



Let's get this out of the way: Like summer term, winter term 2020/21 will be an experiment in pandemic pedagogics; it is also my first term at Goethe-University, so please bear with me! I look forward to experimenting with new forms of (online) teaching, but I will need your help. Please keep in touch, take part in the Zoom classes, and use the forum/wiki/padlet for asynchronous coursework (timelines, study questions, book reviews – tasks specified below). Most importantly, please let me (and the other course members) know if something does not work for you or if you have different ideas about how to do things. Let's do this together!

class:

- **Wednesday, 12:15-13:45** [online]

As Zoom is not the perfect medium for everyone (and some of you might struggle with technical issues) the seminar will combine synchronous Zoom classes and asynchronous sessions (see schedule & tasks below).

contact:

- [office: 4.154 IG-Farben-Haus]
- **e-mail:**
- **office hours:** Tuesday, 9:00-10:30 (and on appointment) on Zoom – please send me an e-mail for the Zoom link.
- **twitter:** @susannegruss

resources:

- **OLAT:**

literature:

- You need to **buy** the following primary texts (listed in the order of discussion in class):
 - (1) William Shakespeare, *The Merchant of Venice* (ed. John Drakakis, Arden Edition, 2010)
 - (2) John Marston, *The Malcontent* (ed. George K. Hunter, Revels Student Editions, 2000)
 - (3) John Webster, *The White Devil* (ed. John Russell Brown, Revels Student Editions, 1996; or ed. Benedict S. Robinson, Arden Early Modern Drama, 2018)
 - (4) Philip Massinger and Nathan Field, *The Fatal Dowry* (a copy will be made available to you during term)
 Please make sure that you have read at least *The Merchant of Venice* and *The Malcontent* by the beginning of term!
- Apart from these longer primary texts, all **other texts** that are mandatory reading are available on OLAT.
- Please check the **bibliography** for further references (full bibliographical details, further reading).

course description:

Law and literature seem to be mutually exclusive – while the one is based on the establishment of 'fact', the other is based on 'fiction'. In early modern England, however, law and literature overlap: both future lawyers and writers attended the Inns of Court (London's 'law university'), plays were staged at the Inns of Court, and court and trial scenes are a staple element of early modern plays. In this seminar, we will explore the interdependence of law and literature on the early modern stage. We will approach 'law and literature' as an interdisciplinary field and analyse how legal norms are reflected (or subverted) in drama's engagement with questions of law and justice. Topics will include usury, justice, and revenge (Shakespeare's *The Merchant of Venice*), sovereignty and genre (Marston's *The Malcontent*), equity and gender (Webster's *The White Devil*), and 'poetic' justice and genre (Massinger and Field's *The Fatal Dowry*). Literary analyses will be supplemented by several theoretical and historical sessions.



e-mail and Zoom etiquette:

- Please give me some time to answer your **e-mails** (up to 3 or 4 days). I will not write e-mails after 8pm or on weekends.
- The usual: Please **mute yourself** if you are not talking. If you feel uncomfortable talking into the camera (or if you have connection issues), feel free to use the **chat** to contribute to class discussions.
- I obviously won't (and can't) force anyone to turn on their **camera** when we zoom but would still kindly ask you to do so (or drop me a brief note at the beginning of term explaining why you would rather not). Yes, staring at yourself onscreen can be cringeworthy, but if we want to use Zoom to create a **seminar experience**, being able to see each other's faces and nonverbal communication just makes everything so much easier for me (and you). Imagine trying to keep a discussion going while staring into a void of black rectangles.
- Most of us will zoom from our **private spaces** – this means that my kids might make an appearance at some point (sorry). Zoom bombing family members, flatmates or pets are always welcome! Added bonus: you get to eat and drink during classes (as long as you have muted yourself, see above).
- Our Zoom seminar should be a **safe space** for everyone. Recording (parts of) sessions or taking (and posting) screenshots is an absolute no-go. All material shared onscreen will be made available to you on OLAT.
- I am not exempt from the occasional **technical blip** – please be patient if I freeze and simply carry on with your discussion. Like the terminator, I will be back, promised.
- **Be kind (to yourself, to each other, and to me).**

course performance & requirements:

