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Sovereigns, Sterling and “Some bastards too!”:

Brexit seen from Shakespeare’s *King John*

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“This might have been prevented and made whole / With very easy arguments of love...”

(King John, 1.1.35-6)

History will remember 2016 as the year that the United Kingdom voted to leave the European Union by a simple “remain or leave” referendum. The so-called “Brexit” vote was followed by the immediate resignation of the Prime Minister who had proposed the referendum in the first place. He was not the only leading politician to have been stunned by the result. There was, in truth, plenty of surprise even amongst politicians in the “leave” camp. Indeed, the then leader of the UK Independence Party, Nigel Farage, appeared to concede defeat shortly after the polls had closed and before any vote counts had been declared. Politicians and so-called experts on all sides committed a collective and serious miscalculation of the motivations and strength of feeling amongst the voting public, especially in the jurisdiction of England and Wales. I voted “remain”, and I will share some of my reasons later. It cannot be known why individual voters opted to leave. There are a range of candidate reasons, including the simple reason that such a powerful chance for political change is rare and there is an impulse to take such opportunities for scarcity’s sake alone. What is clear is that for the majority of voters at the crucial moment of performance in the ballot booth, the reasons to leave overrode the reasons to remain. Amongst the candidate motivations for a “leave” vote, two especially stand out – the first political and the second economic. On the one hand, legitimate concerns about the political rulers who should have power over the people – the

“Sovereigns” of my title – and on the other hand legitimate concerns about personal and national economic well-being – the ‘Sterling’ of my title. These concerns combined like sulphur and saltpeter to produce an explosive political gunpowder. There were also, no doubt – mixed in like the charcoal that fuels the flare – some votes based on racism and xenophobia. Such illegitimate reasons are the “bastards’ of my title.

Arguably, the high-level political and media debate before and since Brexit has too casually elided the legitimate concerns of native voters in traditionally working class areas (especially concerns about competition with economic migrants for employment, education and healthcare resources) with illegitimate prejudice and xenophobia. In short, Sterling arguments may have been too lightly dismissed as bastards. Underlying the miscalculation of the public mood was a dangerous failure to appreciate how great a sense of human worth is generated by the power to exercise a dramatic act of self-determination. There might also have been a miscalculation of the strength of feeling aligned, even in these globally transnational times, with a nostalgic sense of home-nation sovereignty. International dispute settlement, including in those disputes that may now arise directly and indirectly from the Brexit vote, whether or not the UK is a party to the particular dispute, cannot afford to repeat such misjudgments.

To where, then, can we look if we are to learn more, and to learn more deeply, of the agonistic parts played by principle and pragmatism in human decision-making where self, sovereignty and economic well-being are concerned? If we are looking to learn in a manner free from didactics and doctrine, we will find no better light than that which shines from the best works of the best dramatists, and amongst these none may be so apt to illuminate as Shakespeare. Shakespeare’s immense insight into the motivations of human action is apparent from his great comedies and tragedies, but it is his history plays – a genre that he brought to singular prominence and perfection – that reveal most about the power inherent in

a nation's demand for free, democratic choice in matters of sovereignty. As C W R D Moseley wrote in *Shakespeare's History Plays*: "the area of greatest interest in actual politics, in theory and in drama, is the measure of consent given to the demands of the role by the individual ruler and subject, and the effects that has on them."¹ "Consent" is the key word. The outcome of the United Kingdom's EU referendum may have been arbitrary, but so, by definition, is any act of free-will. As long ago as 1622, Gerald Malynes noted in his celebrated work, *Consuetudo vel Lex Mercatoria* ("The Ancient Law Merchant") that "Arbitrium" means "free will" and that "arbitration" is so named not merely because the arbitrator has free will to judge, but because the disputants have exercised their free will to submit themselves to the arbitrator's judgment.² Arbitrators of international disputes arising from Brexit will do well to appreciate that without respect for the voluntary expression of political will, by vote or otherwise, there can be no peaceful settlement.

When we seek to illuminate our present politics with the insights of drama, we will find that *King John* – Shakespeare's English history play with the earliest setting of all – casts the longest and, perhaps the strongest, light. There are other candidates of course, including *Henry V*, which is surely Shakespeare's most patriotic play. In his chapter "Remembering with Advantages: Nation and Ideology in *Henry V*", Thomas Healy examines Shakespeare's *Henry V* "as a mouthpiece of a British national spirit" that:

¹ C.W.R.D. Moseley, *Shakespeare's History Plays: Richard II to Henry V, The Making of a King* (London: Penguin Critical Studies, 1988), p. 67.

² Gerald Malynes, *Consuetudo vel Lex Mercatoria* (London: Adam Islip, 1622), Part III, Chapter XV.

directs us to important but largely ignored aspects about the construction of British national identity. That such a consideration of patriotic and national impulses is worth this attention will, I hope, be obvious within the context of Europe which has reclaimed nationalism as a powerful and increasingly dangerous political force.³

I have a similar hope as I approach Shakespeare's *King John*.

2016 marks the 800th anniversary of the death of King John and the 400th anniversary of the death of William Shakespeare. The premise of the present article is that the dynamics of human motivation which Shakespeare attributed to individuals living four hundred years before he wrote, apply as well four centuries on, in the year of Brexit. Statistics will never tell us what led the majority of UK voters to vote "leave" on that fateful day, but an appreciation of Shakespeare's *King John* promises to reveal something perennial about human motivations for dramatic action. It also promises to tell us a great deal about human responses, resolution and regret in the aftermath of an explosive enactment of political free will. We are living in the aftermath of Brexit and it is over the smoking field of conflict that agents of international dispute settlement must learn to tread.

The Drama of Dispute

Dispute is the heart of human drama. It is for this reason that Shakespeare places rhetorical *controversiae* ("debates") at the core, and by the same token at the commencement, of so many of his plays. In *Hamlet*, Shakespeare has Ophelia and Hamlet allude to the notion that a

³ Thomas Healy, "Remembering with Advantages: Nation and Ideology in *Henry V*" in Michael Hattaway, Boika Sokolova and Derek Roper (eds), *Shakespeare in the New Europe* (Sheffield: Sheffield Academic Press, 1994), 174-193, 176.

play has an “argument” (3.2.132) or “necessary question” (3.2.40). It is in *Hamlet* that we find what is surely the most celebrated debate in the whole Shakespearean canon: Hamlet’s internal debate on the question “To be or not to be”. That speech is, in its essence, an internalized rhetorical argument about the quality of death and dying when compared to the quality of life and living. It is a philosophical inquiry no doubt, but as an exercise in rhetorical *controversiae* it is equally a lawyer’s argument. Little surprise, then, that it seems to have a source in, or at least to have been inspired or supplemented by, a philosophical dispute posed by the greatest lawyer-rhetorician of Roman antiquity: Marcus Tullius Cicero. Cicero’s *Tusculan Disputations*⁴ supplies the essential controversial dynamic of the “to be or not to be” conjecture, and arguably supplies a great deal of its detail.⁵ The point is that the agony of dispute supplies the interest that makes life dramatic and makes drama live. It is to the ancient Greeks that we owe this appreciation of theatrical *agon*. They understood that the dispute of opposites is frequently more humanly meaningful, and certainly more dramatically engaging, than calm consensus. Dispute and the on-going process of settling dispute is aesthetically satisfying in a sustained way that no single and final act of settlement can achieve.⁶ So much did the ancient Greeks appreciate the aesthetic of dispute and debate, that

⁴ Cicero, *Tusculan Disputations*, Loeb Classical Library, J. B. King (ed.) (Cambridge, MA: Harvard, 1927).

⁵ E. A. J. Honigmann, ‘To be or not to be’, in Ann Thompson and Gordon McMullan (eds), *In Arden: Editing Shakespeare – Essays In Honour of Richard Proudfoot* (London: Bloomsbury Arden, 2015), 209–10.

