

JUSTICE AND DRAMA: HISTORICAL TIES AND “THICK” RELATIONSHIPS

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To what extent does our experience with drama influence our ideas about justice? I explore this question and the wide variety of images of justice found in contemporary drama.

In a play like *Inherit the Wind*, or films like *To Kill a Mockingbird*, *Justice at Nüremberg*, and *Twelve Angry Men*, it is clear that justice is at stake. But we find justice at stake in various dramas. When a baby gets stoned to death in a pram in a London park in Edward Bond's *Saved*, our sense of outrage, horror and injustice is manifest. The essence of this dramatic moment is to evoke a sense of injustice, and challenge us to acknowledge the irony of how ordinary this moment is in the context of the play. When Marsha Norman's heroine in *Night Mother*, Jessie Cates, succeeds in committing suicide despite her mother's best efforts, we are frustrated, perhaps incensed, and saddened. Some injustice has been done here, even as a courageous human has been honored. What is just? The dramatic action implicates the question and leaves us to deal with it.

In one situation after another in *The Romans in Britain*, Howard Brenton sets us up to hope that the next time the underdog will win, that the good will survive, that somehow justice will be done. But in every case the powerful smash the powerless, and in turn are smashed by larger powers in a ruthless and nasty progression. This is painted both as the nature of the human species, and the definitive legacy for our time.

By contrast, in *Our Country's Good*, Timberlake Wertenbaker paints the triumph of a stubborn officer full of good will and the convicts under his tutelage, to master their tasks, understand their roles, overcome both the lashings of prejudice and brutality and their own brutish pasts, and successfully present a play to a military garrison in Australia in 1787. Based on the novel by Thomas Keneally, this play presents a sense of triumph, however rag-tag and temporary, over injustice.

While Tony Kushner's *Angels in America* is in a comic mood—a comedy turned first to allegorical satire, then to farce, then to ironic realism tinged with tragic necessity—injustice is rife throughout the play and never corrected. Roy Cohn continues his depredations until the moment of his death. Joe Pitt manages to acknowledge his homosexuality but utterly abandons his wife. Louis Ironson deserts his

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lover, Prior Walter, who has been smitten with AIDS (surely no justice in that). No one does anyone else justice, except the ghost of Ethel Rosenberg, and the all-forgiving Belize, who gives back more than anyone deserves. Meanwhile the world, including a set of helpless and feckless angels, spins its way toward a patched-together compassion.

In drama the theme of justice has a long legacy. In *Oedipus Rex*, Oedipus seeks to do justice by following strictly the law he has himself decreed, in a world in which, as we discover, human justice is simply not the measure of the order of things. In *Antigone*, Creon punishes Antigone for her crime and tries to put the state back together after a horrifyingly destructive civil war. He ends up destroying both Antigone and his own family, as well as his kingship, leaving the state once again in chaos. In Euripedes' *The Bacchae*, the destruction Dionysus brings down on Thebes resembles the action in Brenton's *The Romans in Britain*—it is like playing a series of trump cards. The king trumps the celebrants, then the god trumps the king (talk about “entrapment”!). A profoundly moving lesson, and surely, for Pentheus, a punishment for arrogance. But has not Dionysus himself induced the blindness that destroys Pentheus and fills Cadmus and Agave with unspeakable horror? Dionysus is a god of both strictness and ecstasy. Which to obey? Where is the justice?

We are left with strikingly similar sets of dilemmas about justice in Shakespeare's tragedies. If *Othello* had known what injustice was being practiced on him, he would have ended it. But, unknowing, he “loved not wisely but too well,” and destroyed what he valued most. Where was the justice in Iago's practice on him? Iago himself stands mute at the end of the play (“Demand me nothing. What you know you know./ From this time forth I never will speak word.”)(V, ii, 304-5). In *Macbeth*, Macbeth himself knows, as we do, what is just. But he is tempted by evil, commits himself to it, and follows through, in the end losing everything he sought to promote. The justice which is at stake for Malcolm and his allies, seeking to avenge the murdered king and restore the state, is then theirs to seize. The imagery of the play suggests that nature itself reflects human justice, becoming warped, strange, diseased and dangerous when evil is afoot, and orderly and benign when the health of the kingdom is restored. Interestingly, this imagery suggests that nature takes its instruction from human inclination and behavior—that justice forms, and deforms, in nature as it does in our own hearts and minds.