- Apart from preparing the **compulsory reading**, please stick to the tasks detailed in the course schedule below.
- I expect you to take part in class **regularly** and **actively**, both in synchronous and asynchronous sessions. As indicated below, I will use your activity in the forum to track participation. Communication is key, so talk to me if you are struggling.
- For **asynchronous sessions**, I have indicated the tasks I expect you to cover over the week in the schedule below. This should not take more time than the 90-minute course slot (plus the time you would normally take to read/prepare for class).
- Instead of an oral presentation, **each** of you is expected to write at **least two 1½–2 page drama reviews**. Please write an academic review focussing not only on plot, but also on the law & literature context of the seminar. Please hand in the drama reviews on the date specified in the schedule below. I will read them and send you feedback. For those of you who do not need a term paper but an **assignment**, please revise and slightly extend your drama reviews (2x **3 pages**) and hand them in by the end of term at the latest.

term paper:

- If you need to write a term paper for this course, please stick to the department's style sheet and attend the Zoom session of term papers.
- You can, of course, use ideas developed in your drama reviews as part of your term paper – see the drama reviews as an exercise in academic writing.
- Developing a topic **independently** and coming up with a suitable **thesis** is part of your assignment. Please talk to me/chat with me as soon as possible – I will not accept & grade your term paper if I have not talked to you about your topic.

 mandatory reading / viewing

 to do

 background reading

- 01** 04.11.20 *organisation*
Zoom *law & literature*: introduction – glossary of early modern English law
 to read / to do:
 • S. Mukherji, “Glossary” (xiii-xvii) 
- task: Please have a quick look at the forum **before we start** and introduce yourself (including your pronouns) – if you want to, you can also upload a selfie and/or a picture of your workspace. And if you have a pet, upload a pic for us (pretty please).
- 02** 11.11.20 *Law & Literature*
Zoom *drama & the law*
 to read / to do:
 • I. Ward, “(1) Law and Literature: A Continuing Debate” (3-27) 
 • R.A. Posner, “(1) The Reflection of Law in Literature” (11-23) 
 • think about similarities/differences between law & literature 
- tasks:
- Read the chapters by Ward and Posner carefully and **take some notes**: what are their main points about the development of Law and Literature? can you spot any problems or disagree with some of their points?
- Please take the **minute paper** (link in today’s OLAT session) for some feedback – we will discuss your questions at the beginning of next session!
- 03** 18.11.20 *William Shakespeare, The Merchant of Venice (1596-99) 1*
 reading response – justice & revenge
 to read / to do:
 • read the play 
 • F. Bacon, “Of Revenge” 
 • hand in a 1½–2 page **drama review** (keep in mind that you need to write two for the seminar) 
 • T. Pollard, “Tragedy and Revenge.” (58-72) 
- tasks:
- Answer the **forum question** and engage with the others’ entries – there will be an open question for every asynchronous week of this seminar, and I will use your forum questions to track participation. Please start your answer with a brief **reading response** (What did you think about Shakespeare’s play? What are the specific law & lit elements? Which topics would you like to discuss?).
- Watch my **revenge plays video** (link in today’s OLAT session). Do let me know if you have any questions!
- Read Bacon’s essay and Pollard’s article and **take notes** – do you have any questions? Please add any **legal terms/concepts** you might come across to the **wiki** (or extend/correct already existing entries). We will use the class wiki to create a comprehensive glossary of (early modern) English law.

- Please take the **minute paper** (link in today's OLAT session) for some feedback – I will upload results & answers to open questions in the folder for next session!

We will evaluate your experience of this asynchronous session at the beginning of our next (Zoom) session.

04 25.11.20
Zoom

William Shakespeare, *The Merchant of Venice* (1596-99) 2

mercy, equity, (in)justice (and some gender for good measure)

to read / to do:

- R. Lemon, "Law" (554-570) 
- T. C. Bilello, "Accomplished with What She Lacks: Law, Equity and Portia's Con." (109-126) 
- S. Cohen, "'The Quality of Mercy': Law, Equity and Ideology in *The Merchant of Venice*" (35-54) 

tasks:

- Read the chapter by Lemon and **take notes**: what are her main points about law and equity in the early modern age? and how does she interpret *The Merchant of Venice* with reference to these concepts?
- Please take the **minute paper** (link in today's OLAT session) for some feedback – we will discuss your questions at the beginning of next session!

