic law, thought by the French to debar inheritance of the French Crown through a female line. Canterbury's argument is that the law applies in the lands formerly occupied by the Franks, but not in France itself, where they finally settled. Appetite for this sort of argument is suggested by the laborious exposition of his claim to the throne that are

advanced by the Earl of Cambridge in another 1599 London play, *Sir John Oldcastle*, in justification of his conspiracy against Henry on the eve of the French expedition, an episode only lightly touched upon by Shakespeare in *Henry V*.⁴⁷

Small wonder! – By 1599 a childless Elizabeth Tudor had been Queen of England for more than forty years and could not be expected to live much longer. Elizabeth herself still claimed the throne of France but was debarred by the very same Salic law that is under discussion in *Henry V*. Both the leading candidates to succeed Elizabeth in England descended from Henry VIII through females. Succession through the female line therefore had very considerable resonance and urgency for Shakespeare's intended audience.⁴⁸

More than this, succession and usurpation, far more than just war, form the spine of the sequence of Shakespearean history plays running from Richard II to Richard III, of which Henry V, though mid-way chronologically, was the last to be written. To the extent that the plays, in their totality, take war as their theme, it is war of all sorts, from the riots of Hal's youth through to formal and public war between sovereigns, but with rebellion and civil war rather than war between sovereign princes as the predominant concern.

⁴⁷ . Henry V, 2.2; Andrew Gurr, 'Introduction' to *Henry V* (The New Cambridge Shakespeare. Cambridge: Cambridge University Press, 1992) 19-20.

⁴⁸ . Blair Warden, in *London Review of Books*, 25:13 (10 July 2003) 22-24, suggested that *Henry V* may not have been staged in Shakespeare's lifetime.

This was no accident. Rebellion, contested succession and legitimacy continued to preoccupy Tudor England. From the very moment of her accession, the question of who would follow Elizabeth had been a matter of grave concern to her closest advisors and to Parliament. Elizabeth's own title was far from secure. Those still loyal to the Church of Rome did not accept the divorce of Henry VIII from Katherine of Aragon. To them, the subsequent marriage between Henry and Anne Boleyn was void, and Elizabeth, as the child of that marriage, a bastard. Worse, by his third Act of Succession, confirmed by Edward VI, Henry had assumed the power to bequeath the crown. In his will he specified that, were his own children to die without issue, it was to pass to the heirs of his younger sister, Mary, and not those of his elder sister Margaret. For her part, Elizabeth refused to conclude a marriage or name an heir, fearing that any firm decision would provide a focus for discontent and rebellion, precipitating her own downfall. Her fears were not ungrounded. Mary, Queen of Scots, whose son, by then king James VI of Scotland, would finally succeed Elizabeth as James I of England, was the focus for major Catholic conspiracies in 1572 and 1586. Elizabeth finally felt obliged to execute her cousin in 1587 notwithstanding the threat posed to her own life by this precedent for regicide.

If twenty-first-century eyelids droop at this point, as did those of Laurence Olivier in the 1940s when pondering the staging of Act 1 Scene 2, it is because flukes of inheritance now less often decide the fate of nations.⁴⁹ So it is worth repeating

⁴⁹ . There are exceptions, such as the succession of the Syrian presidency passing to Bashar Assad on the death of his father in 2000, following the death of his elder brother and heir presumptive, Basil, in a 1994

that the concerns of the history plays – contested succession, dynastic marriages calculated to secure the union of crowns, usurpation, conspiracy and the elimination of rivals – remained the stuff of English politics in Shakespeare’s own day, more than a century after the events of *Henry V*. Indeed, the implications of unexpected succession for the European balance of power were to continue to be an apparent cause of war well into the eighteenth century, even though such formerly distinctive actors as princes, estates, and regions were to be reduced to little more than masks for territorially-defined state power as time went by.⁵⁰ For evidence that the plays could be relied upon to be read in this way at the close of the sixteenth century one need only turn to the use made of the London stage by supporters of Robert Devereux, Earl of Essex. Early in February 1601, they paid the Lord Chamberlain’s company (of which Shakespeare was a member) to stage a play at the Globe theatre dealing with the deposing and murder of King Richard II at the Globe Theatre. The object was to prepare opinion for a rebellion by Essex himself. Elizabeth perfectly understood what was afoot, remarking to William Lambarde: ‘I am Richard II. Know ye not that?’⁵¹

If legitimacy was too hot a topic to be cut from a performing edition, it is evident that the Quarto offers several moral simplifications of the Folio text. In the opening scene of the Folio version the Archbishop of Canterbury and the Bishop

motor accident. As for Olivier’s *Henry V*, the boredom was intentional. He writes in his memoirs that his intention was to get the audience a little bored at first before shocking and delighting them with a more from the replica Globe Theatre to a wider and more realistically depicted world. Laurence Olivier, *On Acting* (Weidenfeld & Nicolson, 1986) 186.

⁵⁰ . Carl Schmitt, *The Nomos of the Earth in International Law and the Jus Publicum Europaeum* ([1950] Trans. G. L. Ulmen. New York: Telos Press Publishing, 2006) 129.

⁵¹ . Andrew Hadfield, writing in the programme of the Royal Shakespeare Company’s 2008 production of *Richard II* at the Roundhouse, London.

of Ely expose the strong financial interest that the Church has in war against France, casting considerable doubt on the validity of the process of deliberation that follows by making clear that the views expressed by the Archbishop in response to the King in the next scene are far from being, as Henry insists they should be, 'in your conscience wash'd'. Elimination of the chorus in the Quarto removes several further passages in which dissonances between Henry's reputation and his behavior are voiced. In short, the Quarto version substantially restricts the scope for ironic reading of the king's heroism and the justice of his claim.⁵²

One additional nuance is lost in the Quarto through omission of the very first scene of the Folio. When the Bishop of Ely asks the Archbishop of Canterbury how the imminent confiscation of church property by the Crown is to be averted, Canterbury's immediate response is to laud Henry: 'The King is full of grace...' But this is not straightforward praise. The sudden transformation of tearaway Hal into a scholar-king following the death of his father renders Henry vulnerable. Otherwise Canterbury's seeming praise would not be a practical response to Ely's question about church property. It is precisely because of his sudden conversion that Henry is susceptible to the particular register in which churchmen hold forth about politics and war. What passes from Henry IV to his son at the moment of death is not simply the Crown, but bad conscience: the guilt of usurpation and a consequent need to atone through good works. It is bad conscience that makes Henry a punctilious observer of just-war conventions.