While Macbeth knows what is just, Hamlet only guesses. He cannot see it clearly or commit himself to it until, finally in the fifth act, he sees that the die is cast and allows providence to guide him toward whatever

may lie ahead. Finding justice for himself or others is a complex, difficult affair for Hamlet, and leads him on a torturous course. "It is not, nor it cannot come to good/ But break my heart, for I must hold my tongue" (I. ii. 158-9). The "time is out of joint," and Hamlet has the "cursed spite," that he was "born to set it right" (I. v. 188-9). There is no justice in that, but only inherited obligation, and immersion in the rankness and grossness in nature that infects Denmark. It makes him mad. He unjustly rebuffs Ophelia, rebukes his mother, rashly kills the person behind the arras who turns out to be Polonius, and to save his own life, agrees to go to England. On his return, he is calmed and resolved, declares, at her death, the unmatched love for Ophelia which he could not confess to her when she was alive, and accepts the challenge from Laertes. Somehow, his "nature" has been restored: "It is I, Hamlet the Dane"—that is, "Hamlet the King"—as he leaps into Ophelia's grave to challenge the mourning grief offered by Laertes (V, i, 280-1). We are left with the feeling that justice, which deserted Denmark when Old Hamlet was killed, is returning to its seat, and the new order will now play itself out. Hamlet kills Claudius, but in the process Laertes, Gertrude and Hamlet himself are killed. The rank garden is weeded, but at a staggering cost. Is it the "cursed spite" Hamlet speaks of that he finally discovers that he is himself one of the weeds? Since "the rest is silence," we lose that eloquent voice, that piercing mind that might have helped us understand. There is peace, but the irony rankles. Was justice done? What was the justice that was done? In tragedy the limits of understanding must be stretched to the breaking point to know what the limits are. So our ideas of justice are stretched, in drama, beyond their ability to take the weight placed on them by everyday affairs.

One of our legacies from these older plays is that these difficult questions of justice remain with us, and get redramatized. In John Robin Baitz's *The Substance of Fire*, the younger generation threatens to destroy what the older has established in order to save it. Is this just? If it is not, how would we "set it right"? Hamlet's questions appear here in capitalist guise. In Baitz's *The Film Society*, which takes place in a school in South Africa, Jonathan Balton makes what he knows is a coward's decision, firing the teachers who are trying to bring the realities of black Africa into the lives of the white students. This is not *Hamlet*, but there is a similar ache at the end for the life which, in this particular place and time, will not be lived.

In David Mamet's *Oleanna* the conflict of competing ideas of justice between a student and a professor destroys the professor's career. While it is clear that the profession has not lost one of its more stellar scholars

and teachers—on the contrary, he is short-sighted, a poor listener who is preoccupied with himself, stuffy, prejudiced, and authoritarian—it is equally clear that this student, who initially tried hard to learn, is small-minded, mechanically literal, pitiless, vengeful and destructive. This conflict between two people who are strikingly unadmirable is stunning. Events spin out of control. When what the professor sees as efforts to help are interpreted as intellectual and physical assaults, and even as rape, he lashes out in a frustrated rage, just barely stopping himself before seriously hurting her. At every moment in this play, justice is at stake. And at every moment we can feel it slipping away from, or being destroyed by two people whose visions of the world are so small, and whose visions of themselves are so distorted, that they seem bound to smash everything they touch.