⁶ Julen Etxabe demonstrates the error of conceiving judgment as a moment – like an axe-falling – when it ought to be conceived as a process over time. In *The Experience of Tragic Judgment* (London: Routledge, 2013), he proposes a mode of judgment akin to the

they sometimes even split their theatrical chorus into two.⁷ It may be that modern Greeks coming to the ongoing question of the repatriation of the Parthenon stones known as the “Elgin Marbles” will appreciate, whatever their political stance, that it is at least poetically consistent with the theme of those sculptural reliefs (the theme being the battle between barbarism and civilization as represented in the fight between Centaurs and human Lapiths) that the stones should remain to this day in a tense state of strife. That is a point I have made before, but it seems worth repeating in this journal, devoted as it is, to International Dispute Settlement. Perhaps the secret of peaceful settlement will sometimes lie, not in the finality of a conclusive deal, but in in a more flexible mutual appreciation of the drama of the conflict.

Shakespeare’s *King John* is generally presumed to have been written in 1596, although it did not appear in print until the 1623 publication of the First Folio of Shakespeare’s *Comedies, Histories and Tragedies*, edited by John Heminges and Henry Condell. The opening scene is dominated by a somewhat technical family dispute on a point of testamentary law, which more than one specialist in the English law of trusts has written about,⁸ but the real point of the legalistic trial is to amplify the tension inherent in the international political disputes that will dominate the rest of the play. The opening scene, even as it presents a domestic argument between brothers, does so against a backdrop that is already daubed in the bloody colours of international conflict. In the pre-action of the play Chatillon, the French ambassador, had called upon John to cede his crown to John’s nephew,

transformative experience that an audience undergoes when engaging with a play.

⁷ See, for example, the ending to Aeschylus’ *Seven Against Thebes* (467 BC).

⁸ G W Keeton, *Shakespeare’s Legal and Political Background* (London, Pitman, 1967); G Watt, *Shakespeare’s Acts of Will: Law, Testament and Properties of Performance* (London: Bloomsbury Arden, 2016).

Arthur of Brittany, son of John's deceased elder brother, Geoffrey, Duke of Brittany. Arthur is in the wardship of Philip, King of France, so that in the opening line of the play *King John* can ask "Now say, Chattillion, what would France with us?" (1.1.1),⁹ and receive, a few lines later, the reply "The proud control of fierce and bloody war, / To enforce these rights so forcibly withheld" (1.1.17-18). It is a sudden and startling opening shot, to which John returns a salvo of his own: "Here have we war for war and blood for blood, / Controlment for controlment. So answer France" (1.1.19-20). Charles Knight was of the view that "in the whole range of the Shakespearean drama there is no opening scene which so perfectly exhibits the effect which is produced by coming at once, and without the slightest preparation, to the main business of the piece".¹⁰

Shakespeare uses John's mother, the redoubtable Queen Elinor (based on the historical Queen Eleanor of Aquitaine, but without strict respect to such details as her historical lifespan), to stoke up the dramatic heat of the dispute from the start:

What now, my son? Have I not ever said
How that ambitious Constance would not cease
Till she had kindled France and all the world

⁹ All quotations from *King John* are from K L Smallwood (ed), *King John*, The New Penguin Shakespeare (London: Penguin, 1974).

¹⁰ "The Pictorial Edition of *King John*" (1838) in *The Pictorial Edition of the Works of Shakespeare* (Eight Volumes, London, 1838-43) vol.3; reproduced in Reproduced in Joseph Candido, *King John, Shakespeare The Critical Tradition* (London: The Athlone Press, 1996), Chapter 18, p.105.

Upon the right and party of her son? (1.1.31-4)

The rhetorical effect of those lines is brilliantly produced. The use of an opening “what” has been relied upon since the earliest English literature to pique the attention of the audience from the first word.¹¹ This strikes the match. The sibilance of the first two lines – son, ambitious, Constance, cease – runs along like a quick-burning fuse, and this leads to a subtle form of ascending tricolon in which an inflamed Constance inflames first France then all the world. Shakespeare had used a similar form of ascending tricolon in the opening line of his most deliberate demonstration of rhetorical dispute – Mark Antony’s “Friends, Romans, countrymen...” (*Julius Caesar*, 3.2.74). Having stoked the flames of the dispute, Queen Elinor then makes a statement that, genuinely sweet though it is, was not, we think, sincerely felt: “This might have been prevented and made whole / With very easy arguments of love” (1.1.35-6). That statement would be a worthy motto for the journal of International Dispute Settlement.

In *King John*, we sense that Shakespeare is speaking very directly to the same passions that have arisen in the Brexit dispute. We discover in the first scene of the second Act that the whole nation of England is now inflamed. Chatillion’s report may be biased:

¹¹ The Anglo-Saxon *Beowulf* begins with the word “Hwæt” Which is frequently translated “listen!” or “lo!”, but should perhaps be read (in context of the line) as “what we have learned...”: <http://www.independent.co.uk/arts-entertainment/books/news/listen-beowulf-opening-line-misinterpreted-for-200-years-8921027.html>

...all th'unsettled humours of the land –
Rash, inconsiderate, fiery voluntaries,
With ladies' faces and fierce dragons' spleens –
Have sold their fortunes at their native homes,
Bearing their birthrights proudly on their backs (2.1.66-70)

The men and women of England are fully fired-up and King John, having crossed the channel with his force, is set to face the French. He offers peace on terms: "Peace be to France - if France in peace permit / Our just and lineal entrance to our own" (2.1.84-85). It is agreed that this international dispute should be handed over to a plebiscite of the people, in this case, the citizens of Angiers. King Philip initiates the process when he commands:

Some trumpet summon hither to the walls
These men of Angiers. Let us hear them speak
Whose title they admit, Arthur's or John's. (2.1.198-200)

Thus the citizens are assembled on the walls to look down on the disputing sovereigns like the judge and jury of a trial, but equally like an audience and spectators to a theatrical drama.

Sovereignty

At first sight, the United Kingdom's EU referendum was a dispute of a quite different sort to that between King John and King Philip – a dispute within a nation concerning its international relations, rather than a dispute between nations – but in fact the referendum

called upon Her Majesty's subjects in the United Kingdom to pass judgment upon two competing forms of sovereignty: on the one side EU sovereignty, and on the other unfettered national parliamentary sovereignty. The voting public of England were for a moment raised to the castle walls, like the citizens of Angiers, and the sense is that even if they found little pleasure in the view from up there they nevertheless found pleasure in the fleeting power of their own political supremacy and seized the moment eagerly. Now that their decision has been cast down from the wall, the parts of the political drama have been recast. The present and ongoing dispute on the ground is an international one between the UK and the EU as to the proper timetable for the UK's withdrawal from the EU and the proper settlement of its terms. Meanwhile the castle walls are empty, or, depending upon one's view, they are crammed with every conceivable candidate for the roles of judge and jury, from the EU Commission and the UK parliament to the free-trading nations of the whole world and everyone between. For the characters in *King John*, as was observed long ago, "there is no clear royal authority" and likewise "for the audience watching it, there is no unblemished cause and no unquestioned authority to claim their allegiance".¹² The same is true for audiences of the play, and of politics, today. Also demanding a place in the jury on the castle walls are the individuals who cast their votes in the referendum, for at the time of writing the political performance of their mandate has hardly begun. Shakespeare expressly constitutes John's common countrymen as full participants in the trial of the king's claim to sovereignty.

¹² Phyllis Rackin, "Patriarchal History and Female Subversion in *King John*" in Deborah Curren-Aquino (ed), *King John: New Perspectives* (Newark: University of Delaware Press, 1989), 76-90, 84.

In John's words: "Doth not the crown of England prove the king? / And if not that, I bring you witnesses, / Twice fifteen thousand hearts of England's breed" (2.1.273-5).

