

CRY HAVOC: SHAKESPEARE AND JUST WAR THEORY

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Abstract— To watch a play by William Shakespeare is, in many cases, including his histories, tragedies, and even comedies, to watch the beginning, conduct, or conclusion of a war. His *Julius Caesar* begins by recounting Caesar's successful campaigns. Then, on seeing Caesar's bloody body, Marc Antony screams those fateful words that will start yet another war, this war one of revenge: "Cry Havoc! And let slip the dogs of war." Shakespeare shows us the civil war that follows, and ends with a mournful tribute to the vanquished foe. *Henry V* begins with a discussion of whether to go to war, either to press a claim or in response to an insult, and facilitated by a bribe. Shakespeare then gives us his version of the conduct of a war that will inspire Britons for more than 600 years, the Battle of Agincourt. He then resolves the conflict with a political marriage. This paper analyzes selected Shakespeare plays to discern the element of traditional just war theory. We identify the elements of just war theory primarily from the Christian doctrine first articulated by Augustine of Hippo and expanded by Thomas Aquinas. By their standards, and by modern criteria, much of the action in such plays as *Julius Caesar* and *Henry V* would not be considered just.

Keywords—Shakespeare; Caesar; Henry V; just war theory

I. INTRODUCTION

Alexander (2014) reports finding that "a quick online word search (on www.opensourceshakespeare.org, for example) reveals that 'war' is used 28 times in comedies, 88 times in tragedies and 112 times in the histories; 'soldier' occurs 47 times in comedies, 134 times in tragedies and 152 times in histories" (p. 282). The evidence is clear: Shakespeare cares a good deal about war, soldiers, and the military life. What is less clear, however, is whether, or to what extent, Shakespeare is concerned with the questions of when adversaries may justly go to war, how combatants are judged as they conduct their battles, and how victors may morally treat their vanquished. The evidence is there. This study aims to identify that evidence through the lens of just war theory.

Thinking critically about the just war is as ancient as Western philosophy itself. In his discussion of the "luxurious city," Socrates concludes that this larger and more sophisticated city will also "be driven to make war on its neighbors to feed its excessive appetites" (Syse, 2010, p. 109). The Athenian Sophist philosopher Thrasymachus (whose name means fierce fighter) asserts that "justice is nothing other than the advantage of the stronger" (Dobolo, 2001; Fisher, 2011; Freeman, 1948; Plato, 2019, p. 16). In other words, might makes right. He challenges the assumption that it is good to be just: "justice is conventionally established by the strong, in order that the weak will serve the interests of the strong. The strong themselves, on this view, are better off disregarding justice and serving their own interests directly" (Brown, 2017. p. 1).

Thucydides (1972) strikes a similar note when he records the Athenians negotiating with the Melians, "the strong do what they can and the weak suffer what they must" (p. 402). We should note here that Classical scholar Mary Beard (2013) takes issue with the translation but offers variations without much difference. Beard's judgment, however, is affirmed and amplified by Richard Vague (2013): Thucydides "was attempting something never done before: an aggressively rational, apparently impersonal analysis of the history of his own times, utterly free from religious modes of explanation" (p. 1). When that most "realist political" conclusion is offered by Thucydides, we might grant that he was there, unlike Thrasymachus (Woodruff, 1993). We might also note the consequence of the Melians' dismissing what was clearly a threat by the Athenians: "The Melians, honorably but naively, stuck by their own independence. The immediate result was that Athenian forces besieged and captured Melos, killing all the men that they could get their hands on, and enslaving the women and children" (Vague, p. 1).

This study aims to understand not Shakespeare's philosophy of whether or not the assertions of Thrasymachus or the Athenians are morally defensible or regarding his philosophy of just war, for those would be impossible to know, but how in his plays he shows us a range of responses to those assertions.

In *Henry V*, Shakespeare shows the historic contradiction of Thucydides and of Thrasymachus in the Battle of Agincourt, where a considerably larger French force is defeated by the smaller English “band of brothers” (Shakespeare, 1991, IV.3, p. 508). Indeed, that incident of the Hundred Years War will go on for centuries to rally the British in their wars, including and especially the First and Second World Wars.

II. JUST WAR THEORY (*JUS BELLUM JUSTUM*)

Why do we even have a theory of just war? Christian theologians face a dilemma. On the one hand, they read, “For who has ever found an enemy, and sent the enemy safely away? So may the Lord reward you with good for what you have done to me this day” (1 Samuel 24:19). And from Jesus, “Ye have heard that it hath been said, Thou shalt love thy neighbour, and hate thine enemy. But I say unto you, Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you” (Matthew 5:43-44). The commandment, “Thou shalt not kill” (Exodus 20:13) is explained away by translation and interpretation, as in the Modern English Version (MEV), “Thou shalt not murder.” Even here, however, we have a problem understanding the order of Henry V to kill – murder – all of his French prisoners of war at Agincourt: “The French have reinforced their scatter’d men:—/Then every soldier kill his prisoners;/Give the word through” (Shakespeare, 1991, IV.6, p. 510).