In Barbara Lebow's *A Shayna Maidel* and Aaron Sorkin's *A Few Good Men*, sentimental victories for justice are won in the wake of sordid pasts—in *A Shayna Maidel* by the reunion of two members of a holocaust-shattered family with those who emigrated to America before the rise of the Nazis, and in *A Few Good Men* by the defeat of Marine Colonel Jessup. Jessup's idea of justice and virtuous action on behalf of his country is upset by a young, hot-shot military lawyer with a dubious record, who manages to hold Jessup personally responsible for a murder, and for its subsequent coverup. In Sorkin's play, what is at stake is the victory of the law over those who think they are entitled to take it into their own hands, and, holding themselves somehow superior, believe they know what is good for the rest of us. As a victory for the law, it is, ironically, a victory for the little guys over the big guys, individuals over institutions, right over might.

For Lebow, a faint echo of justice reverberates through the later events of *A Shayna Maidel*. Rose, the younger of two daughters, in her early twenties just after the end of World War II, finds her older sister, Lusia, whom she has not seen in nearly twenty years, at her apartment door. From Lusia, she learns about the concentration camp death of her mother. Rose was parted from her mother around 1925, at the age of four, to come to America with her stoic father, Mordechai, who has refused to talk about her mother's death with her. Mama had chosen to stay in Poland with her older daughter when Lusia caught scarlet fever and could not travel. Lusia recovers and later marries in Poland and has a child. Mama refuses a chance to escape to America, choosing to stay with her older daughter and granddaughter. The mother and the older daughter are in Poland all this time because Mordechai, adamantly adhering to a principle which dictates that one should never borrow money, has had to postpone bringing them over. While he delays, first

the Depression (including anti-Jewish quotas), and then Hitler make it impossible. Mama and the granddaughter are murdered in the camps. Lusia and her husband, Duvid, are separated, but survive, and Lusia makes her way to America and finds her father and sister, thanks in part to Mordechai's persistent efforts. All this we learn as Rose discovers it. But in the action of the play, Rose also discovers she can, after all, remember her mother, and live with the knowledge of both her father's principled, but selfish decisions, and the horrors that murdered her mother and so many other members of her wider family.

Her sister Lusia, who has trouble reconciling herself to her American family, especially Mordechai, is obsessed with finding her husband, Duvid, who, she is convinced, is still alive. In the end Duvid finds her, and she can hardly look at him, not believing, after six years of separation and horror, that he is really standing in front of her in Rose's Brooklyn apartment. As she finally embraces him and introduces him to her family, we sense life returning. As the sisters both embrace the past, the future becomes possible. This is wonderfully happy and ineffably sad—a small salvage from the huge destruction of the holocaust. Part of the salvage is justice itself, being remade, refashioned out of the fact of survival. The devastation reminds us of Agave and Cadmus in *The Bacchae*, but there is redemption here, the reward of hope and love, the sense that community and family can re-unite, and re-build, and justice once again can become conceivable.

It is hard to glean from these diverse examples a single idea of justice, certainly not one as crystalline as that envisioned by John Rawls in *Theory of Justice* (1971):

Justice is the first virtue of social institutions, as truth is of systems of thought. A theory however elegant and economical must be rejected or revised if it is untrue; likewise laws and institutions no matter how efficient and well-arranged must be reformed or abolished if they are unjust. Each person possesses an inviolability founded on justice that even the welfare of society as a whole cannot override. For this reason justice denies that the loss of freedom for some is made right by a greater good shared by others. It does not allow that the sacrifices imposed on a few are outweighed by the larger sum of advantages enjoyed by many. Therefore, in a just society the liberties of equal citizenship are taken as settled; the rights secured by justice are not subject to political bargaining or to the calculus of social interests... [A]n injustice is tolerable only when it is necessary to avoid an even greater injustice. Being first virtues of human activities, truth and justice are uncompromising. (3)

There is no equivocation here, and no entanglement with larger or higher powers. Nonetheless, this works much like the justice Oedipus wants to find in Thebes—pure and clear. Where there is a problem, go after it and drive it out. We are either sick or well, a circumstance is either just or unjust, and through diligence and investigation we can accurately determine the truth. No one should have to suffer for anyone else. We will solve the injustice of the plague, Oedipus declares, and establish the reign of justice again in Thebes, where the king's promises of order and protection will once again order and protect. But in the play this does not work. Neither the gods nor human order allow Oedipus his perfect plan. Oedipus' goal was to rescue the people and save the state. For Oedipus, as for Rawls, social justice is the focus, not individual justice. But individual justice is what he so ironically reaps. The state is saved from plague, but he takes his punishment upon himself, and casts himself out to wander, eyeless in Attica. The double irony is that this, in turn, leaves the state rudderless and in chaos.

