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Henry V: Shakespeare's Just Warrior

Despite the wide spectrum of perspectives that Shakespeare's commentators bring to bear on *Henry V*,¹ they seem to agree that the play is riddled with complexities as large as its popularity. On the one hand, Shakespeare presents Henry V as involved in a war that, in terms of both its declaration and its prosecution, clearly invites a moral-philosophical critique. On the other hand, he represents Henry as "an ideal king"² who is altogether "politically, morally, and humanly aware." As a result, "the warlike Harry" (Prologue, 5) is also the "mirror of all Christian kings" (2.chorus.6). These two designations seem, on the surface at least, to be terribly incongruent. Although it may be said that "the play's aim is to celebrate heroic actions under a heroic king,"⁴ it is likewise clear that Shakespeare does *not* intend to portray his hero merely as a great conqueror of the Alexandrian variety.⁵ Rather, he seeks to portray him as a hero who pursues noble aims in a way that does not offend Christian moral sensibilities. The surest way to walk this tight-rope, and indeed the method that I propose that Shakespeare employs, is to demonstrate Henry V to be a monarch who conducts his warfare in accordance with the demands of the Western just war tradition. It is this aspect of Shakespeare's portrayal of Henry V that transforms and elevates him from the status of being *merely* England's greatest warrior to the status of England's consummate *just warrior*.

Just War

The theory of just war, as it has emerged over the past 2500 years of Western history, typically is presented under two major headings: *jus ad*

bellum and *jus in bello*. *Jus ad bellum*, or “the justice of war,” specifies those criteria that define the right of one nation or sovereign power to engage in violent action against another. In the context of this time-honored tradition, a nation is justified in entering a war if, and only if, it (1) has a just cause, (2) the justice of which is of such magnitude that it outweighs the justice of its opponent’s cause, (3) enters the conflict with honorable intentions, (4) has authority to fight by reason of its possessing recognized war-making powers, (5) pursues war only as a last resort, (6) publicly declares its intent to fight, (7) has reason to believe that the resort to war will produce a resolution of the conflict in terms favorable to the nation entering the war, (8) the prosecution of which will result in the realization of greater moral good than would result if the war were not fought, and (9) approaches the war with the ultimate objective of attaining peace for all involved. In contrast, *jus in bello*, or “justice in war,” specifies the limits of moral conduct in the actual prosecution of a war. That is, the *jus in bello* component of the just war tradition stands as witness to the claim that “it is not permitted to employ unjust means in order to win even a just war.”⁶ *Jus in bello* is generally characterized in terms of two tenets: (1) that the state should apply the minimum force necessary in order to accomplish its just aims and (2) that the state should consider those persons duly recognized as combatants to be the sole objects of its violent action.⁷

I do not propose that Shakespeare consciously incorporates these criteria into his portrayal of Henry in an overt effort to show that Henry’s actions as king and as a military leader correspond *point by point* with the demands of the just war tradition—a tradition well established by Shakespeare’s time. Nevertheless, one familiar with the tradition cannot but be astounded at the striking correspondences that *do* in fact exist between the two. While one need not claim for Shakespeare the title of international jurist or military moral philosopher, one can still be impressed by the keen awareness that he appears to possess concerning the theory of just war as it developed from ancient times and as it was observed in both Henry’s and Shakespeare’s day. In what follows, I propose to examine Shakespeare’s portrayal of Henry V in light of the just war tradition. In the process, I shall attempt to demonstrate two claims: first, that in the case of those tenets for which Henry’s war making can be shown to accord with the just war tradition, Shakespeare forthrightly establishes Henry’s compliance; second, that in the case of those tenets that pose obstacles to establishing Henry’s status as a just

warrior, Shakespeare takes deliberate pains to minimize the effects of any ill reflection upon Henry.

Jus ad Bellum

Just cause. This is indisputably the premier tenet of all *jus ad bellum* thought. It is that the reason for resorting to war in search of a resolution of an international dispute must itself be a just reason. Traditionally, just causes have included the defense of the innocent against armed attack, the recovery of persons or property wrongly taken, or the punishment of evil. Not only does the idea that a just war must be founded on a just cause permeate the whole of the just war tradition, but it also extends throughout the length and breadth of Shakespeare's treatment of Henry's war-faring enterprise. Particularly, Shakespeare capitalizes on the notion that the throne of France has been wrongly withheld from Henry and that this fact constitutes itself an evil worthy of punishment.

As soon as Henry appears (act 1 scene 2), his first act is to implore the Bishop of Canterbury to "justly and religiously unfold/Why the law Salic that they have in France/Or should or should not bar us in our claim" (1.2.12-14). By his thus imploring the bishop, one might well conclude that Henry is not actually looking for advice, "but for a public statement of the justice of his cause."⁸ However, even if Henry has, for all practical purposes, already determined to go to war, Shakespeare clearly suggests that Henry will not proceed with his practical aims without first ensuring that his decision is justified in principle. In a clear indication that Henry seeks to hear not merely what he wants to hear, but rather a true and just rendition of the English claim, Henry solemnly urges Canterbury, "God forbid, my dear and faithful lord,/That you should fashion, wrest, or bow your reading,/Or nicely change your understanding soul/With opening titles miscreate, whose right/Suits not in native colors with the truth" (1.2.15-20).

One might be inclined to argue that Henry's apparent concern with the justice of the cause is nothing more than a facade—part of a deliberately crafted attempt to put a righteous, if not happy, "spin" upon a morally questionable undertaking. After all, Shakespeare does present Henry as a surprisingly skillful rhetorician throughout the entire play. As the Bishop of Canterbury observes in his private conversation with the Bishop of Ely, "List his discourse of war, and you shall hear/A fearful battle rendered you in music" (1.1.46, 47). Nevertheless, the fact remains

that Henry raises the concern over the justice of his cause not in a public forum, but in the secrecy of his privy council. If his interrogation of Canterbury in that setting were something engineered for the purpose of persuading his closest advisors, Shakespeare certainly provides us with no textual warrant for such an interpretation. From all appearances, the members of his court require no persuasion, as evidenced by the fact that they raise no moral objection whatsoever to war with France. Indeed, the only concern that the court voices pertains to the Scottish threat; and, as we shall see, this concern has nothing at all to do with the question of whether Henry's cause is just. Moreover, the offer by the church, in the persons of Canterbury and Ely, to finance the war effort certainly constitutes more than a merely tacit endorsement of the justice of the cause. The more plausible reading requires one to assume that Shakespeare's Henry sincerely desires a true appraisal on the matter, regardless of what public face he might later give to it. Indeed, the audience given to Canterbury in the privy council seems to constitute a detailed revisiting of the matter of just cause stemming from an earlier conversation when, as Canterbury relates to Ely, "there was not enough time to hear,/as I perceived his Grace would fain have done,/The severals and unhidden passages/Of his true titles to some certain dukedoms,/And generally to the crown and seat of France,/Derived from Edward, his great-grandfather"(1.1.89-94)⁹. Indeed, Henry "does not charge recklessly into war but makes sure that his campaign is justified according to every standard."¹⁰ If anything, Shakespeare would have us understand that "the guilt of bloodshed lies on the French for resisting his claim and not on him for prosecuting it."¹¹