King John remembers the threatening words that preceded the conflict, as the people of the UK might now recall the many threats and warnings – most of them economic – that preceded the referendum from those in favour of a "remain" vote. King John cautions the citizens of Angiers to suspect that the hand of negotiation now offered in a soft glove actually contains the same iron fist that had threatened before, except Shakespeare employs a metaphor that is more imaginatively plausible and more in keeping with his motif of fire:

Behold, the French amazed, vouchsafe a parole.

And now, instead of bullets wrapped in fire,

To make a shaking fever in your walls,

They shoot but calm words folded up in smoke (2.1.226-229)

But isn't this the whole point of international dispute settlement? That "calm words" are better than hot bullets – even if the calm words are "folded up in smoke".

It is in the opening scene of Act Two that the major dramatic character in the play, "the Bastard" takes centre stage. Or rather, he becomes the centre of our attention precisely because he occupies the sidelines of the stage and speaks to the audience as if he were, like them, spectating on the great events unfolding stage-centre. In the first scene of the play, Philip Faulconbridge is found to be the legitimate eldest son of Sir Robert Faulconbridge because he was born of Sir Robert's wife within wedlock, but he prefers to renounce that legitimate status to take up his status as the Bastard son of his natural father, King Richard I. He can claim thereafter to call himself Richard Plantagenet, but he is commonly referred to, somewhat inaccurately, as Philip the Bastard, Philip Faulconbridge or even the Bastard

Faulconbridge (though he is really a Bastard Plantagenet). I will refer to him simply, if starkly, as “the Bastard”. As the citizens of Angiers look down from their walls, the Bastard operates as a sort of arch-citizen in the dramatic mode of Everyman or chorus. As the Bastard alerts the two disputing kings to the citizens’ defiance, he, operating metatheatrically between the theatre audience and the action of the play through his commentary and asides, alerts the theatre audience to the metatheatrical dynamic of the whole scene:

By heaven, these scroyles of Angiers flout you, Kings,
And stand securely on their battlements
As in a theatre, whence they gape and point
At your industrious scenes and acts of death. (2.1.373-6)

The Bastard’s proposal is that the Kings should enter a temporary truce in order to erase the citizens from the equation (some today might propose a similar truce between EU officials and the government of the UK):

Your royal presences, be ruled by me:
Do like the mutines of Jerusalem,
Be friends awhile, and both conjointly bend
Your sharpest deeds of malice on this town.
...
How like you this wild counsel, mighty states?
Smacks it not something of the policy? (2.1.377-80, 395-6)

The Bastard's counsel smacks less of policy and more of a Machiavellian plan to remove the peaceful arbitration of the citizens' judgment, for the Bastard favours open battle between England and France. The Bastard prefers, to borrow Queen Elinor's words, to "arbitrate" with "fearful bloody issue" (1.1.38). In the event, his hopes of armed conflict, along with the like designs of Elinor and Constance, are thwarted by a trade deal brokered between King John and King Philip. Constance clamours "War! War! No peace! Peace is to me a war" (3.1.113). We consider below the nature and significance of the bargain between King John and King Philip where we examine the part played by trade in bringing about peaceful settlement of political dispute. Suffice to say for now that the bargain concluded directly between France and England was forcibly broken off by the intervention of a Pan-European central authority – the Pope, represented in the play by his legate Pandulph. The Pope represented here is Innocent III, who died just a few months before King John and presided over all the dramatic events of John's reign with which Shakespeare was, and we are now, concerned. Peter Saccio describes Pope Innocent III as a "distinguished lawyer and theologian, possibly the greatest ruler of the Middle Ages, and a man indefatigable in his efforts to assert the authority of the papacy over all the affairs of mankind".¹³ Nowadays the most celebrated event in King John's reign was the sealing of Magna Carta, but its modern significance is largely a post-Enlightenment invention and its primary inventors were the men – we can call them, without any pejorative implication, the great myth-makers – who created the American constitution and the idea of the United States. Shakespeare's play reflects the fact that for Elizabethans Magna Carta was of minor consequence. For Shakespeare and his early modern contemporaries, the most significant event of the reign of King John was the

¹³ Peter Saccio, *Shakespeare's English Kings: History, Chronicle, and Drama* (Oxford: Oxford University Press, 1977), 196.

surrender of the crown to the papal legate and his receiving it back again “as a vassal of the Pope”.¹⁴ King John’s “Thus have I yielded up into your hand / The circle of my glory.” (5.1.1-2) receives the reply of the papal legate: “Take again / From this my hand, as holding of the Pope” (5.1.2-3). Note how Shakespeare confirms the exchange by having the two parties share a single line of verse (5.1.2). The event represented by Shakespeare actually took place. Saccio observes that the historical King John:

Apparently of his own choice...surrendered his crown to Pandulph, the papal legate who negotiated his submission, and received it back again from him. Thus he made himself the vassal of the Pope; England was thenceforth to be considered as a fief held by the King from the Holy See.¹⁵

Saccio acknowledges that “Englishmen of later ages, both before and after the Reformation, came to regard this subordination of the English crown to the papal tiara as an extraordinary and humiliating act”, but adds that “it was probably not so considered at the time”.¹⁶ Saccio’s subsequent observations are worth repeating at length, for they could provide an historical clue to the English national character that might help to explain the outcome of the EU referendum. He writes:

¹⁴ Frederick S. Boas, *Shakspeare and his Predecessors* (1896) (London: John Murray, 1940), 243.

¹⁵ *Shakespeare’s English Kings*, at p.197.

¹⁶ *Ibid.*

Although in most subsequent centuries King John has had a very bad press, many Protestant Englishman [*sic*] of the 16th century considered him a hero because of his defiance of Rome. He is no hero in Shakespeare, but he does express heroic resistance to Pandulph. The speeches in which he does so are couched in specifically Reformation terms: he condemns the pope's "usurped supremacy," a common Protestant phrase for the attentions of the Bishop of Rome, and he describes himself as "supreme head" of the English Church, the very title devised for Henry VIII during the English break with Rome. Pandulph himself displays a quantity of chicanery, chop-logic, and underhanded scheming thought by Protestants to be characteristic of Rome.¹⁷

King John's surrender of his crown to the Roman Catholic legate has a parallel in *Cymbeline*, where King Cymbeline's early defiance of Rome:

You must know,
Till the injurious Romans did extort
This tribute from us, we were free. Caesar's ambition,
Which swell'd so much that it did almost stretch
The sides o'th'world, against all colour here
Did put the yoke upon's; which to shake off
Becomes a warlike people, whom we reckon

¹⁷ *Shakespeare's English Kings*, at p.204.

Ourselves to be ... (3.1.45-52)¹⁸

Turns to compliance in the end:

Well,

My peace we will begin. – And, Caius Lucius,

Although the victor, we submit to Caesar

And to the Roman empire, promising

To pay our wonted tribute, from the which

We were dissuaded by our wicked queen,

Whom heavens, in justice, both on her and hers

Have laid most heavy hand. (5.4.541-548)

Who will doubt that successful international dispute settlement depends upon a sophisticated appreciation of the history that makes up the national mind? So let us pose a controversial possibility. Could it be that a predominantly Roman Catholic EU is still modelled along essentially Papal lines or still espouses the same federal, even feudal, ambitions? Was the Roman Catholic communion of nations the template for the European Community? Even if the answer is ‘no’, might it still seem so to the English from the perspective of their national history? A Eurobarometer poll of 2012 found that 48% of EU citizens describe themselves as Roman Catholics, which is four times times more than those who call themselves Protestants. Even more striking is that the UK is the only country, outside the Nordic nations, in which

¹⁸ Quotations from *Cymbeline* are from Jonathan Bate and Eric Rasmussen (eds), *The RSC Shakespeare: Complete Works* (London, Macmillan, 2007).

the number of respondents to that survey describing themselves as “Protestant” outnumbered those describing themselves as “Catholic”.