Rawls develops the thesis that justice can be understood as fairness, when all the members of the society are appropriately in agreement with a set of principles of justice. Rawls devotes himself to showing how a complex fairness can be discovered and turned into principles, and how objections to the argument can be met. There is no question for Rawls that the justice of complex fairness is there to be found, though it may be extremely difficult to implement. This intrepid sense of the absolute reminds us again of Oedipus, who, in blinding himself, assumes not that justice is hidden or obscure, or unfathomable, or unattainable, but only that he did not see it.

But after he blinds himself, his inner vision is altered. Oedipus comes to see that there is no fairness, only a kind of terrible and ineluctable reality, penetrable solely by the kind of blind, remorseless vision Oedipus should have valued in Tiresias, and that he now has himself. The gods endorse this vision of justice in *Oedipus at Colonus* by sweeping him up into the whirlwind.

Similarly, Lear's absolute view of justice is shattered by the indifference he finds in the universe, and clarity comes to him only in the embrace of the abyss. His vision of the angel Cordelia, near the end, the "soul in bliss," torments him because he is "bound upon a wheel of fire, that mine own tears do scald like molten lead" (IV, vii, 47-8). Lear is able briefly to enjoy Cordelia again, to be one of "god's spies" with her, looking to see "who's in and who's out," monitoring the common justice of the day. But this is a world where the wheel turns suddenly. Albany agonizes, "Great thing of us forgot!" (V, iii, 235). He realizes that while he has just learned that there is a warrant on the lives of the King and

Cordelia, he did not immediately send someone to save them. But he is now too late. Cordelia is killed and Lear is left to carry her body on stage (like Creon does Haimon's in *Antigone*), howling, finally to expire, his old life exhausted. Justice returns to England in the hands of Albany and Kent, who proceed to re-establish order and custom, punish the wrongdoers, and welcome the wronged back to the parental shores. But they remind us, finally, with the funeral drum throbbing in our ears, that none of us will see as much as Lear has, will know so much or live so long. Something irretrievable has been lost. Is what dies with Lear the possibility that there is a universe that sustains our ideas of right and order?

The justice that Albany and Kent re-establish is traditional, seasoned. In their hands, competing visions of justice disappear. There is the clarity of this justice, on the one hand, and the bitter ironies of Lear's vision, on the other. But in Sorkin's play, there are two competing visions of justice, and of the goods that are to arise from it, and we witness the bloody battle between them. In Lebow's play, up against the pure evil of the holocaust, there are the messy realities of how to get things right, how to put things back together, how to live with error, as well as with pain and loss and memory.

These kinds of contentiousness, of competing ideas of right and justice, animate Michael Walzer's vision of justice in his book of essays, *Thick and Thin* (1994). Walzer assumes that there will always be competing ideas of justice and fairness. There are some times and circumstances—such as those at the end of *King Lear*—when justice seems, for the moment, to be clear. Talking of the citizens of Prague marching in the street in 1989, he observes:

What they meant by "justice" inscribed on their signs, however, was simple enough: an end to arbitrary arrests, equal and impartial law enforcement, the abolition of the privileges and prerogatives of the party elite—common, garden-variety justice.

This is plain enough. But from here Walzer develops a vision of justice which becomes more and more complex, or "thick," as he calls it. He sees each of us in society as occupying not one identity but many—tribal, racial, religious, national. We can be simultaneously parent, child, spouse, student, teacher, worker, boss. As such, we are divided, of many minds at once, much as Hamlet was—son, heir, lover, student, swordsman, poet.