Langan (1984) notes, “...there is a long and important tradition of Christian pacifism both as a theological position and as a form of Christian witness in a world full of the sorrows and crimes so often found in war” (p. 19). This is a tradition that derives from the admonition of Jesus to “Love your enemies,” as well as Luke 6:29: “And unto him that smiteth thee on the one cheek offer also the other; and him that taketh away thy cloak forbid not to take thy coat also.” These are the essential bases of many of those who refuse military service claiming to be conscientious objectors (SSS, 2020).

On the other hand, what is the faithful Christian to do when threatened by an armed enemy? Is “self-defense” an acceptable response? If an attacker breaks through the door of one’s home, wielding an axe over the head of one’s child, is there no recourse? If an armed invader comes across one nation’s borders killing one’s citizens, is there no remedy? Saints Augustine and Thomas Aquinas think there is.

Augustine of Hippo (354-430) relies on Romans 13:4: “For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil.” Consistent with this view, Langan (1984) writes, “...there have been episodes of violence for which a special religious blessing has been sought or given” (p. 19). Apropos of our current study, we note that

Augustine is not the first to justify war. “the approach has roots in the teachings of Cicero and in the legal and moral theory of natural law and Greek philosophy” (Langan, p. 20; Hoyt, 2013, p. 152; Walzer, 2015).

“Cry ‘Havoc.’ and let slip the dogs of war” (Marc Antony, *Julius Caesar*, III.i.274). Apart from combining rage and grief in this outburst of Marc Antony standing over the bloody corpse of his friend and mentor, Shakespeare raises the question of whether these passions are sufficient foundation for a “just war.” Although Shakespeare based his *Julius Caesar* on Plutarch’s *Parallel Lives* (1918), The Rome Statute was drafted in 1998, and made effective in 2002, to answer such questions when it established the International Criminal Court (ICC) (Newquist, 2000). The jurisdiction of the ICC includes international crimes of genocide, crimes against humanity, war crimes, and aggression (ICC, 2011, pp. 3-8).

The United States is not a state party to the Rome Statute. (Human Rights Watch, 2020). “At first the US supported the idea [of a permanent international criminal court] and was actively involved in the 1998 Rome negotiations. But the Pentagon feared that the ICC would be used politically against US forces all over the world, and Washington turned against it” (Luban, 2020, p. 51). Notably, the Baltic states of Estonia, Latvia, and Lithuania are state parties to the Rome Statute, as is Georgia (CMU, 2001).

II. THE RIGHT TO WAR (*JUS AD BELLUM*)

When is it right and just to go to war? The Oxford English Dictionary defines *jus ad bellum* as, “The body of international law governing the right of one state to resort to war against another.” In considering whether a war is just (*jus bellum justum*), we first ask if the war satisfies certain criteria, as noted by St. Augustine and St. Thomas Aquinas, and by earlier philosophers, such as Cicero (Yoo, 2019). In the Christian doctrine, or tradition, of just war, *jus ad bellum*, literally, the right to war, alternatively, the right to initiate a war, requires satisfactory answers to these questions: Is the cause just? Are “the claims of an aggrieved party...of such magnitude that the presumption against war is overridden”? (Mattox, 2000, p. 34); i.e., is there comparative justice? Is there a competent authority to make the decision to go to war? Is the intent right? Is there a high probability of success? Is war the last resort, after having tried every other path to a solution of the disagreement? And is there proportionality; e.g., do we not go to war because of an insult? (BBC, 2014, 2020; Biggar, 2013, 2014; Cole, 1999).

How do most people understand this concept of when it is right and just to go to war? In their study, BBC (2014) finds “A war is only a Just War if it is waged from the right motives. Most people think motives are relevant to the moral quality of an action” (p. 1) What are the intentions of those who decide to wage war?

Just war theory proposes that there should be “good intentions,” e.g., creating, restoring, or keeping a just peace; righting a wrong, or assisting the innocent. Can we find “good intentions” in *Julius Caesar*, *Henry V*, or other plays of Shakespeare? What about “bad intentions”? Seeking or demonstrating one’s power? Seizing the land of another country or enslaving its people? Or just hating “the other”? Genocide of the sort we find in Hitler’s “Final Solution” surely must qualify as “bad intention” in the extreme. Or how about revenge? Is Marc Antony’s cry for revenge “good intention” or “bad intention” (Steele, 2013)?