Moreover, Westmoreland urges Henry that his "brother kings and monarchs of the earth" (1.2.127)¹² of unspecified identity "know that your Grace hath cause" (1.2.130)—meaning, of course, a *just* cause—to pursue the battle. Shakespeare is silent on the matter of how or why they should know this, possibly suggesting thereby that the claim is self-evidently true. Whether or not the facts justify these royal bystanders in assuming such a position is by no means clear. However, Shakespeare appears to regard this epistemological issue as one altogether separate from the evidently settled issue of the justice of Henry's war-faring cause.

Comparative justice. This tenet is closely related to that of just cause. The theory of just war rests on the philosophical assumption that, although war exists as an ethical possibility, there also exists a *strong*

presumption against the resort to war as a means to be used by sovereign states in resolving their international difficulties. "Comparative justice" requires, in addition to a state's having a just cause for the prosecution of war—a position that, for good or ill, both parties in a dispute are likely to claim—that the claims of an aggrieved party also must be of such magnitude that the presumption against war is overridden.

Henry clearly manifests an appreciation for the philosophical necessity to override this presumption—if he is to claim to be a just warrior at all—when he says to Canterbury, "For God doth know how many now in health/ Shall drop their blood in approbation/ Of what your reverence shall incite us to" (1.2.20-23). Hence, he strictly charges the Bishop, "Therefore take heed how you impawn our person,/ How you awake our sleeping sword of war./ We charge you in the name of God, take heed,/ For never two such kingdoms did contend/ Without much fall of blood, whose guiltless drops/ Are every one a woe, a core complaint/ 'Gainst him whose wrongs gives edge unto the/ swords" (1.2.20-31). Given this acknowledgement of the horrors of war, one certainly can conclude that, even if Henry cared *nothing at all* about the justice of his cause, he is by no means oblivious to the moral implications of his contemplated venture.

Whether the present war objectively qualifies as a just war or not is rather a secondary concern as pertaining to a reasoned evaluation of the war's relative justice. Of significant theoretical consequence, however, is the fact that Shakespeare takes pains to portray Henry, first, as "a man who fights only for legitimate causes"¹³ and second, as one who recognizes that whatever justification he gives for going to war must override the presumption against war. One of the important ways in which Shakespeare seeks to accomplish this task is by confronting Henry with circumstances that one could readily conceive as sufficient to provoke to war a ruler with less moral fiber but that are insufficient to provoke Henry. For example, when Montjoy delivers the Dauphin's "gift" of tennis balls along with the stinging invective clearly designed to incite Henry, "he reveals remarkable self-restraint."¹⁴ He does not kill the messenger, nor does he base his decision to go to war on the fact that he has received a personal insult. Rather, he demonstrates the truth of his earlier claim that "We are no tyrant, but a Christian king,/ Unto whose grace our passion is as subject/ As are our wretches tettered in our prisons" (1.2.249-251). By the same token, he manifests by his discourse that just as he is willing to cast into prison those wretches deserving of his

discipline, he is also willing to acknowledge that there does indeed exist a point beyond which he need no longer turn the other cheek to sovereignties persisting in the offense of justice—namely, that threshold at which the presumption against war is overridden.

One might be tempted to conclude that Henry's response to Montjoy indicates the Dauphin's insult to be, if not the actual cause of the war, then at least the "straw that broke the camel's back." However, it should be noted that Henry is "well prepared" (1.2.242) to hear and to respond to the message from France even before Montjoy enters the scene. Hence, rather than fighting over an insult per se, Henry merely takes the occasion of the Dauphin's insult to deliver the news that England will assert her royal claim on the battlefield. Fighting for an insult is not a sufficient cause, but if in the process of fighting for a just cause he has occasion to answer an insult, there seems to be no philosophical reason why he should not.

Right intention. Although, as a practical matter, the claims of just cause and of comparative justice in favor of the aggrieved party presuppose the ability of the aggrieved party to produce tangible evidence of wrongdoing on the part of the opposing party, which wrongdoing could be justifiably righted or compensated for by engaging in war, just war theory traditionally has claimed that the outward disposition of the party contemplating the resort to war is not a sufficient guide as to whether the resort to war is actually justified. At least as early as St. Augustine, the just war tradition has held that the inward disposition of the aggrieved party's members is as important as—if not more important than—any visible evidence of intention. As Shakespeare acknowledges by the mouth of Williams, "All offenses...come from the heart" (4.8.48). The intent of the party contemplating resort to war must be in accord with the just cause and must not involve the mere desire for territorial expansion, intimidation, or coercion. It should be devoid of hatred for the enemy, implacable animosity, or a desire for vengeance or domination. Hence, overt indications of right intention would include, among other things, the pursuit of peace negotiations in an effort to terminate the conflict as quickly as possible, the avoidance of potentially unreasonable demands, as might be the case with a requirement for unconditional surrender, etc.

Because the disposition of the heart is itself something never available to direct, empirical inspection, Shakespeare takes pains to ensure that Henry's discourse provides verbal evidence of the righteousness of his

inward dispositions. When Henry asks Canterbury, “May I with right and conscience make this claim?” (1.2.101), his concern seems to be one that transcends the question of justice in the merely technical, legal sense. What Henry really seeks, in the intensely intimate setting of the privy council where he is joined by them “of the spirituality” (1.2.138), is to elevate the debate above the level of minute legal technicalities—that if strained at, might be found to justify war with France—to the loftier level of moral discourse.