Divided selves are best accommodated by [a] complex equality in domestic society and by a different version of self-determination in

domestic and international society. *Different* versions: not only the nation-state, which is most obviously appropriate in those cases where a particular identity is, as it were, under siege. Whenever the inner voice that tells me I am a Jew, Armenian, Kurd, and so on, finds only a problematic and dangerous external expression, the protective shelter that sovereignty alone provides in the modern world seems morally appropriate, perhaps even necessary. But I listen to other voices and so require other forms of protection: religious toleration, cultural autonomy, individual rights. It is not possible to pick out the best protection, for no voice is necessarily or rightly dominant; none of my self-critics has the last word. I am not finally this or that—a finished self to whom we can fit a finished set of social arrangements. Nor when I work on myself, responding to criticism, struggling to fashion a better self, do I work in accordance with a single or final blueprint (103).

Here competing claims of justice are sanctioned within the divided (post-modern) self, let alone within the pluralistic cacophony of world or national cultures. In this realm, any justice that emerges is equivocal, probably temporary, certainly not completely satisfactory. This argument about the divided self internalizes an earlier thesis, in Walzer's *Spheres of Justice* (1988). There Walzer argues for a "complex equality" to replace grander ideas of equality in social and economic spheres.

What a larger conception of justice requires is not that citizens rule and are ruled in turn, but that they rule in one sphere and are ruled in another—where "rule" means not that they exercise power but that they enjoy a greater share than other people of whatever good is being distributed. The citizens cannot be guaranteed a "turn" everywhere. I suppose, in fact, that they cannot be guaranteed a "turn" anywhere. But the autonomy of spheres will make for a greater sharing of social goods than will any other conceivable arrangement. For rule without domination is no affront to our dignity, no denial of our moral or political capacity. Mutual respect and a shared self-respect are the deep strengths of complex equality, and together they are the source of its possible endurance. (321)

Walzer looks for a messier, more complex kind of distributive justice, where justice is never absolute, seldom if ever simple, always compromised, hardly ever equal in the same respect for different persons, but distributively egalitarian. Where we fail is to allow dominance or dominating. We have to be careful to find ways to distribute justice in order to achieve it. Since everyone can never be equal in everything, and each of us will have spheres in which we deal

well, or do well, and since forms of domination and dominance can change, we cannot make a map for all time which will foster this "complex equality." We have to keep at it. Lear's shaking of the superflux to the heavens is at least a gesture of the Walzerian kind.

Plays like *Angels in America* exhibit an analogous quality: though, at the end, the immediate action is over, the larger action, unresolved, has just begun. We still have to work out how to live with the plague, and be kind to each other in all our differences.

By contrast, Edward Bond's *Saved* illustrates Walzer's thesis by counter-example, showing us how easy it is for domestic tranquillity to collapse into domination, even horror, erasing any expectation of justice. To tweak our sensibilities and re-arrange our sense of perspective about relative justice, Bond himself, writing in a preface to the play, makes a stunning reference to the play's sensational, central event, the stoning to death of a baby in its carriage. He calls this "typical British understatement...compared to the 'strategic' bombing of German towns it is a negligible atrocity, compared to the cultural and emotional deprivation of most of our children its consequences are insignificant." Even more darkly, Howard Brenton's *Romans in Britain* shows us that justice can be traduced and inverted at every turn by the powerful and power-hungry. We watch aggressors, uninfected by scruple or hesitation of any sort, scrutinize a potential enemy for any inkling that the enemy may believe there is, or should be, a point of common good, or some idea of justice, tradition, or morality, that might make one action preferable to another for that person. If they spot it, they use it as a sign of weakness that will give them the instant advantage (or just the excuse) they can use to destroy that person. And they proceed to do so without self-consciousness or remorse. In *The Romans in Britain*, the killing that follows is usually both matter of fact and horrific, the mutilated corpses serving as monument to the stupidity of the victims, who thought anything other than brute force and cleverness might determine the outcome of human events.