In Shakespeare’s play, the Papal legate promises King John that “by the lawful power that I have, / Thou shalt stand cursed and excommunicate” (3.1.172-3). Can we hear this echoed in the threats levelled by the “remain” camp against the rebellious English in the lead-up to the referendum? When, in Shakespeare’s play the Papal legate compels France to withdraw from its bilateral pact with England, are there not clear parallels in the EU’s hope, – the EU’s expectation – that individual Member States should not enter into free-standing bilateral trade agreements with the UK post-Brexit? In Shakespeare’s play, the Papal legate threatens France with excommunication: “What canst thou say but will perplex thee more, / If thou stand excommunicate and cursed?” (3.1.222-3), and:

Philip of France, on peril of a curse,
Let go the hand of that arch-heretic,
And raise the power of France upon his head,
Unless he do submit himself to Rome. (3.1.191-4)

The Dauphin counsels his father to comply:

Bethink you, father, for the difference
Is purchase of a heavy curse from Rome,
Or the light loss of England for a friend.
Forgo the easier. (3.1.204-7)

The personal faith of individual Roman Catholic communicants in the nations of medieval Europe made the threat of excommunication highly effective, but if it is the model on which some voices in the EU now threaten a curse upon the heretic UK, one wonders if it will still work. Do the citizens of modern France, for example, feel the same religious, albeit secular religious, affinity for the EU that medieval worshippers felt for the church in Rome? That must be doubtful. However effective the threat to curse the UK might be if it were coupled with a plausible threat to excommunicate France and other Member States, it must surely be less effective in the modern contexts of Member States that carry the counter-threat of excommunicating the “Papal” authority of the EU. At risk of fanning feint flames, I will cease that line of conjecture there. Suffice to say that in Shakespeare’s play the Papal threat was effective and France withdrew from its pact with England. Preparations then began for war between France and England. War might have been avoided, even then, for King John quickly repented of his rebellion and, as noted earlier, gave up his crown to the Papal legate and received it back as vassal to the Pope. In response to King John’s volte-face the legate intervened in the dispute between the French and the English and sought to impose a truce on France. Pandulph acknowledges that it was his “breath that blew this tempest up” and asserts that his tongue shall now “hush again this storm of war” (5.1.17, 20). The image of rhetorical speech feeding a fire of emotional feeling echoes the opening scene of Act Four in which Hubert threatened to revive an actual fire with his actual breath. Anticipating that Hubert was about to put out his eyes with a hot brand in accordance with John’s command, the boy Arthur took comfort to see that the brand had cooled: “The breath of heaven hath blown his spirit out, / And strewed repentent ashes on his head” (4.1.109-10). Hubert’s response chimes with the play’s motif of speech that stokes fiery passion: “But with my breath I can revive it, boy.” (4.1.111).

Pandulph was mistaken to think that he could blow out the fire with the same breath that first gave it life. By the time Pandulph sought to restrain the French forces, the Dauphin, Lewis, was already engaged in arms and fully fired-up for war, hence his retort to the legate's plea:

Your breath first kindled the dead coal of wars
Between this chastised kingdom and myself,
And brought in matter that should feed this fire,
And now 'tis far too huge to be blown out
With that same weak wind which enkindled it. (5.2.83-7)

The legate turns too late to the possibility of international dispute settlement, and relents that "The Dauphin is too wilful-opposite, / And will not temporize with my entreaties. / He flatly says he'll not lay down his arms". (5.2.124-6)

Who should we say has played the part of the Papal legate, or the Pope, in the debate surrounding the UK's EU referendum? It is hard to look beyond the President of the European Commission, Jean-Claude Juncker. Not a theologian as Pope Innocent III was, but no less a lawyer, Juncker was educated in law to Masters level and admitted to the profession. Pandulph-like, Juncker "kindled the...coals" and threatened a curse on the rebellious UK. Whatever outcome he personally desired, and it is plausible to suppose that he desired the UK's departure from the EU despite his statements to the contrary, his ill-judged interventions frequently fanned the flames that the UK's leave campaigners had lit. Juncker's bellowing helped stoke the fire so that it became "too huge to be blown out". If a Member State were to say to the President of the European Commission, as King Philip of France said to Cardinal Pandulph "Out of your grace, devise, ordain, impose / Some gentle order, and

then we shall be blessed / To do your pleasure and continue friends [with England]” (3.1.250-252), would we be surprised if Herr Juncker replied, as Cardinal Pandulph replied, “All form is formless, order orderless, / Save what is opposite to England’s love” (3.1.253-4). Mr Juncker told *Le Monde* that “deserters” who quit the European Union would “not be welcomed with open arms” and that “If the British say no, which I hope they do not, community life will not continue as it did before,” and “The United Kingdom will have to accept treatment as an outsider, in place of the caress we give to those we would stroke gently”.¹⁹ The image here seems to be something like stroking the hair of a pet cat. The promise is that the EU will no longer sooth the UK with smooth strokes. The threat is that the EU will deliberately start to rub the UK up the wrong way. This may be to underestimate the type of creature that the EU is handling. After the Second World War, Herr Juncker’s home nation of Luxembourg made a personal gift to Winston Churchill of an impressive black bronze statue of a lion. Inscribed, “The People of Luxembourg in Gratitude to Winston Churchill”, it was an acknowledgement, perhaps, that Lions are useful to have on your side when times are tough. The United Kingdom will no doubt continue to leap lion-like to counter threats to European security, but with this note of caution – that lions are not easily domesticated and should be stroked with care.

If Herr Juncker hoped to spread the frost of fear, his words actually served only to puff hot air into the coals. Until the EU’s legate follows Pandulph’s example and laments, or leaves, it is hard to see any prospect of progress or settlement in the international negotiations

¹⁹ *Le Monde*, 20th May 2016: “Les déserteurs ne seront pas accueillis à bras ouverts”; “Si les Britanniques devaient dire non, ce que je n’espère pas, la vie communautaire ne continuerait pas comme avant. Le Royaume-Uni devra accepter d’être considéré comme un Etat tiers, que l’on ne caressera pas dans le sens du poil” (my translation).

between the EU and UK that must now follow the Brexit vote. Many of Pandulph's words in response to John's defiance express essentially the same sentiments that we would expect to hear Herr Juncker direct to those in the UK who voted "leave". The argument that the people of the UK made a mistake and will lose more than they gain is heard in Pandulph's "'Tis strange to think how much King John hath lost / In this which he accounts so clearly won" (3.4.121-122). The claim that the fight to take the United Kingdom out of Europe will be followed by a fight to keep the United Kingdom united within its own borders, is an echo of Pandulph's "A sceptre snatched with an unruly hand / Must be as boisterously maintained as gained" (3.4.135-6). The prediction that the people of the UK will repent recalls Pandulph's "This act, so evilly borne, shall cool the hearts / Of all his people, and freeze up their zeal" (3.4.149-150).

It is in his early defiance of the Papal demand, that King John sets out the clearest manifesto of his sovereign right to rule:

... no Italian priest
Shall tithe or toll in our dominions;
But as we, under God, are supreme head,
So, under Him, that great supremacy
Where we do reign we will alone uphold,
Without th'assistance of a mortal hand.
So tell the Pope, all reverence set apart
To him and his usurped authority. (3.1.153-160)

These words that Shakespeare gives King John are palpably within the Elizabethan strain of national Protestantism, as we would expect in a play written within a decade of the failed

attempt by Roman Catholic Spain and its Armada to overthrow the protestant Queen Elizabeth I. That event is alluded to in the play: “So, by a roaring tempest on the flood, / A whole armado of convicted sail / Is scattered and disjointed from fellowship” (3.4.1-3). King Philip’s response to King John’s bravado is supplied by Shakespeare in terms of the heat motif:

Thy rage shall burn thee up, and thou shalt turn

To ashes, ere our blood shall quench that fire.