⁵² . Gurr, *The First Quarto*, especially 22 and 26.

Might it be bad conscience that accounts for the similar dedication of politicians in the leading democracies in recent decades?

On this reading the Archbishop's eulogy of Henry in the first scene of the Folio may be read ironically. Rendered vulnerable by the abiding memory of his father's usurpation of the throne and murder of Richard II, Henry has allowed himself to become entranced by a late-scholastic ideal of the prince, thereby placing himself within the power of the Church. The sophistries of the following scene find in him a willing audience, his brief interruption ('May I with right and conscience make this claim?') expressive less of impatience than of delight. The bishops are performing a play-within-the-play that panders to the role that Henry has adopted.

Canterbury's speech merits extended quotation because it so repeatedly offers opportunities for an actor to depict Henry as intellectual *ingénue*, more than a little too perfectly neo-Aristotelean.

Hear him but reason in divinity;
And all-admiring, with an inward wish
You would desire the King were made a Prelate:
Hear him debate of Commonwealth affairs;
You would say it hath been all in all his study:
List his discourse of war; and you shall hear
A fearful battle render'd you in music...
So that the art and practic part of life,
Must be the mistress to this theoric.

Consider that last couplet. The contrast it draws, between practical and theoretic reason, derives from Aristotle by way of St Thomas Aquinas. There will be more to say about it, and about the supposed prudence of the perfect prince, in later chapters. Here, it is enough to say that the couplet may be read as asserting that the Church (practical) can and should dominate 'this theoretic' prince precisely because he is newly in thrall to theory. Henry is so anxious to redeem the illegitimacy of his ill-gotten royal title that he allows himself to be convinced by an idealistic political theology, of which the just war tradition is a part, even though – as Shakespeare proceeds to demonstrate – this represents only one facet of the truth about war. Meanwhile the primary concern of the churchmen themselves is property, far more than redemption or justice.

This point of tension is revealed on the morning of battle. Henry pleads for a suspension of reason and justice, praying God to take from his troops 'the sense of reckoning' and to set aside his father's guilt, forgiving 'the fault / My father made in compassing the crown'. Then he recites a catalogue of his re-interment of Richard's remains and endowment of chantries to pray for the murdered king's soul, fully aware that 'all I can do is too little'. To cut Canterbury's eulogy and the scene in which it is uttered is, then, to throw away the key to a reading of the Folio as a struggle between competing moral registers embodied in exemplary roles, often internally conflicted, of which just-war doctrine as enunciated by the lords of the church is only one, and a deceptive one at that, morally hobbled from the outset by Henry's heartfelt assaults upon rationality.

Shakespeare not only ironises Henry's authority, his cause and his intentions. He goes further, offering ethical alternatives to the just-war tradition. These are the subject of chapter four.

2,750 / 3,189

CHAPTER 4

ETHICAL REGISTERS

What may be termed ironic space in the Folio text offers choices to actors in the role of King Henry. He may be cast as Christian prince, struggling to work within the norms governing public use of lethal force, or as a Machiavel, more or less fully aware of the concerns about legitimacy, just cause and right intention that haunt the text.⁵³ But the interpretation of Henry's character and motivation, whether within or outwith a just-war framework, is only one strand of a complex play that may be read as displaying a multiplicity of ethical registers, each characteristic of warfare. Henry's personal military virtues of courage and honour, the traditional law of arms, war as sport, game or theatre and the conflict between obligation and expediency: none of these is a central issue for Aquinas, Vitoria or the scholastic tradition in which they stand; yet all excited keen and recurrent interest among soldiers, then as now. As Geoffrey Parker observed, prescriptive texts, including the writings of Augustine and Aquinas, were only one of five foundations of the laws of war in the Middle Ages, alongside military custom, prudential mutual restraint and the Peace of God movement within the Church.⁵⁴

⁵³ . This was Olivier's choice in the 1940s. Norman Rabkin, *Shakespeare and the Problem of Meaning* (Chicago and London: Chicago University Press, 1981) 53, attributes the characterization of Henry as Machiavel to H. C. Goddard, citing Goddard's *The Meaning of Shakespeare* (Chicago: University of Chicago Press, 1951) I, 215-68.

⁵⁴ . Geoffrey Parker, 'Early Modern Europe' in Michael Howard, George J. Andreopoulos and Mark R. Shulman (eds.) *The Laws of War: constraints in warfare in the western world* (New Haven and London: Yale University Press, 1994) 41-2.

Far from privileging the just war tradition, Shakespeare's *Henry V* starts off by subverting that tradition and proceeds to display a second struggle, running alongside the war with France, in which different visions of the nature and moral standing of warfare are pitted against one another, competing for the approval of the audience. Also prominent in *Henry V*, yet marginal in the just-war tradition, is the issue of command responsibility — one of the major breaches in the artificial barrier placed by scholastic thought between *jus ad bellum* and *jus in bello*, and the principal concern of chapter 5.

For an almost Homeric view of warfare as the province of courage and honor, though also of vengeance and beastliness, one need look no further than the Prologue or Henry's speeches before Harfleur and on the eve of Agincourt. In the first, Henry becomes a mythical man-God: 'Then should the warlike Harry, like himself, / Assume the port of Mars, and at his heels / (Leashed in, like hounds) should famine, sword and fire / Crouch for employment'.⁵⁵ Later, in the celebrated speech before Harfleur, summoning his troops to go 'once more unto the breach,' Henry instills and teaches courage by displaying it, while urging his men to do the same: 'Be copy now to men of grosser blood/ And teach them how to war'.⁵⁶ On the morning of Agincourt, in response to Westmorland's regret at the inferior numbers of the King's army, justice puts in no appearance in the

⁵⁵ . *Henry V*, Prologue.