If we needed no other reminder, Bond and Brenton surely help us understand that the "thickness" Walzer advocates is not only a set of complex problems which we must constantly work with in order to make justice, but also a protection against domination and the collapse of justice. Walzer explains why in his *Just and Unjust Wars* (329-335). He argues that non-violence works only if, first, common values bind the non-violent, and second, the violent are held to their rules of war. Rules of war might dictate, for instance, that you may not shoot me if I am unarmed and cannot shoot you, even though I am your enemy. In Brenton's play, I get shot anyway (or stabbed, or skewered, or bled to

death upside-down like a pig). The success of the non-violent defense depends first on all resisters trusting that there is a certain point at which their values will win out—that is, a certain point at which decency or respect for law will assert itself and no further physical violence will occur. This means that the non-violent must also trust that soldiers are not carrying out a terrorist policy, which uses no rules of war. Under a terrorist regime, where soldiers will do whatever they have to, and more, to enforce their will, everyone will immediately obey the orders of the soldiers, and any non-violent resistance will instantly collapse. Justice is impossible, Walzer suggests, were no code exists except domination. It is therefore more protective to have lots of codes, even a thicket of them, and to have lots of ideas of justice to go with them.

For both Walzer and Rawls, Justice acquires its highest meaning in the community, in the social setting. In contemporary film, the willingness of artists to try to move our sense of justice past the personal to the social is relatively rare. A few contemporary examples include *Matewan*, *The Color Purple*, and *A Handmaid's Tale*. There is a fantasy pretense of it in the *Star Wars* trilogy, in the same way we find it in *Superman*, or *Batman*, or in the traditional cowboy film or police adventure film: that is, in the end order is restored, and justice reasserted, as the hero (after the model of *The Lone Ranger*) rides off into the distance. An attempt at dominance is defeated, and a decent standard of community peace, justice and goodwill falls back into place, where God and nature want it to be—a nursery version of the state of things at the end of *Lear* or *Macbeth*. In *The English Patient*, a particularly gritty, chaotic, and war-torn environment is the setting for a wounded patient to tell a story to his nurse. The nurse, Hana, is dedicated to caring for the patient, against all odds, even as she loses her own love, and keeps the patient's tale for posterity. She is a kind of goddess, a holder of life and memory, the sustainer of civilization and the paradigms of romance. The tale itself, set thirty years earlier in the desert, tells of the romantic triumph and then disastrous loss of an all-consuming love. The loss is awful. The hero, Almásy, shelters his love, Katherine, who has been badly injured in a plane crash, in a cave in the desert while he goes in search of help for her. But he is delayed and imprisoned in the city while she slowly starves to death. There is no justice here. Only bad luck, or horrible fate, depending on your point of view. But it is important to remember that this species of pitiable bad luck is exactly what is always found in melodrama, more properly called "pathetic tragedy." In Erich Segal's *Love Story*, the heroine, Jenny Cavelleri, is smitten with leukemia and dies. This is not her fault and

has no connection to her other actions in the story. It is just bad luck, rotten fate, the kind of thing you want to cry about. And cry we do, because, since it is just bad luck we are crying over, it costs us nothing. This cheap and easy kind of cry is the principle reason why good melodrama with a sad ending can be so popular. There is no justice to think about, no balance of social goods to weigh.

In *Shine*, the brutality of the hero's upbringing is staggeringly painful and manifestly unjust. David's father has become, ironically, the epitome of the Nazi terrorists he fled, taking his family to Australia. That is, he is ruthless, pitiless, and dominating, and will do anything to get his way, including destroying what he claims to love most—his family. That David rebels and, in spite of his illness, in some measure succeeds in his ambition to become a concert pianist, lets us rise from our seats and cheer. We can believe for the moment that we can rebel from domination. Justice is possible. The world can be a decent place after all. But in the process of experiencing this warmth, we are not asked to think about what that world is really like. The world of this screenplay consists of David's father, on the one hand, and on the other hand, everyone else in the world, who are all quite decent in their own way, and often helpful—a simplified, bi-polar vision that supports the plot.