Having settled on the decision to invade France, Henry pauses, in an apparent attempt clearly to establish the rectitude of his intentions by demonstrating that his royal priorities are properly ordered, to announce to his court that “we have now no thought in us but France,/Save those to God, that run before our business” (1.2.315, 316). Shakespeare gives us no reason to suppose that Henry considers that the two concerns will find themselves at odds. If there be any question about duplicity on Henry’s part as to whether his true interior goodness and his outward appearances contradict each other, Shakespeare has Canterbury lay that matter to rest with the assertion that a remarkable bestowal of divine grace has “whipped th’ offending Adam out of him” (1.1.28-30) so that any possibility of enmity between Henry and God is out of the question.

Competent authority. The decision to go to war can be made only by one who, by virtue of his or her position in the social framework, is generally recognized as possessing authority to make such a declaration. Traditionally, this is a person or body with no political (i.e., earthly) superior, which person or body acts as the duly authorized representative of a state—in short, God’s lieutenant on earth. This, of course, is a perfect description of a mediaeval European monarch like Henry.

Shakespeare’s labored presentation, from the mouth of Canterbury, as to why the Salic Law¹⁵ poses “no bar” (1.2.39) to Henry’s claim is important for two reasons. The first and most obvious reason is that he needs a legal basis upon which to assert his claim of heirship to the disputed territories in France. The second reason, while less obvious, is probably even more important: to assert his status as one who legitimately occupies the position of one with no earthly superior—the only kind of person who justly can declare war. If he does not legitimately occupy his own throne, then—far from being one empowered to declare war—he can claim to be nothing more than a renegade leader bent on wreaking havoc among the community of civilized nations.

In his first response to the King of France, Henry, holding to the belief that the successes he seeks ultimately are dependent upon the will of God, directly appeals to God to underwrite his decision to go to war, and invokes the name of Deity¹⁶ in an oath that he swears to the Dauphin that he will avenge himself and establish most unambiguously his “rightful hand in a well-hallowed cause” (1.2.306). To have a just cause is one thing; but to possess divine authorization to go to war, as Henry appears to claim, is to put to rest all questions of whether to prosecute the war. Moreover, the claim ultimately has the philosophical effect of making moot all other points concerning the justice of the cause. Why, after all, fret over legal technicalities and fine-grained interpretations when God has sanctioned the cause? Is not Henry a man without earthly superior, hence one of God’s appointed lieutenants on earth? Ironically, perhaps, the question brings us philosophically full circle: Henry is a man without earthly superior and hence one of God’s lieutenants *if, and only if,* his claim to the throne of England is itself legitimate. If, on the one hand, Henry legitimately occupies the English throne, the fact that his royal claim descends through the maternal line notwithstanding, then it would seem that his claim should be likewise sufficient to establish his claim to the French territories he seeks. On the other hand, if Henry’s claim to the English throne is illegitimate, then he is not a man without an earthly superior, not one who justly can be called one of God’s lieutenants on earth, and not one who possesses the authority necessary to wage war. The French never, by Shakespeare’s account, question Henry’s right to wage war; Shakespeare merely has them challenge Henry’s claim to ancestral territories in France. By so doing, in a subtle but crucial move, Shakespeare forces the French into a position in which they cling hopelessly to a logical contradiction: they cannot acknowledge Henry’s right to the throne and thus his right to wage war—rights that they never appear to question—without acknowledging the veracity of Henry’s territorial claim. All that appears to be left for the French, then, is the woefully un-philosophical position that Henry cannot have his lands in France without a fight; and that is precisely the position that Shakespeare has the French occupy.

In response to Henry’s query concerning both the justice and the righteousness of the cause, Canterbury seeks to allay all fears by providing the king the ultimate, fail-safe justification for action: the pronouncement of holy writ. On the authority of a passage from the Book of Numbers,¹⁷ the Bishop places, as it were, a divine seal of

approval on Henry's search for authorization to go to war: "When the man dies, let the inheritance/Descend unto the daughter" (1.2.104, 105). This passage, of course, is not a direct justification for war at all. It merely authorizes Henry to assert—on grounds that, because scriptural, ought to appeal both to English and to French reason—his title to any rights of inheritance that could be shown to devolve upon him through the female line—Salic law or no Salic law. By appealing to scripture, Shakespeare can afford to sidestep many of the strictly rational concerns over the question of Henry's authority to prosecute the war. However, it is far from clear that *this* particular passage of scripture is sufficient to provide Henry with the divine authorization that Shakespeare seems to claim for him. In order to find in this passage the needed justification for war, one would have to argue successfully that the breaches of this point of law were so grievous as to provide not only a just cause for war, with all its attendant miseries, but also a justification to override the presumption against war. Nevertheless, the Bishop spares the King the necessity of establishing these points by making for him the logical leap from rights of inheritance, past authorization for war, and directly on to the not-so-philosophical rhetoric of conquest: "Stand for your own," says the Bishop, "unwind your bloody flag,/Look back into your mighty ancestors./Go, my dread lord, to your great-grandsire's tomb,/From whom you claim; invoke his warlike spirit/And your great-uncle's, Edward the Black Prince,/Who on the French ground played a tragedy,/Making defeat on the full power of France" (1.2.106-112). To this, Ely contributes nothing in the way of argumentation, but much by way of exhortation, when he evokes additional images of "these valiant dead" (1.2.120) whose *heir*, if not descendant, King Henry is. In the final analysis, while Shakespeare clearly recognizes the philosophical necessity of establishing Henry's authority to declare war, he is, on this point, long on rhetoric but short on substantive argumentation.

Last resort. While it is true that war is traditionally regarded as the *ultima ratio regum*,¹⁸ neither king nor any other sovereign authority is justified in engaging in war if there be any other means of avoiding it. That is, the prevailing circumstances must clearly indicate that no means short of war would be sufficient to obtain satisfaction for just grievances or wrongs against the state.

Shakespeare represents the French as making a token effort to appease Henry in an effort to avoid war. As the town of Harfleur is besieged, "th' Ambassador from the French [by which we are to understand an

ambassador from the king, and not merely an emissary from Harfleur] comes back./Tells Harry that the King doth offer him/Katherine his daughter and with her, to dowry,/Some petty and unprofitable dukedoms [evidently, dukedoms other than those at issue in Henry's claim]./The offer likes not"(3.chorus.29-34). In terms of just war theory, one can understand Henry as not liking the offer because (1) it does not provide adequate compensation for the loss of the full rights of inheritance which he claims and hence (2) does not afford a satisfactory resolution of the issue that resides at the core of the conflict. Shakespeare thus gives his audience every reason to believe that, in the absence of a satisfactory offer, Henry's grievance—already established as just—cannot be resolved by any measure short of war.