05 02.12.20

William Shakespeare, *The Merchant of Venice* (1596-99) 3

commerce, insurance & contract law

to read / to do:

- listen to Emma Smith's *Merchant of Venice* podcast (<https://podcasts.ox.ac.uk/merchant-venice-0>) 
- L. Wilson, "Drama and Marine Insurance in Shakespeare's London" (127-142) 
- A. Bailey, "Shylock and the Slaves: Owing and Owning in *The Merchant of Venice*" (1-24) 
- R. A. Posner, "Law and Commerce in *The Merchant of Venice*" (147-155) 

tasks:

- Answer the **forum question** and engage with the others' entries.
- Listen to Smith's podcast and read Wilson's article carefully; take some notes – what are their main theses? where does Smith locate the role of 'commerce' in *Merchant of Venice*? and why is marine insurance such an important (legal) element for Wilson?
- Use the **wiki** to extend existing entries / create new entries for our glossary of (early modern) English law.
- Watch my **video on contracts** (link in today's OLAT session). Do let me know if you have any questions!
- Please take the **minute paper** (link in today's OLAT session) for some feedback – I will upload results & answers to open questions in the folder for next session!

06 09.12.20
Zoom

John Marston, *The Malcontent* (1603) 1

reading response – genre & the law

to read / to do:

- read the play 
- hand in a 1½–2 page **drama review** (keep in mind that you need to write two for the seminar) 
- N. C. Leonard, "Embracing the 'Mongrel': John Marston's *the Malcontent*, *Antonio and Mellida*, and the Development of English Early Modern Tragicomedy" (60-87) 
- L. Bliss, "Pastiche, Burlesque, Tragicomedy" (237-261) 



tasks:

- While reading the play, think about **generic cues** in *The Malcontent* – and how they might shape an audience’s understanding of the final court scene of the play.
- Please take the **minute paper** (link in today’s OLAT session) for some feedback – we will discuss your questions at the beginning of next session!

07 16.12.20

John Webster, The Malcontent (1603) 2

sovereignty & the Duke in disguise

to read / to do:

- James I and VI. “The Trew Law of Free Monarchies” (1598) (52-84) 
- J. P. Sommerville, “James I & the Divine Right of Kings: English Politics & Continental Theory” (55-70) 
- K. A. Quarmby, *The Disguised Ruler in Shakespeare and His Contemporaries* 

tasks:

- Answer the **forum question** and engage with the others’ entries.
- Read James’s “The Trew Law of Free Monarchies” (1598) carefully; take some notes – what are James’s main points? how might they collide with the early modern English system?
Use the **wiki** to extend existing entries / create new entries for our glossary of (early modern) English law (absolutism / divine right of kings might still be missing at this point 😊).
- Watch my **video on duke-in-disguise plays** (link in today’s OLAT session). Do let me know if you have any questions!
- Please take the **minute paper** (link in today’s OLAT session) for some feedback – I will upload results & answers to open questions in the folder for next session!
- For **next year**: Do you have **specific questions** about writing an academic paper / an abstract for next session? Post them in the **forum**.

🎄 *Christmas Break* 🎄

08 13.01.21

Zoom

Some Theory
Term Papers

to read / to do:

- G. Olson, “Futures of Law and Literature: A Preliminary Overview from a Culturalist Perspective” (37-69) 
- hand in a potential topic / thesis / abstract for your term paper 
- E. S. Anker & B. Meyler, “Introduction” (1-32) 

tasks:

- Read the chapter by Olson and **take notes**: what are her main points about law and literature? where does she see the future of this interdisciplinary venture?
- Think about your **term paper**! Ideally, you should have developed a rough idea by now – today is the day to articulate this idea in class and get some (peer) feedback.
- Please take the **minute paper** (link in today’s OLAT session) for some feedback – we will discuss your questions at the beginning of next session!