Look to thyself, thou art in jeopardy! (3.1.344-6)

The downwards spiral from warning to threat takes its usual course, and King John’s reply is predictable: “No more than he that threatens. To arms let’s hie!” (3.1.347) Some wish to punish the UK for the Brexit vote in order to deter further Member States from following suit. President François Hollande has uttered his curse: “There must be a threat, there must be a risk, there must be a price. Otherwise we will be in a negotiation that cannot end well.”²⁰ Hollande and those of his mind agree with the character of Salisbury in *King John* who says that it would be absurd to “heal the inveterate canker of one wound / By making many” (5.2.14-15). More conciliatory minds within the EU may be content simply to withdraw indulgence from the UK – to withdraw, in Herr Juncker’s terms, the gentle hand of caress – without wishing actually to punish the choice made by the British people.

²⁰ “Hollande demands tough Brexit negotiations” *Financial Times* 7th October 2016

<https://www.ft.com/content/5f84e4c4-8c17-11e6-8aa5-f79f5696c731>.

The Bastard has the two most famous speeches in *King John*. We will consider his celebrated speech on “commodity” in the section on “Sterling”, below. His anthem to sovereignty and national self-determination supplies the very last lines of the play:

O, let us pay the time but needful woe,
Since it hath been beforehand with our griefs.
This England never did, nor never shall,
Lie at the proud foot of a conqueror
But when it first did help to wound itself.
Now these her princes are come home again,
Come the three corners of the world in arms
And we shall shock them! Nought shall make us rue,
If England to itself do rest but true! (5.7.110-118)

This paean to England’s insular fortitude is echoed by King John in his plea “England, for itself. / You men of Angiers, and my loving subjects”, and Shakespeare places a similar sentiment even in the mouth of England’s enemy, Austria, who describes the island nation’s

... pale, that white-faced shore,
Whose foot spurns back the ocean’s roaring tides
And coops from other lands her islanders,
Even till that England, hedged in with the main,
That water-wallèd bulwark, still secure
And confident from foreign purposes (2.1.23-8)

Shakespeare's own times were a time of trial and testing for the early notion of a Protestant nationhood, and his choice of King John's reign was a prudent one for exploring the earliest signs of similar strain between the island rebel and its near neighbours on the mainland of Europe. John's reign (1199-1216) is as good a candidate as any to represent the resurgence of English nationhood out of its recent Norman and Angevin history. Frank Barlow observes that:

To place the rebirth of English nationality in 1204 is both too late and too soon. Too late because already the mass of the Anglo-Norman landowners had sunk their roots firmly into the country their forebears had conquered. Too early because for at least another century the English kings and the highest Baronage remained completely European in culture.²¹

Arguably, the key question in the EU referendum debate is the one posed by the Irish Captain MacMorris in Shakespeare's *Henry V*: "What ish my nation?". MacMorris rails against outsiders who presume to know the answer: "Ish a villain and a bastard and a knave and rascal? What ish my nation? Who talks of my nation?" (3.2.124-6). In his chapter "Shakespearean Nationhoods", Jonathan Bate writes:

what if Shakespeare asked that question now? I would reply that his has been many nations and can potentially be every nation, and that is why he matters more than any

²¹ *The Feudal Kingdom of England* 2nd edn (London: Longmans, Green & Company, 1961), 174.

other writer there has ever been, and that is why he is a living presence in the new Europe...²²

Writing in 1994, Professor Bate considered the question of nationhood to be “the key one facing Europe today, as the post-Soviet East disintegrates into fragmented and sometimes horribly conflicting ‘new’ nations while the post-Maastricht West troubles itself over the relationship between national identity and federalism”.²³ Arguably it remains the key question today. Certainly the promise (or threat) of a United States of Europe, and the counter promise (or threat) of nationalism, has neither receded or been withdrawn since 1994.

Sterling

The part played by economic trade in the settlement of international dispute can hardly be overstated. That the road of trade may be a path to peace between nations is a long-standing tenet of political thought, and English playwrights have long appreciated it. A century after Shakespeare, we find it elegantly expressed in George Lillo’s 1731 play *The London Merchant, or The History of George Barnwell*:

Methinks I would not have you only learn the method of merchandise, and practice it hereafter, merely as a means of getting wealth. ‘Twill be well worth your pains to study it as a science, see how it is founded in reason, and the nature

²² Michael Hattaway, Boika Sokolova and Derek Roper (eds), *Shakespeare in the New Europe* (Sheffield: Sheffield Academic Press, 1994), 112-129, 115.

²³ *Ibid.*, p.115.

of things, how it has promoted humanity, as it has opened
and yet keeps up an intercourse between nations far
remote from one another in situation, customs and religion;
promoting arts, industry, peace and plenty; by mutual
benefits diffusing mutual love from pole to pole. (3.1.1-9)²⁴

The same commonplace assumption that hands clasped in a trade bargain cannot at the same time clasp swords is brilliantly expressed in Shakespeare's *King John*. There the hot conflict between John and Philip of France is cooled by hands joined in trade. What Thomas Healy writes of *Henry V* is true also of *King John*:

The play reinforces an ideology of exchange, not the power of the monarchy. It celebrates this ideology not through jingoistic rhetoric – the rhetoric, as is common to Shakespeare's plays, is shown to be a means of negotiating relations, not representing static preconceptions – but through embedding this ideology's principles in both language and actions. Recognizing the play's acceptance of this ideology, its belief in the potentials of exchange to generate new possibilities or expectations among those who participated in a drama, helps us determine a vision of a national identity far more consistent with Britain's subsequent developments than is achieved by forcing *Henry V* to participate in a display of pseudo-religious patriotic pageantry.²⁵

²⁴ *The London Merchant* Regents Restoration Drama (Lincoln, NE: University of Nebraska Press; Reprint edition, 1965).

²⁵ "Remembering with Advantages", p.184.

Shakespeare commissions the Bastard to say what the audience must be thinking – “how ignoble of France and England to sell-out the honour of their cause in pursuit of a commodious bargain, but I’d do it too”. No doubt many who opted to sacrifice national sovereignty with a “remain” vote did so, not for reasons of principle, but to secure financial and other commodious benefits. The Bastard’s speech on commodity, the most famous speech of the play, deserves to be quoted at length:

Mad world! Mad kings! Mad composition!
John, to stop Arthur’s title in the whole,
Hath willingly departed with a part;
And France, whose armour conscience buckled on,
Whom zeal and charity brought to the field
As God’s own soldier, rounded in the ear
With that same purpose-changer, that sly devil,
That broker that still breaks the pate of faith,
That daily break-vow, he that wins of all,
Of kings, of beggars, old men, young men, maids –
Who, having no external thing to lose
But the word ‘maid,’ cheats the poor maid of that –
That smooth-faced gentleman, tickling commodity;
Commodity, the bias of the world –
The world, who of itself is peisèd well,
Made to run even upon even ground,
Till this advantage, this vile-drawing bias,
This sway of motion, this commodity,

Makes it take head from all indifferency,
From all direction, purpose, course, intent –
And this same bias, this commodity,
This bawd, this broker, this all-changing word,
Clapped on the outward eye of fickle France,
Hath drawn him from his own determined aid,
From a resolved and honourable war,
To a most base and vile-concluded peace.
And why rail I on this commodity?
But for because he hath not wooed me yet;
...
Since kings break faith upon commodity,
Gain, be my lord – for I will worship thee! (2.1.561-588, 597-8)

Here the Bastard likens the distorting effect of commodity on the world to the distorting effect of a bias (weight) on a bowling ball. In his plays, Shakespeare usually employs the word “commodity” in the economic sense of the word. The phrase “proffitt and comoditye” even appeared in his deposition in the dispute over the dowry to the marriage of Stephen Bellott to Mary Mountjoy.²⁶ This followed his role as “an agent, a go-between, a broker” in securing that marriage.)²⁷ In *King John*, the Bastard’s usage emphasizes commodity as

²⁶ 11th May 1612.