Public declaration. In order for a war truly to be the last means available for the resolution of international difficulties, it must be one that the sovereign authority is willing publicly to declare. At least two compelling reasons exist for this requirement. First, a public declaration gives occasion for the aggrieved nation to state the reasons that impel it to war as a demonstration that all other means short of war for peaceful resolution of the conflict have been utterly exhausted. Second, the preparation of a public declaration serves as an occasion for national reflection concerning whether all means short of warfare truly have been exhausted prior to the commitment of the nation's resolve, its energies, and its resources to the war-making enterprise. The public declaration can also come in the form of an ultimatum that sets forth those remedies short of war that are still available, with the requirement that the offending party avail itself of a resolution of the conflict via those remedies prior to a specified time.

It is this latter form of declaration—recognized in the traditional international observances of Europe since before the days of Cicero,¹⁹ and prior to that in the revealed directives for the conduct of war enshrined in the Mosaic Law,²⁰ as an adequate answer to the demands of this just war requirement—that Henry employs in his contest with France. Standing before the French throne, Exeter, acting as Henry's emissary and invoking a clear claim to divine authorization for Henry's actions (2.4.84), bids the King of France, "resign/Your crown and kingdom, indirectly held/From him, the native and true challenger"(2.4.100-102). When questioned by the King concerning the consequences of noncompliance, Exeter issues the ultimatum: what will unavoidably follow is "Bloody constraint, for if you hide the crown/Even in your hearts, there will be

rake for it" (2.4.104, 105).

Reasonable probability of success. According to the just war tradition, wars that present little or no hope of serving as vehicles for obtaining satisfaction for just grievances are not morally justifiable. This tenet is particularly interesting in the light of the apparently overwhelming odds that Henry is likely to face in France—not to mention the concerns that weigh upon him relative to an opportunistic Scottish invasion of England during his absence. In the face of concerns like these, Ely provides Henry with two justifications for taking on the French in spite of the odds: (1) "The blood and courage that renowned them [i.e., Henry's notable ancestors and kinsmen who had stood victorious against the French]/Runs in your veins;" and (2) "my thrice-puissant liege/Is in the very May-morn of his youth,/Ripe for exploits and mighty enterprises"(1.2.123-126). While these reasons contribute nothing (or perhaps even less) to the aim of establishing the justice of Henry's cause, they do go a long way toward establishing the positive likelihood of Henry's success. Others are willing to forge a stronger link between the notions of just cause and reasonable chance for success than is evident in Ely's words. For example, in addition to noting that Henry's brother kings and monarchs recognize the justice of his cause, Westmoreland also points out that they recognize that Henry possesses both "means and might"(1.2.130, 131) for prosecuting the war. This is so because, by Westmoreland's account, "Never king of England/Had nobles richer [hence the means], and more loyal subjects [hence the might]" (1.2.132, 133).

Notwithstanding the assurances of reasonable probability of success by both the clergy and by the nobility, Henry, alive to the ever-present Scottish threat that has asserted itself at opportune times in the past, a threat that Henry feels he has every reason to believe will reassert itself by filling the power vacuum left in England by the deployment of Henry and his army to France, requires additional assurances: "For you shall read that my great-grandfather/Never went with his forces into France/But that the Scot on his unfurnished kingdom/Came pouring like the tide into a breach/With ample and brim fullness with his force,/Galling the gleaned land with hot assays,/Girding with grievous siege castles and towns,/That England, being empty of defense,/Hath shook and trembled at th' ill neighborhood" (1.2.152-160).

Although Canterbury, apparently anxious to see the war proceed,²¹ downplays the significance of the concern over Scottish adventurism,

both Ely and Exeter concede that the matter is not a trifling one. “[T]he weasel Scot,” says Ely, will surely come “Playing the mouse in the absence of the cat” (1.2.177, 179). “It follows, then,” reasons Exeter, “the cat must stay at home” (1.2.181). However, that need not mean that Henry cannot deploy his army to France. It simply means that, in order to ensure that the Scots cannot render uncertain Henry’s otherwise reasonable possibility of success in France, the home guard will have to be organized and prepared to meet the likely threat. To this, Canterbury, ever ready to advance the war with France, urges the king, “Divide your happy England into four,/Whereof take you one quarter into France” (1.2.222, 223). This proportion of Henry’s forces will be sufficient to “make all Gallia shake” (1.2.224), and it will leave three quarters of Henry’s forces to defend the home front against the Scots. “If we, with thrice such powers left at home,/Cannot defend our own doors from the dog,/Let us [*then*] be worried”(1.2.225-227)—but not about France. Even in the light of the Scottish threat, there is no point, Canterbury implies, on which Henry should fear that he lacks reason to assume that his offensive actions in France will be anything other than a resounding success.

Henry repeatedly expresses feelings of great optimism about the likelihood of an English victory over the French. This is particularly striking in light of the unfavorable numerical odds with which he is confronted. The justification for his optimism is essentially an Augustinian one: the battle is in the hand of God, such that the ratio of enemy to friendly troops is of no particular consequence. Henry’s task, then, is to do all in his power to ensure that God is on his side. He enumerates his acts of devotion in fervent, private prayer on the eve of Agincourt: among other things, he repeatedly has sought divine pardon for his father’s usurpation of Richard II; he has provided charitable relief to five hundred of England’s poor; and he has endowed two “chantries” for England’s priests. To this he adds that he will do yet more to prove his devotion as he seeks for a manifestation of divine favor in the form of victory on the battlefield (4.1.300-316).

As a practical matter, if there were any residual questions concerning means, Canterbury speaks in no uncertain terms to dispel all doubt: “we of the spirituality/Will raise your Highness such a mighty sum/As never did the clergy at one time/Bring in to any of your ancestors” (1.2.138-141). The likelihood of Henry’s success is thus further assured by the financial backing of the visible church. With this guarantee, Henry will

not have to engage in a fight with Parliament for money at the same time that he is engaged in his fight with France.

