

## DR. FRED WILLS – Shakespeare's HENRY V (Part I of II)

Now, we can do, we can look at this play. Now, I took my time on this play because, my own personal assessment is, that of the early plays, *King John*, *Henry V*, *Richard II*, and *Richard III*, that's the best of that crop. This is an especially good play, because it comes to grips with the idea here, "What is a philosopher king? To what extent did this particular king come very close to becoming a philosopher king?" Let us hypothesize about it: What values, what theories, what judgment do you need to run the state. What is statecraft?... What is statecraft? That is what he's going to deal with here.

Let me illustrate what I mean, by two references for you, all the bits of Platonic hypotheses he mentions in this play, in passing. Sometimes it's in the one line somewhere, you know, two lines somewhere else. Exeter, Act 2, scene 4, line 80. In passing he says, "The law of nature and the law of nations." (1) and nobody'd done that at that stage. International law is "the law of nations." And he's saying the King's claim is just, by the law of nature and the law of nations. It has to be just by the law of nations, and therefore the law of nations must satisfy the law of nature. Natural law, by nature, hmm, is the highest form of law. Not "divine law," as Aristotle, and St. Thomas Aquinas, and Ockham and those guys believed. Natural law.

It's important because there's a man named Grotius, who is... in my view, Dutchman, his name wasn't Grotius, but that's the Latin name he used to write. Whom you must understand because he is the, is alleged to be, the founder of natural law. And there are other starry-eyed intellectuals out there with Grotius. I must deal, as an aside, must deal with Grotius here and now. How do men form a society? How does society form? Hypothesize. This is where Grotius becomes relevant. Grotius is in the category of - Rousseau, Locke, Hobbes, Grotius - are in a category. There are big differences between them, but they try to explain human association in the same way...

Let us suppose that man arose, whether Africa or wherever. Tilak says in the North Pole, conventional teaching says that Africa is the cradle of man, wherever. He was alone, and he was soon faced with the problem of "starve or move," you know? Human being, he was eating the leaves and the fruit, subject to seasonal change, hmm? And he wanted a more compact form of protein. The reason why meat-eating became popular is because it's a more compact form of protein. You know the protein you get from eating a salad, hmm, quantitatively speaking can't compare with the amount of protein you get from a piece of fish or meat, you know? You got to eat a lot of salad to get the same amount.

But, he found himself in a position where he had outlived the usefulness of the locale he found himself in. And if he stayed there he's going to starve, in the habitat. And hence, migration, all right? There's a big theory about that, I can't go into now. But he became, he joined with animals and became, a big long word, you know, you may know the word, I'll tell you, it's *transhumant*. You heard of the word? T-R-A-N-S-H-U-M-A-N-T. There's no board here. "Transhumant" is like the Laplanders, you know? You move, you carry your own, your own meat going there, huh? And you follow the herds. Like the buffalo, the (American) Indians and the buffalo, hmm? You go where the food goes. You haven't learned sufficient to bring the food to yourself. You do... along the way, you're going to domesticate and do other things. But at this stage you're *transhumant*, you're going where the food goes. Then, from that you get domestication, then some, some idiot...threw his feet over a horse, and the thing moved. Yay! You know? it's a big...supposedly. Somebody went in a lake, huh? And then, they pushed the log, and the log moved with him. So, transportation, communications are discovered, wind power, water, all those advances are made. The progress of Man is based on technological innovation and invention. It isn't based on accident, you know? And remember...that Man only occupies two percent of the universe's history. We're young. We haven't been here a long time, we already have nuclear bombs, mind you, but only two percent of the world, the world existed long before, you know.

Well, the question is, "How did Man come to live in society?" Now, one opinion which Platonists [thought]...is that Man discovered agriculture and he could domesticate animals, so there's no, no need to be transhumant, and

walk about the place. So he could settle down in one place, raise, near water usually, raise kids and form a city, Jericho, one of those places. That's one. But these other guys have a different view, and their view, which you must have met in your education, I hope, in school is called "social contract." *Contrat social, Contrat social*, you know that.