In *Julius Caesar*, Caesar’s wars of Roman expansion and his civil wars are in the past. Now we must consider whether it is a just call to war, to avenge the assassination, when Marc Antony screams ‘Havoc!’ And let slip the dogs of war. Marc Antony uses his famous funeral oration, “Friends, Romans, Countrymen, lend me your ears,” to turn the citizens of Rome against Brutus and Cassius. There is no call for a remedy in law. War does not seem to be a last resort. And how can Marc Antony be considered “competent authority”? The war that Marc Antony incites does not appear to meet the standards of *jus ad bellum*.

Similarly, in *Henry V*, while the young king may have a legitimate claim to the throne of France, it is the mockery by the Dauphin, an insulting gift of tennis balls, that slips the dogs of war and claims the lives of thousands on both sides. Throughout history, no less in the 21st century, leaders have hurled insults at one another. Only a lunatic would go to war over such an insult. But in the play, the soldier, John Bates says,

Ay, or more than we should seek after; for 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. (*Henry V*, IV.i)

Of course, from our modern perspective, we now have the post-World War II precedent in the German War Crimes trials that the Nuremberg defense, or superior orders, “I was just following orders,” fails to exonerate those who commit war crimes. This is also key in the next two sections, *jus in bello* and *jus post bellum*.

IV. Justice in War (*Jus In Bello*)

Once we have decided that it is right and just to go to war, how shall we behave? The OED defines *jus in bello* as, “The body of international law regulating the conduct of combatants during war in order to minimize unnecessary damage and suffering.” In order to be considered “just,” a war must be conducted in a just manner, *jus in bello*. This requires distinction, proportionality, military necessity, fair treatment of prisoners of war, and no evil means, such as torture or rape (BBC, 2020; Cole, 1999; Douglas, 2003).

In *Julius Caesar*, Shakespeare shows us that Brutus and Cassius escape as Antony joins forces with Octavius Caesar. Encamped with their armies, Brutus and Cassius quarrel, then agree to march on Antony and Octavius. In the battle which follows, Cassius, misled by erroneous reports of loss, persuades a slave to kill him; Brutus’s army is defeated. Brutus commits suicide, praised by Antony as “the noblest Roman of them all.”

In *Henry V*, “For modern observers, one of the best known and most notorious events during the battle of Agincourt is the massacre of at least some of the French prisoners by their English captors at the end of the first phase of fighting” (Spencer, 2015, p. 1). In the context of just war theory, whether modern or ancient, such behavior fails the test of common decency (Edelman, 1998). How then, can Shakespeare not excoriate both the act and its author? Indeed, “It is notable that no contemporary commentators criticized Henry for his action at Agincourt. It was seen at the time as an action generated by military necessity” (Spencer, p. 2).

Ambühl (2015) confirms the “military necessity” argument: Henry had given the order to burn a barn that held more than a dozen French prisoners, including wounded soldiers. “Yet in the eyes of contemporaries the strategic end – securing the field – seems to have justified Henry’s radical means” (pp. 206-207). “How many prisoners were slaughtered remains a mystery” (p. 208). There is no question that Henry violated the rule of *jus in bello*, not just by 21st century standards but by the standards of his day, as well. The standard is that the ends justify the means.

V. Justice After War (*Jus Post Bellum*)

When the war has ended, how shall the victors behave? Orend (2007) argues traditional just war theory is incomplete without considering what might be called mercy to the vanquished, including the responsibility to rebuild. After the original formulation of *jus ad bellum* and *jus in bello* by Augustine and Aquinas as constituting a just war, scholars saw the need for a conclusion of hostilities leading to a better peace than that which gave rise to the war, *jus post bellum*. We would expect a just conclusion to be characterized by a just cause for termination, right intention, public declaration and authority, discrimination between combatants and civilians and military vs. political leaders, and, again, proportionality (Bass, 2004; Iasiello, 2004; May & Forcehimes, 2012; Orend, 2007; Williams, 2014). Lazar (2012) adds reconstruction and peacebuilding to the list (p. 204).

VI. CONCLUSION

Shakespeare raises questions regarding all three aspects of just war theory in both *Julius Caesar* and *Henry V*. On seeing the bloody corpse of Caesar, Marc Antony screams, ‘Cry ‘Havoc.’ and let slip the dogs of war. Is revenge consistent with *jus ad bellum*,

i.e., is revenge a just cause for initiating a war? Does Henry act justly by invading France to press his claim to the French throne? In the 21st century, when we claim that Henry violated *jus in bello* by ordering the massacre of his French prisoners (Brown, 2020), are we using today's standards? We show in this study that such standards are not new to the conduct of warfare but are as old as recorded history. And finally, Shakespeare shows us a glimpse of *jus post bellum*, as Marc Antony says over the body of Brutus, "This was the noblest Roman of them all. ... His life was gentle, and the elements mixed so well in him that Nature might stand up and say to all the world, "This was a man" (V.v.68).

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