09 20.01.21

John Webster, *The White Devil* (1612) 1

reading response – revenge and/vs. evidence

to read / to do:

- read the play 
- hand in a 1½–2 page **drama review** (keep in mind that you need to write two for the seminar) 
- S. Mukherji, “Painted Devils’: Image-Making and Evidence in *The White Devil*” (135-173) 

tasks:

- While reading the play, think about how *The White Devil* defies the logic of the **revenge play**. Use the **wiki** to extend existing entries / create new entries for our glossary of (early modern) English law.
- Answer the **forum question** and engage with the others’ entries. Please start your answer with a brief **reading response**. We will analyse the **arraignment scene** (Vittoria’s trial) next week. Are there **other scenes** you would like to discuss? Make a note in your forum entry.
- Watch my **video on evidence** in *The White Devil* (link in today’s OLAT session). Do let me know if you have any questions!
- Please take the **minute paper** (link in today’s OLAT session) for some feedback – I will upload results & answers to open questions in the folder for next session!

10 27.01.21

John Webster, *The White Devil* (1612) 2

Zoom

equity & Vittoria’s arraignment

to read / to do:

- L. Wilson, “*The White Devil* and the Law” (225-36) 
- I. Habermann, “Theatre & the Law: The Concept of Equity in John Webster’s *The White Devil*” (137-48) 
- K. Finin-Farber, “Framing (the) Woman: *The White Devil* and the Deployment of Law” (219-45) 

tasks:

- Read the chapter by Wilson and **take notes**: what are his main points about equity in *The White Devil*? do you agree with his analysis?
- Please take the **minute paper** (link in today’s OLAT session) for some feedback – we will discuss your questions at the beginning of next session!

11 03.02.21

Some Old Time Theory

close reading / interdisciplinarity

to read / to do:

- J. Stone Peters, “Legal Performance Good and Bad” (179-200) 
- D. Pichler, “Law & Literature: Some Reflections Upon the Nature of Its Interdisciplinarity - an Introduction” (15-33) 

tasks:

- We will collaborate on a close reading of **Peter’s article**, so please read it carefully and take notes. What implications does her article have for the study of (early modern) drama and the law?

Use the **wiki** to extend existing entries / create new entries for our glossary of (early modern) English law.

- I will link to a pdf of Peter's article in today's OLAT session. Please **highlight** important passages and **annotate** the documents by using the comments functions. Engage with the others' comments.
- Watch my **video on interdisciplinarity** (link in today's OLAT session). Do let me know if you have any questions!
- Please take the **minute paper** (link in today's OLAT session) for some feedback – I will upload results & answers to open questions in the folder for next session!

12 10.02.21

Nathan Field & Philip Massinger, The Fatal Dowry (1615-20) 1

reading response – (in)justice &/vs poetic justice

to read / to do:

- read the play 
- hand in a 1½–2 page **drama review** (keep in mind that you need to write two for the seminar) 
- A. Streete, "Situating Political & Biblical Authority in Massinger & Field's *The Fatal Dowry*." (195-222) 

tasks:

- Answer the **forum question** and engage with the others' entries. Please start your answer with a brief **reading response**.
- Watch my **video** on the **context** of the play (link in today's OLAT session). Do let me know if you have any questions!
- Use the **Padlet** (link in today's OLAT session) to collect elements of **(poetic) justice** and **revenge** in the play. Focus on the various **trial scenes** in the play.
- Please take the **minute paper** (link in today's OLAT session) for some feedback – we will discuss your questions at the beginning of next session!

13 17.02.21

Nathan Field & Philip Massinger, The Fatal Dowry (1615-20) 2

Zoom

Massinger & legal education

Sound-By & Open Questions

to read / to do:

- do some quick research: what are the *controversiae* by Seneca the Elder? how do they work? 

task:

- In preparation for the session, think about how *The Fatal Dowry* could be read as an **educational play** for aspiring legal professionals.

Easter Egg: Finished reading the complete syllabus? Well done! Now please log on to OLAT (see link above), sign into the course, go to the forum (thread 00) and post your favourite meme to let me know that you are done. Please e-mail me if you cannot access OLAT (I am still trying to figure out how OLAT works, so this might be entirely my mistake).



