



Inheritance Law and Political Theology in Shakespeare and Milton: Election and Grace as Constitutional in Early Modern Literature and Beyond

Joseph S. Jenkins

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Reading God's will and a man's Last Will as ideas that reinforce one another, this study shows the relevance of England's early modern crisis, regarding faith in the will of God, to current debates by legal academics on the theory of property and its succession. The increasing power of the dead under law in the US, the UK, and beyond-a concern of recent volumes in law and social sciences-is here addressed through a distinctive approach based on law and humanities. Vividly treating literary and biblical battles of will, the book suggests approaches to legal constitution informed by these dramas and by English legal history. This study investigates correlations between the will of God in Judeo-Christian traditions and the Last Wills of humans, especially dominant males, in cultures where these traditions have developed. It is interdisciplinary, in the sense that it engages with the limits of several fields: it is informed by humanities critical theory, especially Benjaminian historical materialism and Lacanian psychoanalysis, but refrains from detailed theoretical considerations. Dramatic narratives from the Bible, Shakespeare, and Milton are read as suggesting real possibilities for alternative inheritance (i.e., constitutional) regimes. As Jenkins shows, these texts propose ways to alleviate violence, violence both personal and political, through attention to inheritance law.

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