Well, according to Locke, Man was living in idyllic, bucolic stupidity, you know, and said, you know, this is absurd, now let's get together and form the state. According to Locke, we made two contracts, this is Locke's invention, you can't prove it empirically. He speculates, you see? He says, the first part is called *pactum unionis*, the agreement of union, to get together and live in society. And the second agreement is *pactum subjectionis*, having got together, you choose a man, and he's the top dog. So says Locke, and that's his social contract. From that, consensus, consent of the governed, you know all...It isn't original with Locke, there's some Greek philosophers...

Hobbes, he believed that Man wasn't idyllic, Man was living in a damned jungle. Rat race. And Man said, "Let us live in society and make a few rules to limit the amount of violence in the rat race." So, Hobbes's idea, is that it is a rat race otherwise and he says look, let us do a little *detente*. We will cuss and quarrel ideologically, but make a few rules just so we can survive. So, one of the rules, only one pact - no *unionis* and *subject* - one pact, according to Hobbes, and there's an absolute ruler, a despot, a des-, whatever. Hence, Hobbes would support monarchy, absolutist law, see? That is *his* social contract.

But you know Rousseau, if you don't know Rousseau by now, you haven't lived in America. There's this joke I have that, Mao Zedong liked Rousseau. Did you know that? And so did, he liked Jeremy Bentham too. This guy in Viet Nam, Ho Chi Minh, he was educated in Paris, he liked Rousseau and Bentham. Well, Rousseau, his only real contribution was to add to the social contract, the idea of *communauté*, you know, a sort of *communauté generale*, a sort of, there's a contract, grew underneath it individually, and cooperatively. *Communauté generale*, general community will, which exists in society. And if your individual will comes against the *communauté generale*, then you must give way to the *communauté generale*. That is Rousseau. Majority...it's majority. The question is, is the majority counted up as individuals, you know, can you really...is opinion to be numbered or weighed? The first *ten million people* might feel that, "YES": But the essence and substance and the validity of their opinion might be negative. And ten men might feel against the ten million, ten men might feel "NO," but there's more substance.

You know, this is important because I'll tell you what happened to the Roman Empire. The Romans has a bad legal system, and they got into the same problem. They had five great jurists, the way Roman history played out. Paulus (Paul), Papinian, Ulpian, Gaius, and Modestinus. And they reached the stage, Diocletian and those guys, where, "How do you know, what is the law?" 'Cause their system was different from the system we've got. And they passed this, a law, that you went to these five jurists, and these jurists only, and you number their opinions. If a majority said yes, that was the answer. If there was a tie, because some people didn't speak on some topics, then Paulus, or Gaius...they would,...I'm sorry, Papinian and Gaius, they would predominate...They numbered, that's the point I'm making. They numbered opinions. You go to the Supreme court today, they hear, the guys sit down, there are nine, it is, and they decide your case on your count. Five against four, you know? Well, you must ask yourself, whether the numbered arithmetical Pythagorean mysticism of number is more important in your intellectual make up, than the essence of an opinion.

For 300 years Isaac Newton, and his stupidity about apples from trees attracting the Earth, action at a distance. This is mystical, you know? Keynes, John Maynard Keynes was given the right to open Newton's trunk ...And when he opened the trunk...It was weird, he found a lot of skulls and crossbones and tangles, this is Isaac Newton, you know? So can you imagine that they can't understand a guy like that believing in mysticism, or action at, across distance, you know? The point that I'm making is, you can't number opinions or because something has held, ([Edmund] Burke makes this mistake during the revolution), because Newtonism is popular for three hundred years it must be right, you know. Longevity by itself doesn't make a, give a thing validity, it's its consonance with natural law.

Now that, but all that was about ...from Rousseau. I have to get to Grotius. Now Grotius's big theory is international law. And he says states arise, societies arise, Rome, Carthage, Holland, you know,...and he says international law is based on express or implied pacts, agreements between states. Now it's express when you sign a contract, a treaty, when it's a state vs. state you don't call it a contract anymore, you call it a treaty, OK? It's the same damn thing, but...and, so... or you don't sign one but it's implied, civilized behavior. Now that's important, because Grotius founded modern international law. And his fundamental law, his *grundnorm*, bore from another guy named Kelsen. It was "*Pacta servanda sunt*." "Agreements must be obeyed." Who are, who will enforce this, you know?.. Who is the police power that can enforce this, hmm?