Proportionality. The application of this tenet involves what is essentially a moral calculation of expected outcomes. The threshold requirement is that the *moral good* expected to result from the prosecution of the war must exceed the amount of evil that naturally and unavoidably follows from the prosecution of war. As with many moral calculations, although the results may be neither known nor knowable in advance, anything less than a sincere effort to gauge the relative weight of good and bad outcomes that the war is likely to produce would not meet the demands of this tenet.

This tenet presents Henry (and Shakespeare) with two formidable problems. First, it is not clear that Henry's cause is such as to be proportional; Shakespeare gives us no reason to believe that the dukedoms at issue are crying out for deliverance from the French by the English. For example, certainly the town of Harfleur does not hail the arrival of the English as the arrival of an army of liberation. Second, Henry changes his stated objective for going to war. In act one, he merely seeks lordship over his inherited dukedoms in France (1.2.255, 256). In act two, however, he demands the *crown* of France (2.4.110-102). If, on the one hand, Henry has simply changed his objective, there seems to be no particular motivation for it in the name of just cause. If, on the other hand, he hereby takes the position that he is willing to subdue the entire French kingdom if that is what is necessary to secure the dukedoms at issue, then he seems to have overstepped proportionality.

These problems might on the surface lend themselves to the interpretation that Shakespeare's true agenda includes exposing Henry as a woefully unjust warrior. However, if this interpretation be correct, Shakespeare certainly does not exploit the opportunity to make anything of this violation of proportionality. He merely presents Henry's statements in quite a matter-of-fact fashion and sidesteps the issue of proportionality altogether. If anything, the fact that he offers no argument in the play in behalf of proportionality suggests that he recognizes the problem, recognizes that a plausible defense of Henry on this matter would be difficult to come by, and—consequently and in keeping with his aim of presenting Henry as a just warrior—elects to sidestep the issue altogether.²²

Peace as the ultimate objective of war. The restoration of happiness and the avoidance of future violence—in short, peace—must be *the* end

for which the war is fought. Henry's compliance with the requirements of this tenet is rather straightforwardly established by virtue of the fact that his objective is a limited one; at no time does he provide the least indication that he intends to embark upon a war of unlimited conquest (after the manner of, for example, Alexander the Great or Ghengis Khan). Henry seems resolutely willing to commit such violence as is necessary to achieve his objective. Indeed, "when the blast of war blows," (3.1.6) he is willing to "imitate the action of the tiger"(3.1.7) and expects his men to do the same. Nevertheless, this same Henry acknowledges with equal ease that "In peace there's nothing so becomes a man/As modest stillness and humility" (3.1.4, 5); and as soon as he accomplishes his objectives, this is precisely the kind of man he expects to become.

The Nine Tenets

The nine tenets of *jus ad bellum*, or similar expressions of them in different combinations, traditionally are taken to specify the individually necessary and jointly sufficient conditions for engaging in a just war. Furthermore, they jointly form the *permissibility* criteria for a just war. That is, given that the conditions specified by the nine criteria are met, a state is thereby considered to have acquired moral *license* to engage in war, although not necessarily the moral *obligation* to do so. Nevertheless, one is tempted to see in Henry a man whose rhetoric suggests that failure to avenge himself of French wrongs would be tantamount to moral deficiency—if not moral failure—on his part as a monarch.

Although these *jus ad bellum* criteria seek to establish the moral grounds for initiating a war, the just war tradition requires that these criteria continue to hold throughout the duration of the war, or else the war will cease to be just. Shakespeare evinces thoughtful recognition of this point through his ongoing attempts to remind his audience that Henry's war is just. For example, throughout the play, Shakespeare provides Henry with opportunities to demonstrate the rectitude of his intentions. One prominent case in point arises when Henry uncovers the conspiracy of Scroop, Cambridge, and Grey. As Henry pronounces the sentence of death upon the three conspirators, who, given the opportunity would have taken Henry's life in exchange for French gold, Henry sheds light on his inward disposition with these telling words which indicate his resolve to place the affairs of state before his personal welfare: "Touching our person, seek we no revenge,/But we our kingdom's safety

must so tender,/Whose ruin you have sought, that to her laws/We do deliver you" (2.2.183).

Although it may appear to constitute nothing more than a piece of typical war rhetoric, Henry's exhortation to his men at the siege of Harfleur to "Follow your spirit, and upon this charge/Cry 'God for Harry, England, and Saint George!'" (3.1.36,37) is also interpretable as a subtle reminder to his men that—as he has maintained throughout—this painful conflict is one which fulfills the *jus ad bellum* requirements of just war. The point is three-fold: (1) that a soldier fighting for God can only be fighting for a just cause; (2) that God endorses Henry's cause; and, therefore, (3) that a soldier fighting for Henry, England, and Saint George *is* in fact fighting for God. Indeed, throughout the war effort, Henry acknowledges various tokens of divine favor that suggest the continuance of the divine authorization of Henry's enterprise: "We doubt not of a fair and lucky war,/Since God so graciously hath brought to light/This dangerous treason lurking in our way/To hinder our beginnings. We doubt not now/But every rub is smoothed on our way,/Then forth, dear countrymen. Let us deliver/Our puissance into the hand of God,/Putting it straight in expedition./Cheerly to sea. The signs of war advance./No king of England if not king of France" (2.2.193–203).

Shakespeare's apparent sensitivity to this point again becomes evident when, immediately upon learning that he is victorious at Agincourt, Henry exclaims, "Praised be God, and not our strength, for it!" (4.7.92). What Shakespeare accomplishes here is, among other things, to reaffirm the divine (and therefore indisputably competent) authority under whose banner Henry claims to have entered into the war. If God indeed has underwritten Henry throughout the war, then it cannot be but that the war has been just throughout. However, Shakespeare reminds his audience that not only the visible war has been just throughout, but that the invisible intentions within Henry's heart have been similarly just. Fluellen says, "I need not to be ashamed of your Majesty,/praised be God, so long as your Majesty is an/honest man"(4.7.119–121). If there remains any doubt as to whether Shakespeare intends us to understand that Fluellen's assessment of Henry's inward disposition is an accurate one, Henry himself dispels that doubt with the reply, "God keep me so" (4.7.122).