⁵⁶ . *Henry V*, 3.1.24-5.

king's response. Henry explicitly places honor above material concerns and military necessity.

If we are marked to die, we are enough
To do our country less. And if to live,
The fewer men, the greater share of honour.
God's will, I pray thee wish not one man more.
By Jove, I am not covetous for gold,
Nor care I who doth fee upon my cost.
It yearns me not if men my garments wear....
But if it be a sin to covet honour,
I am the most offending soul alive.⁵⁷

Henry's switch from Christian God to pagan Jupiter and Mars has particular resonance as a distant echo of the time when Christian reluctance to serve in the imperial army arose not solely from pacifist inclination but also from the requirement that Roman soldiers make an annual public renewal of their vows, invoking Jupiter.⁵⁸ Consider also that it is in this role (and by implication, not in the role of Christian prince) that Henry is 'like himself'.

A second ethical register is that of the commoner, serving as junior or non-commissioned officer, more or less aware of traditions of combat that transcend the enmity of the English and French kings and are common to professional soldiers throughout Christendom. The Welshman, Llewellyn, is offered as the pattern of this type, reading every event and character through his shaky grasp of classical literature on military technique and conduct. For him 'the Duke of Exeter

⁵⁷ . *Henry V*, 4.3.20-29.

⁵⁸ . It was this requirement that Tertullian held to be a compelling reason for Christians to refuse military service. Phillip W. Gray, *Being in the Just War: Ontology and the Decline of the Just War Tradition* (Saarbrücken: Verlag Dr. Müller, 2007) 15/16.

is as magnanimous as Agamemnon [and Ensign Pistol] as valiant a man as Mark Antony' on first acquaintance.⁵⁹ Earlier, he has found fault with the attempt to undermine the defenses of Harfleur and with Captain Macmorris, the man put in charge of this operation by the Duke of York. 'The mines – he insists – is not according to the disciplines of the war; the concavities of it is not sufficient.' And the reason is that Macmorris is 'an ass [and] has no more directions in the true disciplines of the wars, look you, of the Roman disciplines, than is a puppy dog'.⁶⁰ Llewellyn verges on becoming a figure of fun but seldom entirely loses his dignity. He comes close when his comparison between Alexander's Macedon and Henry's Monmouth gets wildly out of hand, fuelled by high-octane loyalty to his Tudor compatriot and crazed by the French murder of the boys guarding the baggage train. 'There is a river in Macedon, and there is also moreover a river at Monmouth...and there is salmons in both.' Again, too hearty a greeting from Gower on the eve of battle draws Llewellyn's censure. Such a breach of convention would not have broken the silence of the camp of Pompey the Great. 'I warrant you, you shall find the ceremonies of the wars, and forms of it, and the sobriety of it, and the modesty of it, to be otherwise.'⁶¹ Yet, overhearing him, Henry concedes that 'though it appear a little out of fashion, there is much care and valour in this Welshman.' The type endures. To conscripts he may seem a wild figure. Mad Mark, in Tim O'Brien's Vietnam memoir, was not mad at all. 'He was not gung ho, not a man in search of a fight. It was more or less an

⁵⁹ . *Henry V*, 3.7.5-12.

⁶⁰ . *Henry V*, 3.3.15ff. By contrast Captain Jamy 'is a marvelous falorous gentleman,... and of great expedition and knowledge in th'anchient wars... in the disciplines of the pristine wars of the Romans' (3.3.21) while Gower 'is a good captain, and is good knowledge and literatured in the wars' (4.7.133/4).

⁶¹ . *Henry V*, 4.7.

Aristotelian ethic that [he] practiced: Making war is a necessary and natural profession. It is natural, but it is only a profession, not a crusade...[H]e did what was necessary in war; he did no more or less.⁶²

Jus in bello, military virtues and even the customary conventions of the regular soldier as enunciated and practiced by Llewellyn: all these belong clearly within the universe of moral deliberation. It may seem that two further discourses sit a little to one side. These have to do with war as sport, dance, or spectacle, and war as livelihood. But to marginalize them would be to concede prematurely the supremacy of rules as the guide to conduct in war. There is a longstanding strand of ethical discussion going back the Greeks in which the moral quality of a life as a whole and the antiphonal relationship between virtuous action and the constitution of a good life are central.⁶³ So Shakespeare's juxtaposition of contrasting lives represents an ethical complement to just-war considerations. The gambler and the adventurer — war as sport and war as capital accumulation — converge in a series of references to playing for money that pervade the text. In the wings stands expediency, ever ready to trump morality.

The device of the chorus (absent from the Quarto) is a repeated reminder to the audience that they are witnessing mere actors playing at war; Henry's eve-of-battle soliloquy and the fall-out of his *incognito* exchange with Williams press

⁶² . Tim O'Brien, *If I Die in a Combat Zone, Box Me Up and Ship Me Home* (New York: Broadway Books, 1975) 82.

⁶³ . Nancy Sherman, *Stoic Warriors: The Ancient Philosophy behind the Military Mind* (Oxford: Oxford University Press, 2007).

home the point. Life mimics theatre. Just as an actor steps out of role at the end of the performance, so the King, 'his ceremonies laid by, ... appears but a man'.⁶⁴ It is a theme exploited in the 1944 Olivier film, where the action begins in a replica of Shakespeare's Globe theatre, providing glimpses of actors backstage, most of all of Olivier himself, edgily preparing to enter and to step into his part. The ethical registers identified by Shakespeare may be regarded, switching metaphors, as so many roles, recalling Dewey's multiplicity of 'inconsistent selves'.⁶⁵ The private struggle each soldier and commander faces is to keep those roles in order, within the body of troops and within each individual, the self included.