Look, now, it's important to know what Grotius did, because the essence of what they, the Shi'ite Muslims are doing, is to say they're not, they're not doing Grotius. Grotius's international law says, that if you have an embassy, America has an embassy in my country, your embassy is America. It's legally America. And if we have an embassy in America, "Guyana, that's your embassy," that land and building is Guyana. See? So if you...they have to prove that they can take you out of Guyana in your embassy, you know? So a lot of the letters I'm receiving, constantly, is they're scared about embassies. So that is why, for instance, you must read every now and then that somebody is ...at the American embassy stays there. And he can't ...you know. And he's hoping to, it's beautiful how they plan operations, they will run and go get a plane to bring him out, they make a, one or two diversions, you run here and run there, a man goes this way, but, because when he leaves the embassy, he's back in the, you know, he could be seized, and arrested, but in there, he is in the embassy. So all of these pro...these Muslim guys are saying, no, that's what Grotius and...a Dutchman, Grotius was Dutch, you know, that's what *he* said. But our enemy is America, and won't give you no extradition, this is Persia, Iran. And don't tell me no crap that *that* building and *that* land is America. Why have I got to accept Grotius? And who's going to enforce it, if I don't accede anyhow? Who is the police?

You see, there's some simplistic analogies made in international politics. One of them is about disarmament. I'd really bring this to your attention. In civil society, there is general disarmament, because the police are armed. Or have access to arms. So, by and large, the vast majority of citizens walk without guns. *Bang, bang!* Not New York. You know. But the important point is, that the police are armed, so you could disarm. But what if we disarm the international community, who's going to be armed to uphold the peace, hmm? That is the problem, you see, the United Nations and the League of Nations, the concepts came out of European history. It was a study by this guy in New Jersey there, southern...guy [Woodrow] Wilson, and he said look, these guys, they would meet, these great countries, in congresses, Congress of Vienna, Berlin, you know, and they settled the world's problems. True. I mean, the Congress of Berlin settled problems in Africa, no African attended, they divided Africa. So the idea to have a general meeting of the important nations in one place to settle the world's problems, was Wilson's idea. Hence the League of Nations, hence Roosevelt and the (Hague? UN?) But once again having done that, and they formed a court, where you can carry disputes too, right, at The Hague, but there's no police power, you see? There's no police power. So, the inefficacy of world groups like the UN and all that, and the inefficacy of Grotius's "*pacta servanda sunt*," is the fact that there is no police power, no executive power to execute and enforce. No executive.

So what is the answer? Well, I'll tell you, I can tell you the thinking of Plato and Shakespeare on this, hmm? The city-state is merely a temporary, it was, merely a temporary form of government. Very important. Aristotle says, you read Aristotle, as the highest form of human organization, city-state. ...Harlem, Queens, ..."Oh, you fellows are the highest form of human organization." But, Plato believed in what we now call a *neigentropic* ideal of humans...you move from the city-state to the *nation*-state, you're not going to stop there and, ask yourself, this is aside of mine, whether - modern politics is not really involved in the question - whether the nation-state, can any longer, deal with human progress. I mean, what was Reagan's problem with terrorism, you know? He, you, you couldn't prove that, that Libya bombed the cafe. He could prove that Libya backed terrorists. So he bombed Libya. But then some people say "But you are wrong. How do you know Libya's guilty? What would happen if Nicaragua bombed you because you trained Contras, you see? The truth is the nation-state is no longer capable of handling modern problems. That goes for inflation, and flight of

capital, trade deficits. .It's the nation-state, at the moment, in my view, that is under attack The tendency is toward bigger regionalism. EEC, ASEAN, hmm? CARICOM, the tendency is bigger groupings. If you have a bigger...Look, let us pause a second, let us forget the emotional empowerment. Suppose you had one country involving Europe and North America, the whole of Europe subject to North America, with one centralized republic or whatever...wouldn't be a problem, would it?

(1) "...By law of nature and of nations"