Finally, Henry brings the *jus ad bellum* discussion full circle when, at the peace negotiations with the French court, he informs the Duke of Burgundy that "If...you would the peace,/...you must buy that peace/

With full accord to all our just demands”(5.2.69-72). By the same token, Shakespeare offers as evidence of Henry’s true desire for peace the fact that he does not insist on an unconditional surrender—one that utterly disregards the interests of the French. Henry does not seek the annihilation of the French, their enslavement, or anything of the sort. Indeed, he appears willing to accommodate any and all French interests that do not detract from his own. Hence, he says to his negotiating team, Exeter, Clarence, Gloucester, Warwick, and Huntington, “take with you free power to ratify,/Augment, or alter, as your wisdoms best/ Shall see advantageable for our dignity,/Anything in or out of our demands,/And we’ll consign thereto” (5.2.88-92). Because of Henry’s magnanimous attitude after the cessation of hostilities occasioned by a resounding English victory, one can only assume that, consistent with the requirements of the just war tradition, Henry’s ultimate objective is the restoration of peace—a peace agreeable to English demands, but a peace nonetheless.

Jus in Bello

At no point in the play does anyone—even the French—ever question the justice of the war or of Henry’s right to wage it. Moreover, if anyone *does* harbor unvoiced concerns over the justice of the cause, no one ever questions Henry’s right to raise an army or to command the obedience of his troops. “Even in his decisive debate with Williams and Bates on the morning of Agincourt (4.1), where the implications of his power are most searchingly discussed, the king’s right to command obedience is never in question.... Henry’s soldiers, in spite of their pessimistic views of the military situation, accept them without reserve.”²³ In response to the disguised Henry’s assertion that the King’s cause is “just and his quarrel honorable,” (4.1.132), Williams’ unequivocal reply, “That’s more than we know” (4.1.133), is amplified by Bates’ rejoinder that such a knowledge is also more than the common soldier should seek to obtain. “[W]e/know enough,” says Williams, “if we know we are the King’s sub-/jects. If his cause be wrong, our obedience to the King/wipes the crime of it out of us” (4.1. 134-137). The philosophical basis for Williams’ claim is in concert with the traditional just war notion that “soldiers are always presumed to be shrouded in *invincible ignorance* as far as *jus ad bellum* is concerned.”²⁴ This idea of invincible ignorance dates back at least as far as the writings of Francisco de Victoria,²⁵ who

died eighteen years before Shakespeare's birth.²⁶

However, as Henry points out in the course of his discussion with Williams and Bates, the fact that a soldier bears no moral responsibility for the justice or injustice of the war itself does not shield individual soldiers from the burden of moral responsibility as pertaining to their personal conduct in the war. Indeed, "Every subject's duty is the King's, but every subject's soul is his own" (4.1. 182, 183). Thus, Shakespeare carefully acknowledges the *jus ad bellum/jus in bello* distinction, a distinction central to the whole of just war theory.

The fundamental assumption of *jus in bello* is that a war which is initiated on just grounds can cease to be a just war if it is not fought in a just manner. Traditionally, two tenets specify the criteria for *jus in bello*. These tenets define the just application of force within the context of an existing conflict.

Proportionality. The *jus in bello* tenet of "proportionality" differs from the *jus ad bellum* tenet by the same name in that the former pertains to actions taken *once a war has begun* whereas the latter pertains to considerations expected to be entertained by a state *before* that state determines to engage in war. In the present context, "proportionality" refers to the requirement to apply the minimum force necessary, consistent with "military necessity," for bringing the conflict to a justly peaceful resolution as quickly as possible. Means that cause gratuitous suffering or otherwise cause unnecessary harm fall outside the scope of that which is considered to be a "proportional" application of force. This tenet includes the prohibition against torture and traditionally has served to facilitate the placing of limitations on such things as, for example, the kinds of weapons that can be used.

Discrimination. This tenet enjoins belligerent parties in armed international conflict to distinguish between combatants and noncombatants, with the former normally constituting the only acceptable objects of violent action. Discrimination includes the establishment of a definition of noncombatancy and the avoidance of direct, intentional harm to noncombatants. It also presumes that appropriate efforts will be made by all parties involved in the conflict to protect noncombatants from harm. Traditionally, noncombatants have included wounded soldiers, prisoners of war, clergymen, women, children, the aged, and the infirm, all of whom were presumed not to be engaged in the war effort.²⁷

In *Henry V*, as in war in general, *jus in bello* problems with proportionality and discrimination tend to run hand-in-hand, because *jus in bello*

choices often involve a concurrent disregard for proportionality and for the distinction between combatants and noncombatants. One classic example of this is Henry's speech to the men of Harfleur. Henry begins, "This is the latest parle we will admit./Therefore to our best mercy give yourselves" (3.3.2, 3). So far, this has all the appearances of an ultimatum that observes the bounds of proportionality. However, when Henry states the alternative to willing compliance by the men of Harfleur, the ultimatum takes a turn that to modern ears sounds frightfully disproportionate: "If I begin the batt'ry once again,/I will not leave the half-achieved Harfleur/Till in her ashes she lie buried" (3.3.7-10). As shocking as this might seem to the modern auditor, it would not have been so to the auditor of Shakespeare's day. As Rauchut astutely observes concerning the traditional war-faring practices of the Middle Ages, "a town guilty of obstinate defense was customarily denounced by the besieger and either destroyed or dealt severe retaliation."²⁸

Of particular significance for Henry, who at every turn claims divine warrant for his warfaring, is the fact that this practice is treated specifically in Deuteronomy Chapter 20, which provides divinely issued instructions for the siege of cities that do not surrender willingly.²⁹ Implicitly, then, Henry can hardly be held accountable for what otherwise might seem like wartime atrocities when God Himself has authorized them. Henry then takes explicit measures to distance himself from any charge of disproportional or indiscriminate conduct at Harfleur. He does this by acknowledging that if he gives his soldiers leave to level the city, he might actually find himself powerless to restrain their conduct so as to be within the bounds of proportionality. However, since he likely will be unable to stop it, he "solves" the problem by absolving himself of responsibility for it. To the men of Harfleur he says, "What is 't to me, *when you yourselves are cause,*/If your pure maidens fall into the hand/Of hot and forcing violation?" (3.3.19-21, *italics added*). As Traversi observes, "The process of evil, once unleashed, follows courses fatally determined; but Henry, as usual, having described them in words which lay every emphasis on their horror, disclaims all responsibility for them, just as he had once disclaimed all responsibility for the outbreak of war. The whole matter, thus taken out of his hands, becomes indifferent to him."³⁰

Conversely, Shakespeare takes full advantage of those opportunities that allow him to present Henry as a man who acts with regard to the demands of *jus in bello*. For example, when Bardolph commits the "war crime" of stealing a pax from a church—an unauthorized act of plun-

der—Henry makes no effort to stay his old friend's execution. Rather, he announces that "We would have all such offenders so cut/off; and we give express charge that in our marches/through the country there be nothing compelled/from the villages, nothing taken but paid for,/none of the French upbraided or abused in dis-/dainful language" (3.6.109-114). He even provides a justification that is at once pragmatic and philosophical in its import: "for when lenity and cruelty play/for a kingdom, the gentler gamester is the soonest/winner" (3.6.114-116).