Literature

primary literature

please note: bibliographical details are for the editions of primary texts I use

- Marston, John (1603). *The Malcontent*. Ed. George K. Hunter. Manchester: Manchester University Press, 2000 [Revels student editions].
- Massinger, Philip, and Nathan Field. *The Fatal Dowry: A Tragedy (1615-20)*. *The Plays and Poems of Philip Massinger*. Ed. Philip Edwards and Colin Gibson. 5 vols. Oxford: Clarendon, 1976.
- Shakespeare, William (1596). *The Merchant of Venice*. Ed. John Russell Brown. London: Thomson Learning, 2006 [The Arden Shakespeare].
- Webster, John (1612). *The White Devil*. Ed. John Russell Brown. Manchester: Manchester University Press, 1996 [Revels student editions].

law & literature

- Anker, Elizabeth S. and Bernadette Meyler. "Introduction." *New Directions in Law and Literature*. Eds. Elizabeth S. Anker and Bernadette Meyler. Oxford: Oxford University Press, 2017. 1-32.
- Aristodemou, Maria. *Law and Literature: Journeys from Her to Eternity*. Oxford: Oxford University Press, 2000.
- Binder, Guyora and Robert Weisberg. *Literary Criticisms of Law*. Princeton, NJ: Princeton University Press, 2000.
- Dolin, Kieran. *A Critical Introduction to Law and Literature*. Cambridge: Cambridge UP, 2007.
- Hutson, Lorna, ed. *The Oxford Handbook of English Law and Literature, 1500-1700*. Oxford: Oxford University Press, 2017.
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- Peters, Julie Stone. "Legal Performance Good and Bad." *Law, Culture and the Humanities* 4 (2008): 179-200.
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legal history & background information

- Baker, John Hamilton. *An Introduction to English Legal History*. Oxford: Oxford University Press, 2007.
- Bacon, Francis. *The Major Works: Including New Atlantis and the Essays*. Ed. Brian Vickers. Oxford: Oxford University Press, 2002.
- Sommerville, J. P. "James I and the Divine Right of Kings: English Politics and Continental Theory." *The Mental World of the Jacobean Court*. Ed. Linda Levy Peck. Cambridge: Cambridge University Press, 1991. 55-70.
- Gieskes, Edward. "'From Wronger and Wronged Have I Fee': Thomas Middleton and Early Modern Legal Culture." *Thomas Middleton and Early Modern Textual Culture: A Companion to the Collected Works*. Eds. Gary Taylor and John Lavagnino. Oxford: Oxford UP, 2007. 110-118.
- James I and VI. "The Trew Law of Free Monarchies." *Political Writings*. Ed. Johann P. Sommerville. Cambridge: Cambridge University Press, 1994. 52-84.
- Mukherji, Subha. *Law and Representation in Early Modern Drama*. Cambridge: Cambridge UP, 2006.
- Pollard, Tanya. "Tragedy and Revenge." *The Cambridge Companion to English Renaissance Tragedy*. Eds. Emma Smith and Garrett A. Sullivan Jr. Cambridge: Cambridge University Press, 2010. 58-72.
- Raffield, Paul. *Images and Cultures of Law in Early Modern England: Justice and Political Power, 1558-1660*. Cambridge: Cambridge University Press, 2004.

William Shakespeare, *The Merchant of Venice*

- Bailey, Amanda. "Shylock and the Slaves: Owning and Owing in *The Merchant of Venice*." *Shakespeare Quarterly* 62.1 (2011): 1-24.
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- Gleckman, Jason. "*The Merchant of Venice*: Laws Written and Unwritten in Venice." *Critical Review* 41 (2001): 81-94.
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- Keyishian, Harry. "Punishment Theory in the Renaissance: The Law and the Drama." *Shakespeare and the Law*. Eds. Paul Raffield and Gary Watt. Oxford and Portland, OR: Hart, 2008. 175-184.
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John Webster, *The White Devil*

- Apolloni, Jessica. "'Ravish Justice': Transnational Law and Disorder in the Works of John Webster." *ANQ: A Quarterly Journal of Short Articles, Notes, and Reviews* 31.3 (2018): 168-175.
- Coleman, David. *John Webster, Renaissance Dramatist*. Edinburgh: Edinburgh University Press, 2010.
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Nathan Field and Philip Massinger, *The Fatal Dowry*

- Clark, Ira. *The Moral Art of Philip Massinger*. Lewisburg: Bucknell University Press, 1993.
- Curran, John E. "Declamation and Character in the Fletcher-Massinger Plays." *Medieval and Renaissance Drama in England* 23 (2010): 86-113.
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- Waith, Eugene M. *Patterns and Perspectives in English Renaissance Drama*. Newark, DE: University of Delaware Press, 1988.