Repeated references to tennis and dancing run through Shakespeare's play. At the outset the Dauphin reproves Henry for his misspent youth by his gift of tennis balls, and Henry responds by threatening to play a winning shot (a 'crown', in the jargon of the sport) with the French crown. In effect he proposes to convert the game of royal tennis, which in its turn had borrowed much of its language from the warlike pastime of hunting, into the great game of war.⁶⁶ Not wishing entirely to underestimate the English threat, the Dauphin suggests that defenses be prepared, though 'with no more [fear] than if we heard that England were busied with a Whitsun morris dance,' only to see his compatriots taunted by their womenfolk in defeat as fit only to teach the English dancing, when Henry's troops

⁶⁴ . *Henry V*, 4.1.99-100.

⁶⁵ . Dewey, *Human Nature*, 137.

⁶⁶ . *Henry V*, 1.2.246-268. See also 2.4.133-134: Exeter to the Dauphin: 'He'll make your Paris Louvre shake for it [the gift of tennis balls] / Were it the mistress court of mighty Europe.'

turn out to be more resilient than expected.⁶⁷ Later, the Constable of France complains that there are not enough English in the field for every French soldier to kill one. '[O]ur French gallants shall today draw out / And sheathe for lack of sport'.⁶⁸ The simile of war as sport has lasted. O'Brien, writing of the Vietnam War, describes a platoon of young men whose behaviour 'often took on a curiously playful atmosphere, like a sporting event at some exotic reform school'.⁶⁹

Fortunes are made and lost in war. Up to quite recent times organized violence offered the single most effective path to great wealth, though few completed the journey.⁷⁰ To 'sell the pasture to buy the horse' was a bet that many English yeomen were willing to lay.⁷¹ In the first scene of the play it becomes clear that the continued wealth of the church depends on the war's success. Those of the commoners neither soldiers by profession nor pressed into service are there to enrich themselves. Of Henry's erstwhile drinking companions, Bardolph steals church property and is hanged for it. Pistol takes a Frenchman prisoner at Agincourt and extracts the promise of a two-hundred-crown ransom.⁷² The French offer Henry the opportunity to pay up rather than do battle.

⁶⁷ . *Henry V*, 2.4.24-5; 3.6.30-34.

⁶⁸ . *Henry V*, 4.2.22-3.

⁶⁹ . Tim O'Brien, *The Things They Carried* (London: Flamingo, 1991) 35.

⁷⁰ . Frederic C. Lane, 'Economic Consequences of Organized Violence' in his *Venice and History* (Baltimore MA: Johns Hopkins Press, 1966) 413: '[M]any men have made their living, and a very good living, from their special skill in applying weapons of violence, and ... their activities have had a very large part in determining what uses were made of scarce resources.'

⁷¹ . *Henry V*. Act 2, Chorus.

⁷² . *Henry V*, 4.4.

Money and sport combine in the French camp. As Bourbon, Rambures and Orleans, Constable of France, wait impatiently for morning and battle, they boast of their fine horses and lay bets on the numbers of prisoners each will take.⁷³ They combine once again in Henry's ostentatious word-play, which sets winning tennis shots, royal insignia and debasement of the coinage bouncing off one another in a metaphorical pinball machine. All too well aware of the inferior numbers of his force, Henry knows that 'the French may lay twenty French crowns to one they will beat us, for they bear them on their shoulders. But it is no English treason to cut French crowns, and tomorrow the king himself will be a clipper'.⁷⁴ Mere hours later, as the French army disintegrates, Bourbon exclaims in wonderment: 'Be these the wretches that we played at dice for?'⁷⁵

The four competing ethics of combat that run through Shakespeare's *Henry V* – the Christian knight, the regular professional soldier 'all skilful in the wars,' the nonchalant aristocrat and the fortune-hunter – collide with one another repeatedly.⁷⁶ Llewellyn's quaintly legalistic reaction to the slaughter of non-combatants is emotionally inadequate: 'Kill the poys and the luggage! 'Tis expressly against the law of arms'.⁷⁷ A professional code is not enough to encompass battle. Though Henry has aligned himself with the theologians' reasoned approach to war and has more than once played on the emotions of his

⁷³ . *Henry V*, 3.8. See also the Chorus at the start of Act 4: 'The confident and over-lusty French / Do the low-rated English play at dice, ...'

⁷⁴ . *Henry V*, 4.1.199-202.

⁷⁵ . *Henry V*, 4.5.9.

⁷⁶ . Henry Vaughan (1622-1695) 'Peace'.

⁷⁷ . *Henry V*, 4.7,1-3.

troops, he recognizes the supreme importance of victory in his appeal to pagan Mars to incapacitate reason and emotion. 'O God of battles, steel my soldiers' hearts. Possess them not with fear. Take from them now / The sense of reckoning ere th'opposed numbers / Pluck their hearts from them'.⁷⁸ Rule-governed conduct and restraint are not enough. When the king orders the execution of Bardolph his motive is expediency, not justice, but Shakespeare's choice of metaphor adds a third colour, aligning him fleetingly with those noble French gamblers. 'When lenity and cruelty play for a kingdom,' Henry muses, 'the gentler gamester is the sooner winner'.⁷⁹ Again, Henry sacrifices honour in pursuit of victory by abandoning customary law of arms and the *jus in bello* sanctity of non-combatants to order the death of the French prisoners, in direct contradiction of sentiments expressed earlier in the day to Westmorland. He also imposes a huge financial sacrifice on his army, only redeemed, for loyal Gower, by the thought that destruction of the royal pavilion, symbolic of the greater and more enduring largesse to be looked for from the monarch, was such an affront to royal dignity as to justify the slaughter.⁸⁰ Repeated confusion of motives and interpretations is surely calculated. When it comes down to it 'there is throats to be cut, and works to be done.'⁸¹

To read or watch *Henry V* is to encounter just cause, right intention, last resort, non-combatant immunity and much of the standard apparatus of the just-war

⁷⁸ . *Henry V*, 4.1.263-6.