Shakespeare again downplays the moral issues surrounding Henry's order to kill the French prisoners. While one might infer that Henry kills the prisoners in reprisal for the French slaughter of the boys left to attend the English supply trains, the text may not actually justify the inference. According to the text, Henry gives the order to kill the prisoners *not* in response to word of the death of those in the supply trains, but in response to the sounding of an alarm that he understands to indicate that "The French have reinforced their scattered men" (i.e., that they have re-formed from an earlier assault and are preparing to assault again, 4.6.37). It is not until the opening lines of scene seven that we learn that the French have killed the boys, and it is not until the end of scene seven that we find Henry expressing his outrage over the killings with the announcement of his intention to "cut the throats of those [French prisoners] we have" (4.7.64), to which he adds with great vehemence that "not a man of them that we shall take/ Shall taste our mercy" (4.7.65, 66). Whether Henry actually knows that this has happened or whether Fluellen merely infers that the reason for the king's order to slay the prisoners is as a reprisal for the killing is not clear.³¹ The best case that could be made on moral grounds on behalf of the King is that he acted in reprisal, and this is the case that Shakespeare makes via Fluellen's remarks: "Kill the poys and th luggage! 'Tis expressly/against the law of arms. 'Tis an arrant piece of/knavery, mark you now, as can be offert, in your/conscience now, is it not?" (4.7.1-4). Note that here Shakespeare specifically points to the French breach of the traditional law of land warfare—the *sine qua non* for any claim that seeks to justify a reprisal. The justification continues with Gower: "'Tis certain there's not a boy left alive, and/the cowardly rascals that ran from the battle ha'/done this slaughter. Besides, they have burned/and carried away all that was in the King's tent,/wherefore the King, most worthily, hath caused/every soldier to cut his prisoner's throat. O, 'tis a/gallant king!" (4.7.5-11).

How does Henry justify a reprisal? He does it with the absolution that comes from divine sanction combined with French injustice; since God sanctioned Henry's war—and has prospered him every step of the way—and the French caused the war through their unjust withholding from Henry of that which was rightfully his, they can only expect that their breaches of the principles of *jus in bello* will be answered in the sternest possible terms.

Although proportionality and discrimination generally are the only two *jus in bello* criteria specified in traditional just war discourse, there are, from time to time, other *jus in bello* issues that receive attention. One of these has to do with the matter of keeping good faith with the enemy. From early antiquity, just war thinkers have raised questions concerning whether, and if so in what way, it is permissible to deceive an enemy in the course of prosecuting combat. While some deceptions, ruses, and stratagems of various kinds generally have been acknowledged as appropriate for use in warfare, Shakespeare would have us know that Henry altogether avoids the sometimes muddy waters associated with which deceptions are permissible and which are not. Speaking of his divinely appointed victory, Henry states, "When, without stratagem,/But in plain shock and even play of battle,/Was ever known so great and little loss/On one part and on th' other? Take it, God,/For it is none but thine"(4.8.112-116). Here again, Shakespeare takes occasion to place a divine stamp of approval upon all that has transpired, perhaps even a stamp that might serve to set aside the contentious issues surrounding Henry's killing of French prisoners.

It is, of course, not at all clear that the historical Henry was by any means a just warrior. Many reasons exist for questioning the moral rectitude both of his motives and of his conduct with respect to the demands of the just war tradition. On the other hand, we have, as I have attempted to show, substantial reason to suppose that *Shakespeare's* Henry V is a king whom the playwright would have us adjudge as a just warrior. In reaching this conclusion, one need not suppose that Shakespeare methodically studied the just war tradition in an effort to identify its various tenets for application to Henry—and this in spite of the fact that, as we have seen, there exists a remarkable correlation between the traditionally accepted tenets of just war and those aspects of Henry's wartime practice that Shakespeare chooses to highlight. We merely need to accept the premise that one who desired to portray a head of state as a just warrior would be led, by the imposition of reason, to demonstrate just warfaring in the way Shakespeare's Henry demonstrates it.

Notes

1. Quotations of *Henry V* follow The New Folger Library Shakespeare *Henry V*, ed. Barbara A. Mowat and Paul Werstine (New York: Washington Square Press, 1995).
2. Victor L. Cahn, *Shakespeare the Playwright: A Companion to the Complete Tragedies, Histories, Comedies, and Romances* (New York: Greenwood Press, 1991), 489.
3. *Ibid.*
4. A.R. Humphreys, ed., *Henry V in William Shakespeare, Four Histories* (New York: Penguin Books, 1994), 681.
5. See, for example, the intriguing conversation between Fluellen and Gower at 4.7.
6. Richard Shelley Hartigan, "Noncombatant Immunity: Reflections on its Origins and Present Status," *The Review of Politics* 29, No. 2 (April, 1967): 204.
7. The traditional list of *jus ad bellum* and *jus in bello* criteria typically varies in minor degree from author to author. The reason for this is not so much a basic disagreement as to what, in the case of *jus ad bellum*, constitutes a just war or what, in the case of *jus in bello*, counts as the minimally acceptable standards of conduct for those engaged in wartime hostilities as it is presentation. Some authors are wont to combine two or more traditionally accepted just war notions under a rather more general heading, while others opt for a greater range of distinctions. For examples of some representative lists of *jus ad bellum* criteria, see the May 3, 1983, Pastoral Letter on War and Peace issued by the National Conference of Catholic Bishops in Catholics and Nuclear War, ed. Philip J. Murnion (New York: Crossroad Publishing Company, 1983), 277-280. See also James Turner Johnson, "The Just War Idea and the Ethics of Intervention," address delivered at the United States Air Force Academy on November 17, 1993, The Joseph A. Reich, Sr., Distinguished Lecture on War, Morality, and the Military Profession, number six (Colorado Springs: United States Air Force Academy, 1993), 22-25. By way of comparison, Hartigan summarizes the *jus ad bellum* criteria thus: 1) the war must be declared by the legitimate public authority; 2) a real injury must have been suffered; 3) the damage likely to be incurred by the war may not be disproportionate to the injury suffered; 4) there must be reasonable hope of success; 5) all possible means of peaceful settlement must have failed; 6) those prosecuting the war must have the right intention; and 7) only legitimate and moral means may be employed in prosecuting the war. (Note that this latter tenet is, properly speaking, a *jus in bello* tenet.)
8. Derek Traversi, *Shakespeare from Richard II to Henry V* (Stanford: Stanford University Press, 1957), 169.
9. Note also Exeter's assertion (2.4.87) that Henry's claim from Edward III is justi-