²⁷ Charles Nicholl, *The Lodger: Shakespeare on Silver Street* (London: Allen Lane, 2007), 252.

“exchange-value”.²⁸ He should know, for he had exchanged his own feudal inheritance for “adventure capital on the international battlefield”.²⁹ The Bastard helps the playgoers to see the mercantile reality of the peace brokered between King John and King Philip, which had been sealed by the marriage of John’s niece Blanche to the Dauphin together with “Full thirty thousand marks of English coin” (2.1.530).³⁰ The Bastard alerts us to the fact that “Angiers finally opens its gates, not to its rightful king but to a bargain”.³¹

Constance is uncompromising in her critique of King Philip. To her view, he has sold his sovereignty, and the sovereignty of her son’s cause, in exchange for the Sterling of trade with England:

... fortune, O,
She is corrupted, changed and won from thee;
She adulterates hourly with thine uncle John,
And with her golden hand hath plucked on France
To tread down fair respect of sovereignty (3.1.54-8)

That word “tread” is an etymological twin to the word “trade”. The eponymous king in Shakespeare’s *Richard II* refers to the “way of common trade” in the same breath that he levels this complaint at the common people: that “on my heart they tread” (3.3.156, 158).

²⁸ Christian A. Smith, “‘That smooth-faced gentleman ...Commodity’: Shakespeare’s critique of exchange-value in *King John*”, *Shakespeare* 4 (2013), 1-14.

²⁹ *Ibid.*, p.5.

³⁰ *Ibid.*, p.4.

³¹ Sigurd Burckhardt, “*King John*: The Ordering of this Present Time”, *ELH* 33(2) (1966), 133-153, 141.

Charles Forker notes that the word ‘tread’ is ‘quibbling on *trade*’.³² So it is when Constance associates the tread of feet with the trade of Fortune’s “golden hand”.

Only when the Papal legate insists that France should break his bargain with John, does John return to the principle of his cause. When he initially rejects the Papal offer, King John does so in high terms of honour and decries those nations who have accepted it:

Though you, and all the kings of Christendom,
Are led so grossly by this meddling priest,
Dreading the curse that money may buy out,
And by the merit of vile gold, dross, dust,
Purchase corrupted pardon of a man,
Who in that sale sells pardon from himself –
Though you and all the rest, so grossly led,
This juggling witchcraft with revenue cherish,
Yet I alone, alone do me oppose
Against the Pope, and count his friends my foes. (3.1.162-171)³³

As I write, the initial scenes of the Brexit decision having been played out, the drama is now focused on the question of when and how to exercise Art 50 of the Lisbon Treaty (which will

³² Charles R. Forker, *Richard II*, The Arden Shakespeare, 3rd series (London: Bloomsbury, 2002), 354 n.

³³ The reader will note that in-between the lines of John’s political critique, Shakespeare has cleverly woven the standard Protestant theological critique of the Roman Catholic practice of selling indulgences.

trigger the timetable for the UK's withdrawal) and when and how to follow that through to the final terms of withdrawal. Shakespeare's *King John* frequently presents the drama of minds moving between resolution and reticence to act. When Hubert is faced with the unpleasant task of putting out Arthur's eyes with the hot brand as John has commanded, he goads himself to do it quickly: "I must be brief, lest resolution drop" (4.1.35), whereas King John, learning of his mother's death, pleads in apostrophe to a personification of the fateful event: "Withhold thy speed, dreadful occasion!" (4.2.125). Salisbury had noted John's vacillation in relation to his decreed murder of his nephew Arthur in Act Four:

The colour of the King doth come and go
Between his purpose and his conscience,
Like heralds 'twixt two dreadful battles set.
His passion is so ripe it needs must break (4.2.76-9)

One curiosity of the United Kingdom's decision to leave the European Union is that we are now left in the UK with the question of the union within the kingdom itself. Within that curiosity is the further strange fact that the Scottish National Party would seemingly prefer that Scotland should not actually be an independent nation, but rather should submit its sovereignty to the European Commission in Brussels instead of to the UK Parliament in Westminster. *King John* is the perfect play to help us through this absurdity. As Stuart Burge opines, "Rarely, I suppose, in dramatic history have international politics been regarded with such an assured sense of the ridiculous as in Shakespeare's *King John*".³⁴ To add more

³⁴ "*King John*" in *Introductions to Shakespeare: Being the Introductions to the individual plays in the Portfolio Society edition 1950-76* (London: Michael Joseph, 1977), p.92.

complexity to the mix, there were, even within an England that voted 53.4% to 46.6% in favour of leaving the EU, some significant dissenting cities – Liverpool and Manchester voted by large majorities to remain. Leeds and Leicester by narrow majorities voted likewise. Dissent was rare in the provincial regions of England. Unsurprisingly, London was England's greatest dissenter, but London is not central to the physical geography of England, still less that of Great Britain, still less of the United Kingdom of Great Britain and Northern Ireland. London is a physical and functional outlier of England. London is the capital of the country, but not its core – the head, but not the heart. Indeed, the Brexit vote can be seen as a reaction to the fact that the head is so firmly turned towards Europe and the world beyond that it has failed to have regard for the country at its back. Westminster needs to listen to blunt speakers in the mode of the Bastard, who reported some provincial hard truths to the King:

... as I travelled hither through the land,
I find the people strangely fantasied,
Possessed with rumours, full of idle dreams,
Not knowing what they fear, but full of fear (4.2.143-6)

Shakespeare, the provincial countryman from the Warwickshire heart of England who worked in London, commissions the Bastard to connect the heart of the land to its head. Much of Shakespeare's *King John* was modelled on the earlier anonymous play *The Troublesome Reign of King John*, but the Bastard was Shakespeare's own invention. Arguably, it is "when he gives reign to his own imagination, with his creation of the Bastard

Faulconbridge and with the child Arthur and his mother, that the work takes flight”.³⁵ King John’s response to the Bastard’s report is a perennial plea for national unity: “O, let me have no subject enemies, / When adverse foreigners affright my towns” (4.2.171-2), but as in Shakespeare’s day this merely begs the further question “What ‘ish my nation”, and its corollary: “who are the adverse foreigners?” In our day it is difficult to know where the mass of adverse British subjects ends and the mass of adverse enemies begins, and perhaps it was ever thus. In the midst of the present complexity, the UK’s leaders in Westminster are called upon to negotiate the many international disputes that have fallen out, and will continue to fall out, from the referendum result. Some, will rightly urge the resolution of decisive action, as the Bastard urged King John: “Be great in act, as you have been in thought” (5.1.45); others will rashly urge an intemperate lack of diplomatic tact, as the Bastard also urged John:

O inglorious league!
Shall we, upon the footing of our land,
Send fair-play orders and make compromise,
Insinuation, parley, and base truce
To arms invasive? ... (5.1.65-69)

King John’s response to that provocation has the weighty wisdom that one would expect of Shakespeare – a playwright in the tradition of the epic poets who was able to hold in his hands entire histories and mould them into humanly meaningful and intimately affecting tales. King John asks simply: “Have thou the ordering of this present time” (5.1.77). We

³⁵ A. L. Rowse, *Prefaces to Shakespeare’s Plays* (London: Orbis, 1984). See, also, “The Bastard in *King John*” (1960) 11 *Shakespeare Quarterly* 137-46.

could ask the same question of anyone with an interest in the fallout from Brexit and, if they are honest, they will have to answer in the negative. And, yet, this “present time” is the point. Who, confronted with the complexities that have followed the UK’s decision to leave the EU and the objections and obstacles that continually threaten to block performance of the public mandate to “leave”, will doubt that if the decision had not been made now it would never have been made? Indeed, since it already seems impractical to leave, might it have become practically impossible to leave if the chance had been delayed?