Most plays and films, of course, play the same game, providing us with a simplified, bi-polar world to support the melodrama. There are a few exceptions and near exceptions. Tom Stoppard's *Arcadia* is a clever melodrama that tries, through its intense intellectual interests, to move beyond the limitations of the genre. We watch the action on two levels, one contemporary, and the other playing itself out 180 years ago. In the contemporary action, the stake is to do justice by the past, to tell the truth about what happened on this old estate, about what Lord Byron did or didn't do there, about what suddenly caused someone (who was it?) to become a hermit after a fire in the house killed the promising young daughter. In the past action, the question is whether the young Thomasina will convince her tutor that she really has discovered a mathematical secret of nature (what we now know as fractal geometry and the wonder of chaos theory). Will he, as she gets him to teach her how to waltz (a requisite, she believes, to entering into successful competition for an appropriate mate) fall in love with her? And whether or not he does, will he miss her genius altogether? We are given the idea that, after dancing with her and kissing her, he has just begun to see what she might be. But it is too late. She goes to bed, and, because of the fire, never wakes up again in the morning. Only her journals are left to tell the tale—a tale that is only obscurely unraveled by the

contemporary action. The irony is that just as her tutor misses her, and is deprived of her, so are we. She was snuffed out, again by bad luck. Surely the fire did not start because she was a scientific genius (although it might not have started if she hadn't been reading or writing in bed, her candle, presumably, nearby). The injustice of this, to her, to us, seems huge. We could have known about chaos theory—understood that there could be order in apparent disorder and randomness—before we knew about entropy, which was only formulated properly in 1850. What might that have meant to our culture? At least the play hints at something beyond the individual, beyond the merely pitiable.

In Bertolt Brecht's *Caucasian Chalk Circle*, a palace revolution leads a royal mother to abandon her small child, apparently forgetting about him entirely in her rush to save her own skin. Grusha, a scullery maid, who at first is guided only by instinct, saves the child from destruction, scooping him up and taking him with her to face the wilds of a country thrown into chaos. She has no connections, and no one to turn to, but protects the child through thick and thin, even at the risk of her own life. When order is restored, the mother reappears and wants the child back. There is a trial, presided over by an irreverent and ignorant madcap named Azdak, who sits on a lawbook to elevate his prestige, and believes that in doing so he has put the law in its proper place. To decide this custody case, he uses a version of the test used by Solomon in the bible, though it is doubtful he has read much of anything, let alone the bible. He puts the child in a circle, drawn with chalk. He then tells Grusha and the mother to stand on either side of the boy, take one of his hands, and see who succeeds in pulling him out of the chalk circle. Of course, Grusha, who loves the child and would never do anything to hurt it, drops the hand she holds, allowing the mother to pull the child out of the circle. Seeing this, Azdak immediately changes the rules and awards the child to Grusha. In the moral which is drawn at the end, we are told that "things should go to those who are good for them." Clearly Azdak was right. But was he just? How widely do such principles apply? Understanding this work as a "parable for the theatre," Brecht is asking us whether we can, or should, run a society based on them. Dramatically, we have melodrama with a happy ending: will Grusha and the child survive all the nasty people who threaten their lives and their new-found status as a family? But, as with *Arcadia*, questions of justice take the action beyond the trivialities of the form.

In Barrie Stavis' *Lamp at Midnight*, which opened in New York only two weeks after Brecht's *Galileo*, Stavis shows a Galileo, unlike Brecht's, who is betrayed by the Vatican, but who keeps his religious faith along with his convictions about the truths of reason, and the value of

disseminating them. He will not believe that faith must “put out the light of reason,” or that reason will kill faith, but that he, and we, can have both. This play, which has been performed all over the world, has been seen by Dragan Klaić, a Yugoslavian critic now working in the Netherlands, to be a beacon for those who, in eastern Europe, held out for the principles of socialism against the depredations of its corrupt practice, never lost faith, never took the easy way out by leaving their countries, on the one hand, or dropping their objections on the other. Galileo then becomes a hero whose actions did justice to justice itself. He becomes the exemplar of persistence in the face of adversity, of intellectual principle, of the assertion that clear thought and argument are possible—that justice is not arbitrary, or determined merely by expediency or power.