fied by both the law of nations (such that he is justified in seeking it by force of arms) and of nature (i.e., by lineal descent).

10. Cahn 1991, 491.

11. Humphreys 1994, 676.

12. The words quoted here are actually the words of Exeter, but they constitute the antecedent to the pronoun “They” used by Westmoreland, who is the next speaker.

13. Cahn 1991, 489.

14. Eugene M. Waith, Shakespeare: *The Histories, A Collection of Critical Essays* (Englewood Cliffs: Prentice-Hall, Inc., 1965), 162.

15. “The code of laws known at the salic law is a collection of the popular laws of the Salic or Salian Franks, committed to writing in barbarous Latin, in the 5’ [sic] century... It was by a very doubtful construction that the salic law in the 14’ [sic] century was held to exclude the succession of females to the throne of France, but on the accession of Phillip the Long, it was given this interpretation, and the fact that Edward III rested his claim to the throne on female succession no doubt led the French to place this meaning on the law and to adhere to it for all future time” (Edward Joseph White, *Commentaries on the Law in Shakespeare* [St. Louis: The F.H. Thomas Law Book Co., 1913], 283, 284).

16. The extent to which Henry and the English characters in the play make such invocations—especially when the that number is compared to similar invocations by the French—is significant. “The language of religion is almost all England’s and Henry’s. Of the fifty-nine uses of ‘God’ in the play, only three are by Frenchmen. Of the seven uses of ‘Christ’, ‘Christian’, and ‘Christian-like’, none are by Frenchmen. God is made to seem, by virtue of this monopolised reiteration, to belong to the English; the responsibility for the violence and aggression of the war is displaced onto the implicitly Godless French subjects of attack. He sanctions violence through his agencies of authority on earth.” (Derek Cohen, *Shakespeare’s Culture of Violence* [New York: St. Martin’s Press, 1993], 77).

17. Numbers 27:8 (King James Version). The entire verse reads thus: “And thou shalt speak unto the children of Israel, saying, If a man die, and have no son, then ye shall cause his inheritance to pass unto his daughter.” In this Chapter, Moses sets forth the divinely appointed laws of inheritance of which this is one.

18. i.e., the ultimate argument of kings.

19. See Marcus Tullius Cicero, *De Officiis*, trans. Clinton Walker Keys (Cambridge:

Harvard University Press, 1987), I.xi, p. 39.

20. See Deuteronomy 20:10-14.

21. This claim, of course, raises with full justification the question of Canterbury's true motivation for wanting the war to proceed. Interesting though that question may be, it is not one that need detain us in a consideration of the theory of just war as pertaining to Henry V. The Bishop has no war-making authority. Hence, even if his motivation be not only morally deficient, but altogether evil, the moral status of his motivation has no bearing, in and of itself, on the justice of the contemplated war.

22. I am indebted to my colleague, Professor Sandra Visser, for her views on this issue.

23. Traversi 1957, 187.

24. Paul Christopher, *The Ethics of War and Peace* (Englewood Cliffs: Prentice-Hall, Inc., 1994) 169, italics added.

25. This phrase appears (albeit in a slightly different context) in Franciscus de Victoria, *De Indis* [On the Indians], trans. John Pawley Bate in *The Classics of International Law* (Washington: Carnegie Institute, 1917).

26. My claim is not that Shakespeare necessarily had any personal acquaintance with the writings of de Victoria, but merely that the notion that soldiers are absolved of moral responsibility for acts committed in war at the behest of the sovereign was current in Shakespeare's day.

27. Murnion 1983, 280; Johnson 1993, 23.

28. E.A Rauchut, *Shakespeare Quarterly* 42 (1991): 55.

29. See Deuteronomy 20:10-14 (King James Version): "When thou comest nigh unto a city to fight against it, then proclaim peace unto it. And it shall be, if it make the answer of peace, and open unto thee, then it shall be, that all the people that is found therein shall be tributaries unto thee, and they shall serve thee. And if it will make no peace with thee, but will make war against thee, then thou shalt besiege it: And when the LORD thy God hath delivered it into thine hands, thou shalt smite every male thereof with the edge of the sword: But the women, and the little ones, and the cattle, and all that is in the city, even all the spoil thereof, shalt thou take unto thyself; and thou shalt eat the spoil of thine enemies, which the LORD thy God hath given thee."

30. Traversi 1957, 183.

31. The epistemological problem created by the fact that the King gives the order prior to the point at which the audience is fully apprised of the King's awareness that the French have killed English noncombatants has not escaped critical notice: "The slaughter of the French prisoners, which aroused some conflicting sentiments in Holinshed's narrative, is presented in *Henry V* with all the ambivalence of theatrical and historical contradiction. Gower and Fluellen (iv.vii) assume that the massacre is a reprisal for the killing of the boys guarding the English luggage train. In fact, we know from the previous scene, Henry knew nothing of this when he gave the order: a command which seems rather to arise out of Exeter's romantic and sentimental account of the deaths of York and Suffolk" (John Turner in Graham Holderness, Nick Potter, and John Turner, *Shakespeare: The Play of History* [Iowa City: University of Iowa Press, 1988], 80, 81). This problem is exacerbated by the fact that, according to Cahn, the historical Henry "ordered prisoners and noncombatants killed before the French reorganized" (Cahn 1991, 503).

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