Bastards

The Bastard acknowledges that amongst King John’s forces raised against the French there are, along with those of noble and gentle birth, “Some bastards too” (2.1.279). For present purposes we need to distinguish two types of “bastard”. On the one hand there are those – the bastards of my title – who espouse causes that are inherently racist, xenophobic or otherwise inherently indefensible. We will return to that sort below. On the other hand, there are those who have a certain innate nobility of purpose despite formal imperfections of status. The Bastard in *King John* is of this sort, and so are the “common folk” of England who, if not lacking legal legitimacy, generally lack the formal imprimatur of gentility or nobility and, in many cases, those educational and financial advantages that tend to improve one’s social status. Shakespeare’s apparent affinity for such “base” commoners is a large part of his ongoing ability to represent and appeal to all strata of society. The same can be said of Charles Dickens, and across the channel the French have many artists of like sentiment and attractiveness, including Dickens’s contemporary Victor Hugo. He once wrote that:

the soul of the people is great. Have you ever gone, of a holiday, to a theatre opened gratuitously to all? What do you think of that audience? Do you know any other more

spontaneous and intelligent? Do you know, even in the forest, any vibration more profound? ... The multitude – and in this lies their grandeur – are profoundly open to the ideal. When they come in contact with lofty art they are pleased, they palpitate. Not a detail escapes them. The crowd is one liquid and living expanse capable of vibration. A mob is a sensitive plant. Contact with the beautiful stirs ecstatically the surface of multitudes, – a sure sign that the deeps are sounded.³⁶

The views of the “common” man or woman may seem, to some observers, parochial and un-cosmopolitan, but there is such a thing as a virtuous parochialism, even a virtuous national self-interest, that makes a necessary local stand against undesirable aspects of global markets and international finance. The Shakespearean scholar William Watkiss Lloyd, another contemporary of Hugo, refers to “What we call in compliment to ourselves an English spirit, – a spirit of independence, of fair play in hard fighting and of directness in negotiation”.³⁷ (It will be interesting to see in the course of the Brexit negotiations how true that self-compliment remains to the present day.) He wrote in 1856 that:

The degraded position of both John and Lewis successively, – degrading and disastrous, provokes appeal to a national spirit which the centuries ripen. Thus is stated the problem that is scarcely solved at present, the harmony and identity of

³⁶ Victor Hugo, *William Shakespeare* (trans M. B. Anderson; Freeport, New York: repr. 1970 [1886]), 307-9).

³⁷ “*King John* and nationalism”, from the *Dramatic Works of William Shakespeare* (London: Bell and Daldy, 1856), reproduced in Joseph Candido, *King John, Shakespeare The Critical Tradition* (London: The Athlone Press, 1996), Chapter 27 p.162.

national sympathies with the true as distinguished from the counterfeit,
cosmopolitan.³⁸

How painfully that same problem persists to the present day. In his 1994 essay
“Remembering with Advantages: Nation and Ideology in *Henry V*”, Thomas Healy observes
that:

The current revival of nationalism in Europe seems poised, in part, against the world
of the market, a rejection of powerful multinational forces whose promises of
prosperity are hinged on participation in global commerce. Yet, the new nationalism
also results from the failure of existing ideologies to fulfil their promises. In the east,
the failure of communism to provide prosperity and opportunity for any but a few; in
the west, increasingly restrictive prosperity of capitalism through its failure to provide
opportunity for many, have revived the wishful nations whose self-definitions are
based on the resurrection of imagined communities. The nation may be defined
differently – ethnic community, a religious sect, or through participation in defined
values – but what all current nationalist revivals reveal is their desire for the promises
of rank and wealth it is imagined the nation should possess.³⁹

There are other bastards, of a baser sort – those nationalists that default to racism or violence.
They are always kindred, however closely or distantly related, to the spirit of Nazism.
Jonathan Bate, contemplating the words of Victor Hugo set out earlier, notes that Hugo

³⁸ Ibid, p.163.

³⁹ “Remembering with Advantages”, p.191-2.

“wrests the plays away from nationalism”, adding that for Hugo “Shakespeare is the one redeeming feature of the insular English mind because he is himself far from insular”.⁴⁰ In Hugo’s own words, “in that prudish nation he is the free poet...A little more, and Shakespeare would be European”.⁴¹ Hugo, Jonathan Bate observes,

was a passionate advocate of a United States of Europe, conceived in socialist and republican terms... If he had been asked who would be the poet of the United States of Europe, he would doubtless have hoped that it would be himself, but he would unhesitatingly have replied: Shakespeare.⁴²

It is dangerous to speculate on the opinions of Shakespeare the man, but based on the loose evidence of his plays and the somewhat stronger evidence of his biography, we can suppose that Shakespeare was a friend to foreign refugees. We know that around 1604 Shakespeare lodged with Protestant (Huguenot) immigrants in London at an address in Silver Street,⁴³ and it is around this time that Shakespeare contributed to the play *Sir Thomas More*. Part of the manuscript of that play survives, written in Shakespeare’s own hand, and there we find what has rightly been described as an “extraordinarily sympathetic evocation of Huguenot asylum

⁴⁰ “Shakespearean Nationhoods”, p.123.

⁴¹ Hugo, “*William Shakespeare*”, p. 355.

⁴² “Shakespearean Nationhoods”, p.123.

⁴³ See, generally, Charles Nicholl, *The Lodger: Shakespeare on Silver Street* (London: Allen Lane, 2007).

seekers".⁴⁴ In the relevant passage, Sir Thomas More chastens his unkind audience by asking them to imagine what their fate would be if the king were to banish them:

...whither would you go?

What country, by the nature of your error,
Should give you harbour? Go you to France or Flanders,
To any German province, Spain or Portugal,
Nay, anywhere that not adheres to England,
Why, you must needs be strangers. Would you be pleased
To find a nation of such barbarous temper
That, breaking out in hideous violence,
Would not afford you an abode on earth,
Whet their detested knives against your throats,
Spurn you like dogs, and like as if that God
Owed not nor made not you, nor that the elements
Were not all appropriate to your comforts,
But chartered unto them? What would you think
To be thus used? This is the strangers' case,
And this your mountanish inhumanity. (2.4.125-140)⁴⁵

⁴⁴ Jonathan Bate and Dora Thornton (eds), *Shakespeare: Staging the World* (London: The British Museum Press, 2012), p.15.

⁴⁵ Jonathan Bate and Eric Rasmussen (eds), *William Shakespeare & Others: Collaborative Plays* (RSC edition) (London, Palgrave Macmillan, 2013).

In another late play, *Cymbeline*, the character of Innogen muses that “I’th’world’s volume / Our Britain seems as of it, but not in’t: / In a great pool a swan’s nest” (3.4.151-3) and ponders if there is life beyond its shores – Innogen’s innocent questioning befits her name and she is presented as one of the play’s most sympathetic characters. Her British suitor, or pursuer, Cloten is, on the other hand, one of the play’s least attractive characters. We cannot safely read anything of Shakespeare’s sympathies into how attractive the speakers are, but it is Cloten who defies the Romans in the most insular terms: “There be many Caesars, / Ere such another Julius: Britain’s / A world by itself; and we will nothing pay / For wearing our own noses” (3.1.13-16)). This can be read in Jacobean terms as protestant defiance of the Roman church, but in Cloten’s mouth it might imply that the insular British warrior “protests too much” (*Hamlet*, 3.2.230). Melly Still, The director of the 2016 Royal Shakespeare Company production of *Cymbeline*, set out to present a “dystopian Britain some time in the not too distant future where the country’s belligerent independence and insularity have taken root”.⁴⁶ She certainly succeeded in creating a disorienting experience for the audience. The designer Anna Fleischle also played her part. Alluding to the post-Brexit environment, and perhaps speaking directly to “Brexiters” in the audience, Ms Fleischle writes “I’m from the southern tip of Germany, with other countries very close. It’s bizarre that you would not see that as a gift”.⁴⁷ It is surprising that an imaginative artist cannot imagine what merits there might be in topographical insularity, but, be that as it may, one is bound to respond that Britain is still as physically close to its European neighbours as it has always been. As for closeness of daily relations, it is certain that the British people will not cease their long love affair with their near coastal neighbours France, Portugal and Spain (nor, in these times when

⁴⁶ “Staging *Cymbeline*” (Programme notes).

