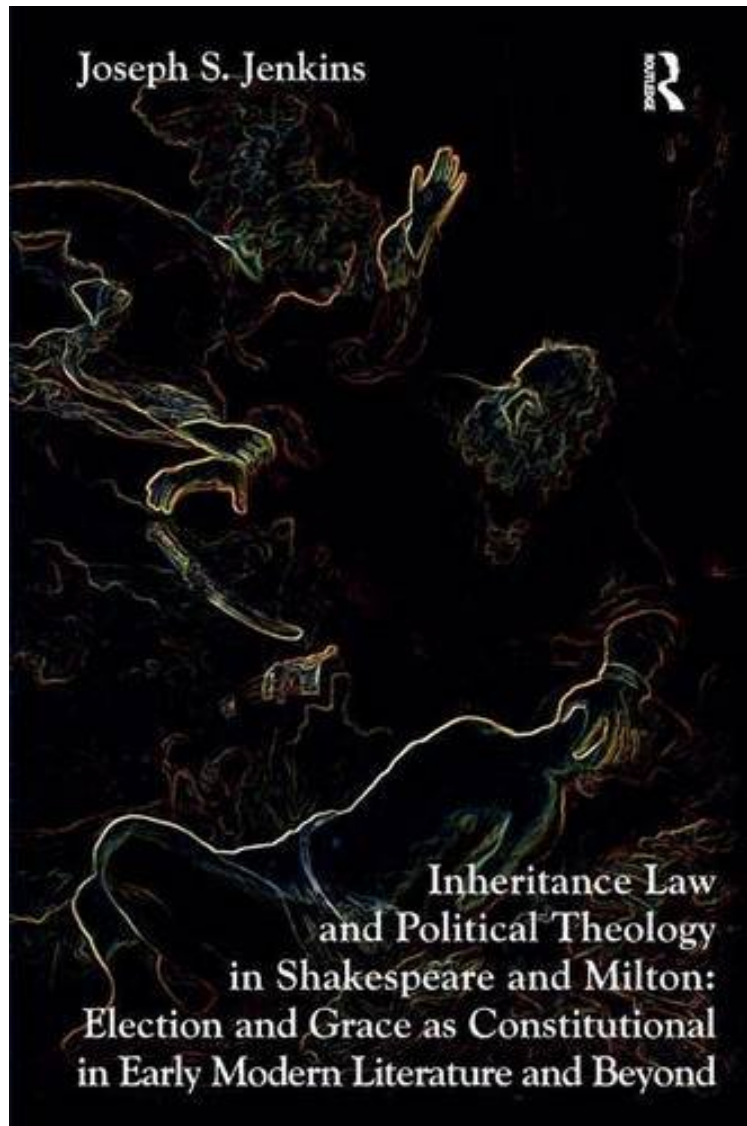


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# **Inheritance Law and Political Theology in Shakespeare and Milton: Election and Grace as Constitutional in Early Modern Literature and Beyond**

*Joseph S. Jenkins*

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**Joseph S. Jenkins : Inheritance Law and Political Theology in Shakespeare and Milton: Election and Grace as Constitutional in Early Modern Literature and Beyond** before purchasing it in order to gage whether or not it would be worth my time, and all praised Inheritance Law and Political Theology in Shakespeare and Milton: Election

and Grace as Constitutional in Early Modern Literature and Beyond:

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.

Sir Edward Coke famously declared that common law is our birthright and the "best inheritance" that we have. In an inventive and productive inversion of that thesis, Jenkins explores the literary and juristic history of inheritance as constituting its own law. Most innovatively, *Inheritance Law and Political Theology* provides a wide-ranging and theoretically acute analysis of the Last Will and Testament as a form of life. This book opens up new terrains in the cultural history of juridical forms and lucidly demonstrates the relevance of the humanities to the study of the politics of law. Professor Peter Goodrich, Cardozo School of Law, USA At a moment when the unequal distribution of wealth in the world threatens the very survival of the societies that have produced it, Jenkins' study demonstrates the contribution that a theoretically and historically informed literary analysis can make to our understanding of the present crisis. Through a series of closely argued readings of texts by Shakespeare and Milton, the relation of identity-formation to the transmission of property is revealed to be at the heart of the problems confronting us today. A major achievement. Professor Samuel Weber, Northwestern University, USA About the Author Joseph S. Jenkins is Research Associate and Lecturer in Wills, Trusts, and Estates at the Law School of the University of California, Irvine. Prior to this appointment, he served for four years as Assistant Adjunct Professor at UCI, teaching early modern literature and critical theory in the Department of English. Professor Jenkins holds doctorates in law (JD, University of California, Berkeley, Boalt Hall) and comparative literature (PhD, UCLA). He has edited two special issues for the journal *Law Literature*, one entitled *What Should Inheritance Law Be?* and the other *Futures of Fair Use*. His work has appeared in journals such as *Umbr(a)*; *Studies in Law, Politics, and Society*; *Law, Culture, and the Humanities*; and *Cardozo Law*.