Perhaps the most moving image of justice in the Stavis canon is that evoked in *The Raw Edge of Victory*, his play about George Washington. Having fought to keep the Continental army together, to prevent its desertion and disintegration, to survive, train, improve and fight again, Washington is finally victorious (with strategic help from his friends and the French fleet), and the British are defeated. However, in the wake of the victory he finds himself faced with the defection of his own officers. Unhappy because the Congress has not paid them, or acknowledged their service, they feel mightily aggrieved. In the Newburgh conspiracy, they meet to hatch a plot which will shunt Washington aside, force Congress to pay them for their work, and effectively place the government in their hands. Washington thwarts this conspiracy first by slowly but steadily furloughing off the army. As the soldiers go home, the officers have no way of backing their political moves with the threat of force. Second, Washington fractures the group of conspirators with a masterful appeal to their loyalty and principle. Washington is determined that “the military” will not control “the civil.” He wins. But will he succeed in the end? That is, will the nation survive? The play ends with his declaration that he does not know. More than two hundred years later, we know. But has the nation survived with the civil in control of the military? Maybe. From Dwight Eisenhower’s warning about “the military-industrial complex,” to the wars in Korea, Vietnam, Panama, Grenada, and the Persian Gulf, to the abjuration by Congress over the last 30 years of its right and duty to declare wars before they can be fought, the issue is far from clear. In Stavis’ play, Washington is a hero, but not the hero of our high school history texts and legends. He is an equivocal, willful, flawed, temperamental and difficult man, who is determined to act on behalf of his country, which for him is inseparable from his vision of a republic in which the civil

controls the military. He adheres to this vision in spite of war, famine, the timidity and miserliness of the Congress, his own strategic and tactical incompetence as a military commander, and the understandable discontent of his talented and heretofore loyal officers. The vision presented by the play is of a man whose acts are supremely social. This is rare dedication, single-mindedness, principle, and bravery—the kind of rareness, and at the same time, the kind of Walzerian social consciousness and complexity that evokes the epithet “heroic.” Washington holds out for a vision of the republic which in the end can do civil justice not only to him, but his opponents, and the thick variety of others on the continent, both in and out of his charge. Are there such heroes of justice alive in our time? Perhaps it will be dramatists who discover them.

Marvin Carlson has argued that when we consider “reception,” how the audience receives a theatrical performance, our interest is moved outward

from the work itself to its context—to the network of works within which it takes place, and indeed to an almost infinite network of other aspects of human experience, since the receiver of the work finds in these tools the models and the strategies he or she must employ in the process of reception. Every new work, we now recognize, may also be seen as a new assemblage of old works and other pre-existing material” (Carlson, 5-6).

And he continues:

As Roland Barthes observes in a widely quoted passage from *Image, Music, Text*: “We now know that the text is not a line of words releasing a single ‘theological’ meaning (the ‘message’ of an Author-God) but a multi-dimensional space in which a variety of writings, none of them original, blend and clash. The text is a tissue of quotations from innumerable centers of culture.”¹

This complex recycling of old elements, far from being a disadvantage, is an absolutely essential part of the reception process. We are able to “read” new works...only because we recognize within them elements that have been recycled from other structures of experience which we have experienced earlier (6). This familiar “intertextual” approach to literary analysis bears a very close resemblance to Walzer’s approach to

¹ Roland Barthes, *IMAGE, MUSIC, TEXT* 146 (New York: Hill and Wang, 1977)(Stephen Heath trans.)

understanding justice. For Walzer, as we look at the possibilities for justice in a given human situation, we must examine, then encourage, the “thick” tissue of human experience that helps us understand what justice can be in the “complex equality” which is a contemporary democracy. Since this thick tissue is often exposed, and rubbed raw in the drama of the last two-and-a-half millennia, it should be no surprise that drama itself is a vital part of the tissue of experience that develops our ideas and expectations of justice.

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