⁷⁹ . *Henry V*, 3.7.96-7.

⁸⁰ . *Henry V*, 4.7.5-8.

⁸¹ . *Henry V*, 3.3.51-2.

tradition as developed through late-scholastic elaboration of the thought of St Thomas Aquinas. But it is far more. Shakespeare is concerned with character as much as action, and with the means by which each shapes the other. He is acutely aware of the impossibility of adequate representation of war, and while this is expressed in visual and physical terms through the appeals of the Chorus for the audience to compensate through imagination for deficiencies of staging, it is evident that Shakespeare recognizes that representation is also a psychological and moral problem. No single character or type can represent the moral predicaments constituted by warfare, and a large part of his answer is to echo the conflict and turmoil of war itself by allocating contrasting and conflicting ethical strategies to his protagonists, creating a formal resemblance between war and its representation. But this technique leaves open two vital issues: assignment of appropriate responsibility to each link in the chain of command and analysis of the relationship between master and servant, principal and agent.

2,319 / 2,712

CHAPTER 5

WARFARE, COMMAND, AND SERVICE

It is evident that Shakespeare foregrounds just-war discourse in *Henry V* only to subvert it and question the authorities on which it depends. In the wings, ready to take their place on stage, stand contending visions of the military life. Further doubts about the heroism of King Henry are raised when three sequences are considered. These are Shakespeare's plays as a whole, the repeated declarations of war in *Henry V*, and the performance history of the play, reserved to chapter 6.

Consider first how many of Shakespeare's plays are set within a frame of war. *Julius Caesar* starts with his triumph over Pompey and ends with the battle of Philippi. *Macbeth* begins with the Scots defeat of a Norwegian army and ends with Malcolm's victorious troops on stage. *Hamlet* opens as the Danes prepare for war with Norway; it ends with the entry of young Fortinbras, the Norwegian prince, with his troops fresh from victory over the Poles. The history plays, by contrast with the tragedies, deal far more frequently with civil wars than with foreign entanglements. In *Henry IV Part 1*, the king's intention to take advantage of peace at home in order to go crusading in Palestine is thwarted by Mortimer's revolt, supported by the Welsh and, later, the Scots. The play ends with their defeat at Shrewsbury. Its sequel, *Henry IV Part 2*, deals with further rebellion,

once again defeated, but too late for him to set out on the intended crusade.

These patterns, by which courtly tragedy is enveloped in strife between princes or a kingdom is briefly disrupted by civil disorder, are far from uniform, but they are sufficiently common for *Henry V* to seem anomalous, the only play to concentrate on war between England and a foreign power and the only play to pay such close attention to Christian justification of war. Read in the context of the works as a whole, both the play as a whole and the place of the just-war register within it are once again put in question. Why does young Hal, son of Henry IV, not act on his father's dying wish and legitimize his dynasty by setting out for the Holy Land? Why wage war on France instead? He is not pressed to undertake this war, as his father was bound to respond to rebellions. Is there not also a tragedy here, evident in the blunt final chorus of the Folio *Henry V*, where the achievements of the king are quietly dissolved in fourteen apologetic lines. Yet this tragedy, far from being sandwiched by war, makes spurious foreign victory the filling between slices of usurpation and civil strife.

A second set of repetitions completes the subversion of any heroic reading of *Henry V*. It is clear that Scholastic writings on *jus ad bellum* deal with the process by which hostilities are initiated. Deliberation in Council in *Henry V* Act 1, Scene 2, offers what at first sight appears to be the model of this. Yet the sovereign decision to wage war is in effect renewed daily until victory or defeat brings hostilities to an end and is often preceded by brinkmanship and local hostilities. Every new campaign, every engagement, every skirmish, requires decision, and

the location of responsibility for this sequence of decisions through the chain of command is not straightforward. Some sovereigns are also commanders-in-chief. Some are more interventionist in the details of military tactics than others. An idealized initial decision may not easily be isolated and it follows that the role of the sovereign is not easily separable in practice from questions of *jus in bellum* and front-line predicaments. This practical confusion makes the theoretical distinction between sovereign and subject all the more important to the integrity of Catholic just-war doctrine, a point to be examined in greater detail in chapter 12.

The decision to initiate hostilities requires constant reinforcement through command; and these repeated injunctions serve to mould the relationship between those who command and those who serve but also to lessen emphasis on the first of the sequence, the original initiation of hostilities. Command responsibility is certainly addressed in the just-war tradition, but it is largely absent from the neo-scholastic formula of recent decades, very possibly because the changing nature of war and the move to all-volunteer professional forces have told against the emphatically hierarchical views of past writers. Thus, for Augustine, the chain of command posed few problems. Firmly persuaded of the importance of hierarchy and order in the moral universe and trusting Divine Providence, he could unequivocally declare that 'one who owes a duty of obedience to the giver of the command does not himself "kill" – he is an

instrument, a sword in the user's hand.'⁸² Distinctions between *the illegal order*, which no regular combatant is required to obey, *the legal order that offends conscience* yet is nevertheless binding in law, and *the order that is both legal and morally satisfactory* simply do not arise for Augustine's combatants. This is partly because they cease to be moral agents to the extent that they are subordinates of a legitimate temporal authority, but it is also because they are assured that 'thanks to the sovereignty of God, even when power is used in an evil manner, such power still acts in His greater plan.'⁸³ Yet while this assurance may provide some comfort, Augustine also places a particular responsibility on the sovereign or commander to 'do more than understand; he must *feel* [stress in original] the sorrowful condition he is in, while also feeling the presence and awe of God to guide him.'⁸⁴

Shakespeare's critique of Henry's war catches this point nicely. Emphasis on command responsibility is present in the long discussion in Act 1, Scene 2. Henry prefaces his request to the Archbishop of Canterbury for advice on just cause with a stern admonition; his is a heavy responsibility; many lives hang on the decision. 'For never two such Kingdoms did contend, / Without much fall of blood, whose guiltless drops / Are every one, a woe, a sore complaint / 'Gainst him, whose wrongs give edge unto the swords, / That make such waste in brief

⁸² . Augustine, *City of God*, quoted in Phillip W. Gray, *Being in the Just War* (Saarbrücken: Verlag Dr. Müller, 2007) 87.