⁴⁷ *Ibid.*

cheer is needed, are they likely to terminate the trade that did so much to establish those nations in the global export of wine, port wine and sherry respectively). Neither will the British neglect the long-standing love of that other Romance nation, Italy. Certainly those many English artists and authors (including the Romantic poets Keats, Shelley and Elizabeth Barrett Browning) who were buried in the graveyards of Rome and Florence long before the EU was born will not be leaving anytime soon. Ms Fleischel has made the all-too-common mistake of confusing British attitudes to Europe with British attitudes to the European Union. Neighboring nations are a given, and a gift indeed, but a political union with other countries does not deserve the name of “gift” if one is forced to accept it.

Queen Elinor concluded early in *King John* that the opportunity for peaceful arbitration and settlement between England and France has passed, so that the two kingdoms of France and England must now “With fearful bloody issue arbitrate” (1.1.38).⁴⁸ Thankfully the passions of the UK’s referendum on the EU did not spill over into bloody conflict between nations, and neither, we expect, will the Brexit vote lead to war. This is not to say that the passions roused in the populace did not spill over into blood. One MP, a popular young female member of parliament, was murdered in the days leading up to the vote in an attack by an extreme nationalist of “neo-nazi” inclination. In the words of Salisbury in *King John*, this was:

... the bloodiest shame,
The wildest savagery, the vilest stroke,
That ever wall-eyed wrath or staring rage
Presented to the tears of soft remorse. (4.3.47-50)

⁴⁸ Note the neat rhetorical paranomasia (‘pun’) on the “issue” of blood.

Shakespeare warned against such innocent casualties, and perhaps warned that even those within his own profession are not insulated from conflagrations lit by rhetorical firebrands, when, in *Julius Caesar*, he had the mob of Rome murder the poet Cinna in the aftermath of Antony's inflammatory oration in Caesar's funeral. In the film version of Greg Doran's 2012 RSC production of *Julius Caesar*, the poor poet is actually burned alive.⁴⁹

This is not to say that the idea of a nation cannot be a beautiful thing. A nation is a construct of communal human invention. As such, it can be a beautiful work of culture. Shakespeare frequently portrayed the well-ordered State in terms of a well-managed garden that holds nature in harmony with human art. German authors have long been appreciative and insightful critics of Shakespeare. Franz Horn was one such. Writing about *King John* in a period when one could still write in Romantic terms of the virtue of nation, he opined that "The hero of this play stands not in the list of personages, and could not stand with them, but the idea should be clear without personification. The hero is England."⁵⁰ Henry Reed quoted this statement, but considered that "it was Shakespeare's arduous achievement to fire the sentiment of patriotism" by means of one personage in particular. Namely, the Bastard:

[Shakespeare] wanted somebody better than a king, better than a worldly ecclesiastic, and better than the bold but fickle barons. It is in the highest order of dramatic Art, and especially in the historic drama, that Shakespeare, on no other historical basis than the mere existence of a natural son of Richard, has created the splendid and most attractive character of Philip Faulconbridge. Besides playing an important part

⁴⁹ Gregory Doran also directed the Royal Shakespeare Company's production of Tim Crouch's 2012 play *I, Cinna (The Poet)*.

⁵⁰ Franz Horn, *Shakespeare's Shauspiele* (Leipzig: Brockhaus, 1823 – 31), Vol. II, p.196.

himself, he fulfils something like the function of the chorus of the ancient drama; for he seems to illustrate the purposes of the history, and to make the real personages more intelligible. He is the embodiment, too, of the most genuine national feeling, and is truer to his country than king or noble. With an abounding and overflowing humour, a dauntless courage, and the gentleness of spirit that characterizes true heroism, Faulconbridge carries a generous strength and a rude morality of his own, amid the craft and the cruelties and the feebleness of those who surround him.⁵¹

Conclusion

I have a French friend and colleague who, when she was a visiting Erasmus student not too many years ago, took my “law and literature” class at Warwick Law School. She has since achieved her doctorate and now works as a judge in Paris. She sent me a note after the UK’s referendum in which she expressed the hope, with usual humour, that we might still be friends despite Brexit. As mentioned earlier, I was in the minority that voted to remain, but even if I had voted to leave my answer would have been the same: ‘of course!’ We can love our fellow Europeans and leave the European Union, just as we can love our fellow Europeans and loathe the Eurovision Song Contest. In fact, my sense is that the English could fall in love again with a more beautiful type of European community. Many in the European ensemble agree that the song has to improve. There is, after all (to string out the musical metaphor) no harmony in exact unison. Harmony is when we hear the pleasing sound of

⁵¹ Henry Reed, “history and character” (1855) from *Lectures on English History and Tragic Poetry, as Illustrated by Shakespeare* (Philadelphia, 1855) Lecture IV. Reproduced in Joseph Candido, *King John, Shakespeare The Critical Tradition* (London: The Athlone Press, 1996), Chapter 26 p.153.

difference.⁵² Perhaps we can have a new name – if so, I would propose that “European Concordia” might fit the bill. The sense is of national heart joined to national heart. The English and French may remember a bilateral version that went by the name of “Entente Cordiale”. We might hear that strain again if the European community choir will sing the unison tune more softly.

I voted remain. I did it for Sterling reasons, including for a sense of financial security – perhaps I was inclined a little by that bias “commodity” – but I also voted to remain for the love of many things that have no monetary value; including for my children and those in their generation who have grown up with freedom to travel and work in Europe and who have an innocent and idealistic insouciance in matters of national borders. And I voted remain for the sake of the global environment, for the environment is the biggest issue facing the world today and the environment needs a transnational protector. Perhaps this is part of what Jonathan Bate had in mind when he observed that Shakespeare, unshackled from national limits, can become “the voice not of a nation or a race, but of the ravaged earth itself”.⁵³ And what if the referendum vote had gone the other way, in favour of “remain”? Even here Shakespeare provides a perspicacious insight into human motivation. When King John looks back upon his surrender of sovereignty to the Pope, he does not regret the act:

Is this Ascension Day? Did not the prophet

⁵² See Esin Örüçü, *The Enigma of Comparative Law: Variations on a Theme for the Twenty-first Century* (Leiden and Boston: Martinus Nijhoff Publishers, 2004); Gary Watt, “Comparative Law as Deep Appreciation” in P. G. Monateri (ed) *Methods of Comparative Law* (Cheltenham: Edward Elgar Press, 2012), 82–103,

⁵³ “Shakespearean Nationhoods”, p.129.

Say that before Ascension Day at noon
My crown I should give off? Even so I have!
I did suppose it should be on constraint,
But, heaven be thanked, it is but voluntary. (5.1.25-29)

The fact that it was a voluntary act of submission – an exercise of political freedom – is all that matters in the end. How alarming, then, that there is now talk of re-opening the mandate of the people. Even of revising it or rejecting it. Even of a re-referendum. However technically legitimate it might be to insist upon, say, UK Parliamentary consent to the referendum result (and that is debatable, even according to the letter of the law), it would be grossly unjust and impolitic and would savour dangerously of a coup by the London and Westminster elite. A re-referendum could only be based on a bastard reason, and if such a chance were forced upon me I for one would change my vote to “leave”. There is room to negotiate the terms of Brexit with all interested parties, but the basic fact of Brexit is non-negotiable. If Shakespeare teaches us anything about the performance of political will it is that the beauty of human drama depends absolutely upon the possibility of the act. Whatever the critics might say, the United Kingdom’s EU referendum was not a rehearsal, but a grand performance.