⁸³ . Gray, *Being*, 91.

⁸⁴ . Gray, *Being*, 138.

mortality.⁸⁵ The most telling feature of the archbishop's response is not the complexity or cogency of the justification that follows but the speed with which just cause and right intention are dropped the moment the archbishop takes the responsibility upon himself at its conclusion. 'The sin upon my head, dread sovereign.'⁸⁶ Instantly, all talk, not least that of the clergy, turns to heredity, military virtues and power. It is as though cause and intention may be forgotten and unbridled force unleashed once hostilities have been commenced. Henry has license 'with blood, and sword and fire' to win his right.⁸⁷ Contrary to any orthodox reading of the theologians, satisfaction of the criteria for resorting to war seems to have relieved the king of any restraint on the use of force, enabling him to cast aside moral scruple in subsequent re-statements of his authority to the French ambassador, to the governor of Harfleur and, finally, in his defiant response to Montjoy, the French herald, as the battle begins.

The burden of command responsibility cannot be taken from the shoulders of the king, and Shakespeare returns to the continuing obligations of the commander and the distribution of responsibilities among combatants of varying rank in Act 4, Scene 1. It is the night before Agincourt and Henry's army seems doomed. At the commencement of the Act, Chorus describes them as though already dead, 'so many horrid ghosts'. Henry, who has been walking the lines to keep up morale, asks to borrow the cloak of an elderly officer, Sir Thomas Erpingham. This will allow him to move through the camp incognito and gauge the mood of the army

⁸⁵ . William Shakespeare, *Henry V*, I.2.24-28.

⁸⁶ . Shakespeare, *Henry V*, I.2.97.

⁸⁷ . Shakespeare, *Henry V*, I.2.131.

by conversations free from deference. As Harry le Roy, he learns of petty private quarrels before falling in with three common soldiers, John Bates, Alexander Court and Michael Williams. By contrast with other commoners in the play, they are neither regional stereotypes nor Eastcheap n'er-do-wells. These are names that evoke no surprise and offer no clue.

The conversation that follows is extraordinary. It is not the customary Shakespearean low-life comic encounter, but an exchange of views in plain prose between equals. The equality is double, because Henry has not only taken the garb of a lesser man, but opens the exchange by a further rhetorical abandonment of the trappings of monarchy. Asked whether Sir Thomas Erpingham has disclosed to the king the pessimistic view of their situation that Henry has just attributed to him, Henry says that he has not, and that the king should be kept in ignorance lest he should become afraid and dishearten the army by showing his fear. In justification of what might otherwise seem a disrespectful slur on the monarch, he goes on to explain that the king is no more inured to fear than anyone else. 'His ceremonies laid by, in his nakedness he appears but a man'. Falsely clothed and figuratively naked, Henry finds himself suddenly on weak ground, his protestations that he would not wish to be anywhere but with his king sounding implausible and even bombastic against the heartfelt wish of Bates to be gone, which he well knows to be justified.

Henry insists. If it comes to it, he declares, he 'could not die any where so contented, as in the King's company; his cause being just, and his quarrel honourable'. But it is precisely this assumption that Williams doubts, refusing to accept Bates's assurance that 'we know enough, if we know we are the King's subjects: if his cause be wrong, our obedience to the King wipes the crime of it out of us.' Williams objects. There is no choice but to obey, but if the cause is not good, responsibility for all those who leave debts unpaid and families destitute will fall upon the king. Henry's response is one of the longest speeches in the play. As servants of the king, soldiers must obey orders. When he recruits them, the king's primary purpose is not their death. But no king can recruit an army of angels. To the extent that they have, in past life, been thieves, seducers or murderers, they will die badly and be damned. Yet that is not the responsibility of the king. In short, 'Every subject's duty is the king's, but every subject's soul is his own.' Echoing Augustine, Henry concludes that 'it is only as soldiers that they become instruments of the King's will and blameless for their actions'; as men they remain moral agents, responsible for all other deeds. But both man and soldier take to the field together. Worse, their king himself is man, soldier and prince, a trinity un-reconciled.

1,805 / 1,850

CHAPTER 6

PERFORMANCE HISTORY

The manner in which the jostling plurality of ethical registers displayed in *Henry V* may have been smothered by the larger contemporary drama of succession and kingship in its earliest performances finds parallels in subsequent productions, up to the present, which have frequently coincided with or followed hard on the heels of later wars, adjusting the play to current circumstances and concerns. But a more significant parallel emerges from the situation of both Shakespeare's corpus and the just-war tradition within the broader sweep of European taste, moving through the baroque to Classicism and onward to Romanticism.

Just-war discourse fell on hard times during the seventeenth and eighteenth centuries before experiencing a complex and gradual revival after 1815, accelerating toward the end of the twentieth century. This revival is examined in detail in Part 2. The corresponding suggestion that Shakespeare 'slips off the radar for 150 years' after his death in 1616 is surely an overstatement, yet contains a kernel of truth.⁸⁸ Many of the plays were revived in London following the Restoration of the monarchy and the consequent re-opening of theatres in 1660. Revivals continued with some frequency into the early eighteenth centuries. But they were often virtually re-written to conform to the tastes and

⁸⁸ . Bill Bryson, *Shakespeare: The World as a Stage* (London: Harper Collins, 2007).

concerns of the day. Moreover, within a very short time after Shakespeare's death, attempts to exploit his reputation by padding the works ascribed to him with the work of lesser authors had begun, and the attempt to counter this tendency with an authoritative edition was not entirely successful.⁸⁹ Later, as neoclassical taste took hold, Shakespeare was often held to have been technically defective, saved only by his superlative genius.⁹⁰ Improvements were made. A bombastic acting style took hold.

During the same period, while St Thomas Aquinas was never entirely forgotten, much of the energy of Catholic theologians was devoted to reactive engagement with contemporary rationalist philosophers, while war came generally to be regarded as pretty much a matter of *raison d'état* and princely will, scarcely requiring moral justification, the chief constraint on its conduct being the elaborate cosmopolitan connexion of Europe's royal and noble dynasties.⁹¹ So Shakespeare's plays and just-war discourse alike were victims of Enlightenment taste and, in due course, became at one and the same time both beneficiaries and victims of nineteenth-century Romanticism.

As for *Henry V*, there is no evidence that it was performed in London at all between 1605 and 1723, and when it was finally revived it was in a version that would have been hardly recognizable to an Elizabethan audience. The play was

⁸⁹ . Christian Deelman, *The Great Shakespeare Jubilee* (London: Michael Joseph, 1964) 19-20.

⁹⁰ . George Winchester Stone, Jr., 'David Garrick's Significance in the History of Shakespearean Criticism: a Study of the Impact of the Actor upon the Change of Critical Focus during the Eighteenth Century' *Proceedings of the Modern Languages Association* 65:2 (March 1950) 189.

⁹¹ . Schmitt, *Nomos*, 145.

sexed up to appeal more to an eighteenth-century audience. The relationship between Henry and Katharine of France was elaborated. In the new version Henry had first wooed the princess while attending the French court incognito. A fresh sub-plot traced Henry's seduction and abandonment of an entirely new character, the anachronistically named Harriet, who subsequently committed suicide.

These details, though illustrative of the flexibility with which a play may pass from one generation to the next, are of less relevance to the theme of war than the introduction of additional xenophobic and patriotic material, playing on the still lively antipathy toward their neighbors of an English audience that had only recently seen the end of twenty-five years of almost unbroken struggle with France.⁹² The heroic and patriotic effect achieved by radical cutting of the original text, and to some extent reflected in the Quarto version, was accomplished for later generations by nationalistic embellishments.

Henry V was not singled out for this sort of mutilation. By the time David Garrick first appeared on the London stage in the title role of Richard III, in 1741, many of Shakespeare's plays had been changed almost beyond recognition. The chief contribution of Garrick, as actor-manager at the Drury Lane Theatre from 1747,

⁹² . The War of the Grand Alliance lasted from 1688 to 1697 and saw France pitted against a balancing coalition of Spain, Savoy, Great Britain, the Dutch republic and the Austrian Habsburgs. It was shortly followed by the War of the Spanish Succession, 1702-1713, in which the Austrian Habsburgs, Britain, Portugal and the Dutch Republic intervened in a Spanish civil war on behalf of a Habsburg claimant to the Spanish crown against France and the Bourbon claimant, Philip duc d'Anjou, in order to avert the prospect of a personal union of crowns of France and Spain.

was therefore to stage the major plays using texts much closer to the original than had lately been common and to impose on London audiences standards of behavior more respectful of plays and actors than had become customary. He also developed a more naturalistic performance style, less concerned with formal rules and structure and much more with expression of the inner world and feelings of the characters.⁹³

The next significant London production of *Henry V* after the 1723 travesty, albeit from a text now closer to the Folio, coincided once again with a climate of xenophobia. There had been further major and prolonged wars between Britain and France between 1756 and 1783.⁹⁴ As French politics teetered toward riot and revolution in 1789, with ominous implications for British security, John Philip Kemble, the Garrick of his day, exploited the fears of his London audience with a production of *Henry V*, newly billed *The Conquest of France*, which opened on 1 October and went on to receive ten further performances that season and figure prominently in the Drury Lane repertoire up to 1794.⁹⁵

Together, the 1723 and 1789 productions established a pattern that would continue into the mid-twentieth century, culminating in the 1944 Olivier film, by which *Henry V* came to be regarded as the most patriotic and heroic of

⁹³ . Stone, 'David Garrick's significance,' especially 185-7.

⁹⁴ . The Seven Years' War of 1756-1763 saw very substantial British territorial gains in South Asia and North America. France intervened on the side of the colonists in the American War of Independence, 1775-1783.

⁹⁵ . James Boaden, *Memoirs of the Life of John Philip Kemble Esq.* (London: Logman, Hurst, Rees, Orme, Brown and Green, 1825), II, 2-12; Charles H. Shattuck (ed.) *John Philip Kemble Promptbooks* (Charlottesville: University of Virginia University Press for the Folger Shakespeare Library, 1974) vol.3, *Henry V*, preface.

Shakespeare's plays and to be thought peculiarly suited to performance in time of war. This modern performance tradition left little room for ironic readings of the text.

In 1789, Kemble scorned later versions and claimed to have gone back to the Folio ('the author's genuine book!'), but he then made cuts 'as suiting the time of the representation to the habits of his audience' and the abilities of his players.⁹⁶ In any case, the whole balance of the production was conditioned by the commercial imperative, in only his second season as actor-manager, for Kemble to stage a monodrama with a strong central role for himself. Working from Bell's edition, Kemble accepted the excision of the chorus and several scenes, but made further cuts of his own 'to "improve" the character of the King', even restoring the Act I, scene 1, speech in which the Archbishop of Canterbury praises Henry's reformed character, surely unaware of any possible irony.⁹⁷

If one consequence of Garrick's advocacy of Shakespeare had been to restore respect for text and performance, its broader and weightier cultural impact was to shift attention from the plays themselves toward the social context of their genesis and performance. In the long term this supercharged the plays politically, not least *Henry V*. Garrick helped launch the Stratford tourist industry and, in so doing, elevated the playwright to a central position in English national identity while conflating him with the celebrity performer (himself) and the litter of material

⁹⁶ . Boaden, *Memoirs*, II, 2.

⁹⁷ . Shattuck, *Promptbooks*, III, Preface to *Henry V*, ii. The felicitous word 'monodram' is Boaden's.

relics and memorabilia to be found in and around an otherwise unremarkable Warwickshire market town.

A revival of Shakespeare's popularity was already under way. In 1741 a statue had been installed to mark the playwright's grave in Westminster Abbey. 1762 saw the first Shakespeare souvenirs on sale in Stratford. But things took a fresh turn when Garrick commissioned, and then posed for, what was to be presented as a bust of Shakespeare, by Louis-François Roubilliac in 1758. When the Stratford Corporation asked Garrick to help decorate their new town hall in 1767, the confusion of commemoration, celebrity and substance showed every sign of getting out of hand, as the actor took the opportunity to launch a Shakespeare Jubilee. Not long after Garrick's death in 1779, confusion became complete. In George Carter's 1782 *Apotheosis of Garrick* a saintly white-clad Garrick ascended, watched over by angels, as actors of the day, dressed for their most celebrated Shakespearean roles, looked on. Shakespeare himself was reduced to a diminutive figure, flanked by personifications of Tragedy and Comedy, descending the slopes of Parnassus to meet the Great Actor.⁹⁸

As myth-maker and stage-manager Garrick did for Shakespeare what Sir Walter Scott was shortly to do for Scotland. As cultural theorist and social constructivist

⁹⁸ . Heather McPherson, 'Garrickomania: Art, Celebrity and the Imaging of Garrick' (<http://www.folger.edu/template.cfm?cid=1465>); Christian Deelman, *The Great Shakespeare Jubilee* (M. Joseph: London, 1964); Robert Witbeck, *The Genesis of Shakespeare Idolatry, 1766-1799* (Chapel Hill NC: University of North Carolina Press, 1931) 38-41.

he anticipated Jean Baudrillard by two centuries in his heaping of one representation upon another to the final occlusion of reality.

Coming forward most of those two hundred years, Garrick may be said not only to have ensured that *Henry V* would be available as a patriotic resource during the Second World War, but that it could be transformed by Laurence Olivier into an instrument of mass propaganda through cinema. Shakespeare's plays had become classics for the educated classes: so well known that they hardly need be seen or read.⁹⁹ This meant that thousands who would have hesitated to watch a film adaptation of any work of Marlowe, Johnson or Fletcher flocked to see the Olivier film. But Olivier achieved far more than this.

Now writ large, on the screen, was that same confusion between actor, character, and playwright, swept up together in just the mist of celebrity that had first been conjured up in Carter's *Apotheosis*. In his memoirs, Olivier described himself as an agent of providence. 'From the beginning of England's war (sic) with Germany, I realize now, I was being tuned up for the undreamt-of film of *Henry V*.'¹⁰⁰ With Britain still at war, Olivier – the erstwhile Fleet Air Arm pilot – nicely contrived this by being first seen, backstage, in a set replicating Shakespeare's Globe Theatre, in the role of an actor preparing to take the stage

⁹⁹. Harry Johnson referred to the *General Theory* of John Maynard Keynes as having 'long ago attained the status of a classic — meaning a book that everyone has heard of and no one has read' (Harry Johnson, 'The "General Theory" after Twenty-five years' *American Economic Review*, 51 (May 1961) 1. He may or may not have been aware of Mark Twain's much earlier remark that 'a classic is something that everybody wants to have read and nobody wants to read'.

¹⁰⁰. Laurence Olivier, *On Acting* (London: Weidenfeld & Nicolson, 1986) 185. Elsewhere he writes of the entire company being 'imbued with a sense of history' and of war clearing the head (190).

as King Henry, yet still able — as the bishops fluff their lines and drop their briefs — to step briefly out of that role, smirking with the audience at his colleagues' incompetence as actors.

It is true that there is a sunny and heroic aspect to Olivier's film, fuelled by a deliberate desire to support the British war effort and conveyed not least by bright colours of the film, deliberately reminiscent of medieval illustrated manuscripts.¹⁰¹ Gone are Henry's anger with the French crown prince, the dauphin; gone his condemnation of the conspirators at Southampton, his dire threats to the people of Harfleur, the hanging of Bardolph and even the order to kill the prisoners at Agincourt.¹⁰² But this was propaganda with a difference. Four decades later, Kenneth Branagh was to disparage Olivier's film as 'a two-dimensional *Boys' Own* adventure, claiming to have found a 'darker, harsher' play than his predecessor; but it is quite otherwise. Mud and sweat may provide a palette that is superficially darker than Olivier's, but it is Branagh's tough, bluff, tousled Henry who provides the more convincing *Boys' Own* hero, while Olivier provides the more psychologically complex and darker interpretation.¹⁰³ The sinister quality of Olivier's interpretation comes from exploiting the many possibilities of Machiavellian duplicity and calculation in the text; that of Branagh, from a murderous sincerity.¹⁰⁴ It is Churchill *contra* Blair.

¹⁰¹ . Laurence Olivier, *On Acting* (London: Weidenfeld and Nicolson, 1986) 275.

¹⁰² . Samuel Crowl, *The Films of Kenneth Branagh* (Westport CT and London: Praeger, 2006).

¹⁰³ . Peter S. Donaldson, 'Taking on Shakespeare: Kenneth Branagh's Henry V' *Shakespeare Quarterly* 42:1 (Spring 1991) 60-71.

¹⁰⁴ . Michael Mannheim, 'The English History Play on Screen' in Anthony Davies and Stanley Wells (eds.) *Shakespeare and the Moving Image* (Cambridge: Cambridge University Press, 1994), 128-130.

Texts have histories. Novels and memoirs are read and re-read, every time by a different reader and in different circumstances. They may be translated into new languages or transposed into new genres. The novel becomes a film; the chronicle becomes a play and then a film; the theological argument is incorporated into a work of fiction or becomes the shadowy ground of legislation. All these things happen at some point in this book, the history of Henry V serving as an anticipation of the transformation of George Witton's South African experience from memoir, through play, to film, traced in chapter 16, and of the more complex evolution of scholastic thought about war into international law and secular moral philosophy recounted in Part 2.

1,885 / 2,381